

A REPORT TO NEWARK & SHERWOOD DISTRICT COUNCIL
OF THE EXAMINATION OF
THE WINTHORPE WITH LANGFORD NEIGHBOURHOOD PLAN 2024-2034
UNDERTAKEN BY
Dr LOUISE BROOKE-SMITH, OBE, FRICS, MRTPI
INDEPENDENT EXAMINER
JULY 2025

CONTENTS

SUMMARY AND OVERALL RECOMMENDATION

1.0 INTRODUCTION

- 1.1 The Neighbourhood Development Plan Regime**
- 1.2 Appointment and Role of the Independent Examiner**
- 1.3 The Examination Process**

2.0 BACKGROUND TO THE WINTHORPE WITH LANGFORD NEIGHBOURHOOD PLAN

3.0 COMPLIANCE WITH MATTERS OTHER THAN THE BASIC CONDITIONS AND HUMAN RIGHTS

4.0 THE BASIC CONDITIONS AND HUMAN RIGHTS

- 4.1 Basic Conditions Statement**
- 4.2 National Policy, Advice and Guidance**
- 4.3 Sustainable Development**
- 4.4 The Development Plan and Strategic Policy**
- 4.5 EU Obligations and Conventions**

5.0 ASSESSMENT OF THE WINTHORPE WITH LANGFORD NEIGHBOURHOOD PLAN POLICIES

- 5.1 General Comments**
- 5.2 The Overall Presentation and Form of the Plan**
- 5.3 Assessment of Policies**
- 5.4 Community Aspirations**

6.0 MONITORING AND REVIEW

7.0 REFERENDUM

8.0 SUMMARY AND RECOMMENDATION

APPENDICES

Appendix A– Documents reviewed by the Examiner

Appendix B – Examiner's use of Abbreviations

Summary and Overall Recommendation

As the Independent Examiner into the Winthorpe with Langford Neighbourhood Plan Review, I have been instructed by Newark & Sherwood District Council, in its capacity as the Local Planning Authority, to present my professional assessment of the amendments proposed to the previously 'made' Plan, in terms of compliance with the 'Basic Conditions' as set out in extant legislation, regulations and guidance.

I confirm that I am independent of the Qualifying Body, which comprises Winthorpe with Langford Parish Council, and the Local Planning Authority. Furthermore, I do not have any interest in any land or property that may be affected by the Plan.

I hold relevant professional qualifications and have experience of the planning regime, gained over the past 35 years in both the public and private sectors, to enable an independent judgement of the documents before me. I am also a member of the National Panel of Independent Examiners Referral Service, endorsed at the time of convening by HMGov Department of Housing, Communities and Local Government.

I have undertaken a thorough examination of the Winthorpe with Langford Neighbourhood Plan. This has comprised a review of all documents presented to me by the Local Planning Authority, a review of documents available for public review on the respective Parish websites and documents relating to the Development Plan held on the Council's website plus national guidance, regulations and statute.

*It is my considered opinion that, only with modification, the said Plan meets the Basic Conditions and human rights requirement, as set out in the respective legislation and guidance. **I have highlighted where I consider modifications are required and indicated the nature of those changes. These have been set out in bold throughout my Report. Suggested modified text is presented in bold italics.***

Hence, with modifications, I consider that the Winthorpe with Langford Neighbourhood Plan Review will: have regard to national policies and advice contained in current legislation and guidance; contribute to the achievement of sustainable development; be in general conformity with the strategic policies of the development plan for the area; not breach, but be compatible with European Union obligations and the European Convention of Human Rights; and not likely have a significant effect on a European Site or a European Offshore Marine Site either alone or in combination with other plans or projects.

I consider that the Neighbourhood Plan complies with the legal requirements set out in Paragraph 8(1) and 8(2) of Schedule 4B to the Town and Country Planning Act 1990, as amended, and can proceed to a Referendum.

I have no concerns with the defined Plan area or the manner of its confirmation and consider that this area is appropriate as the extent of any Referendum. Finally, I refer to several

abbreviations throughout my Report and for the avoidance of any confusion these are set out in Appendix B.

Dr Louise Brooke-Smith, OBE, FRICS, MRTPI,

July 2025

1.0 INTRODUCTION

1.1 THE NEIGHBOURHOOD DEVELOPMENT PLAN REGIME

- 1.1.1 The Neighbourhood Development Planning regime provides local communities with the ability to establish specific land use planning policies which can influence how future development comes forward in their area and how land can be used. It not only provides the opportunity for local people to shape their locality, but it also provides guidance for developers and landowners when considering new proposals and for decision makers when determining planning applications.
- 1.1.2 Any Neighbourhood Development Plan should be clear, not only in its goals and ambitions, but also in how any policies are presented. The background behind how policies have emerged should be easy to understand and robust in terms of identifying specific policy and the evidence it relies upon.
- 1.1.3 This Report provides the findings of my Examination into the Winthorpe with Langford Neighbourhood Plan, which is hereon referred to as the Plan or NP.

1.2 APPOINTMENT AND ROLE OF THE INDEPENDENT EXAMINER

- 1.2.1 I was formally appointed by Newark & Sherwood District Council, as the Examiner of the NP in May 2025. I was issued with the relevant documentation and formally began the examination later that month.
- 1.2.2 In examining any NP, I am required, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, (TCPA) to establish whether:
- *The Neighbourhood Development Plan has been prepared and submitted for examination by a Qualifying Body.*
 - *The Neighbourhood Development Plan has been prepared for an area that has been designated under Section 61G of the TCPA as applied to Neighbourhood Development Plans by section 38A of the Planning and Compulsory Purchase Act 2004 (PCPA).*
 - *The Neighbourhood Development Plan meets the requirements of Section 38B of the PCPA (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area).*
 - *The policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the PCPA.*

- 1.2.3 My role has also been to consider whether the Plan meets the 'Basic Conditions' and human rights requirements, as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to Neighbourhood Development Plans by section 38A of the Planning and Compulsory Purchase Act 2004.
- 1.2.4 In order to meet the Basic Conditions, the making of any Neighbourhood Development Plan, new or revised, must:
- *Have regard to national policies and advice contained in guidance issued by the Secretary of State.*
 - *Contribute to the achievement of sustainable development.*
 - *Be in general conformity with the strategic policies of the development plan for the area; and*
 - *Not breach, and must be otherwise compatible with, European Union (EU) and European Convention on Human Rights (ECHR) obligations.*
- 1.2.5 Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out a further basic condition for Neighbourhood Development Plans, in addition to those set out in primary legislation and referred to in the paragraph above.
- *The making of the Neighbourhood Development Plan is not likely to have a significant effect on a European Site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European Offshore Marine Site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) either alone or in combination with other plans or projects.*
- 1.2.6 Having examined the Plan against the Basic Conditions, as set out above, and as the Independent Examiner, I am required to make one of the following recommendations:
- a) that the Plan should proceed to Referendum, on the basis that it meets all legal requirements.*
 - b) that the Plan should be subject to modification but will then meet all relevant legal requirements and should proceed to Referendum.*
 - c) that the Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.*
- 1.2.7 If recommending that the Plan should go forward to Referendum, I am also required to consider whether, or not, the Referendum Area should extend beyond the defined Winthorpe with Langford Neighbourhood Plan Area.
- 1.2.8 As noted above, the role of any Independent Examiner is to assess a Plan in terms of compliance with the Basic Conditions. While it is not to specifically comment on whether

the Plan is sound, where changes could be made that would result in removing ambiguity and make the document more user friendly for all parties, this should be considered. This reflects relevant paragraphs of the NPPG and the first basic condition.

- 1.2.9 It should also be noted that it is not the role of the Examiner to add policies, even if this is suggested by statutory consultees or stake holders during the Regulation 14 or 16 stages of the Plan's preparation. Where relevant, comments on Regulation 16 representations are noted later in this report.

1.3 THE EXAMINATION PROCESS

- 1.3.1 Examinations should preferably be conducted by written representations unless there is sufficient reason to hold a hearing to explore controversial or ambiguous matters. In this case, I have been able to consider the Plan by way of the key documents, relevant background information, the evidence base, and written representations. I have not felt it necessary to hold a hearing to complete my findings.

- 1.3.2 My examination findings have resulted from my assessment of the documents noted at Appendix A and the written submissions from interested parties at both the Regulation 14 and 16 stages of the NP revision process and are in addition to my reference to the following documents, which set out extant legislation, regulation and guidance.

- The National Planning Policy Framework (The Framework) has been revised at various times since its initial introduction. In December 2024 the latest revision of the NPPF was issued, together with updated Planning Practice Guidance. This was before the conclusion of the Regulation 16 stage for the Winthorpe with Langford NP.
- The NPPF 2024 implementation date for 'Plan making purposes' was the end of March 2025 and the advice issued by HMGov has been that while any plan examination before this date can refer to the extant national policy relevant at the time of the plan's submission, any examination after March 2025 should be in the context of the December 2024 version of the NPPF. I note however that Submission Version (2) of the NP, amended by the QB in light of the Regulation 16 comments has helpfully made reference to the December 2024 NPPF edition. The Basic Conditions Statement is also appropriately referenced.
- Town and Country Planning Act 1990 (as amended)
- The Planning and Compulsory Purchase Act 2004 (as amended)
- The Localism Act (2011)
- The Neighbourhood Planning (General) Regulations (2012) and additions

- The Neighbourhood Planning Act 2017 and associated guidance and regulations.

1.3.3 Finally, I confirm that I undertook an unaccompanied site visit to the Plan area in June 2025.

2.0 BACKGROUND TO THE WINTHORPE WITH LANGFORD NEIGHBOURHOOD PLAN

2.1 The two parishes of Winthorpe and Langford are combined for administrative purposes and lie to the immediate north of Newark on Trent. The area is rural in nature with one main settlement of Winthorpe and smaller disbursed hamlet of Langford. There is a defined 'open break' separating Winthorpe from the urban area of Newark.

2.3 Winthorpe Parish Council, is noted in the Statement of Basic Conditions as being the Qualifying Body (QB). It made an appropriate application to pursue the NP for both parishes, to the District Council and I am advised that all necessary protocols were followed under the salient regulations of the Neighbourhood Development Planning (General) Regulations 2012.

2.4 The NP before me, has been prepared by the Winthorpe with Langford Working Group, on behalf of the Qualifying Body. Initially this was for the Plan Period 2023 – 2033 but in the latest versions of the NP, this has been amended to be for the period 2024 to 2034.

2.5 Following a Regulation 14 consultation, the draft NP was further amended to take account of consultation comments. The ensuing version (Regulation 15 Submission) was submitted to the LPA, for the Council to take the Plan forward to Regulation 16 Consultation.

2.6 The LPA formally accepted the Neighbourhood Plan (Regulation 15 Submission) late in 2024 and publicised the Plan for consultation early in 2025. Representations received under Regulation 16 have been forwarded to me as the appointed Examiner, as has the evidence to support the NP, including a Housing Needs assessment prepared by Aecom in December 2021. All key documents are available on the LPA and Parish websites.

3.0 COMPLIANCE WITH MATTERS OTHER THAN THE BASIC CONDITIONS AND HUMAN RIGHTS

3.1 Given the above, I now report on the procedural tests, as set out earlier in this Report, and find as follows;

- **The Qualifying Body (QB)**

- 3.2 From the documentation before me, I am advised that Winthorpe Parish Council has jurisdiction over both Winthorpe and Langford Parishes. It is a properly constituted body, i.e., a Qualifying Body for the purpose of pursuing amendments to a Neighbourhood Development Plan. This is in accordance with the Localism Act (2011) and recognised in the National Planning Policy Framework (as amended) and accompanying Planning Practice Guidance. Accordingly, I find this addresses the necessary requirements.

- **The Plan Area**

- 3.3 The Plan area comprises the two parishes of Winthorpe and Langford. The latter extends to a geographical larger area than the former. However, the former contains the primary settlement of Winthorpe. I understand that this area has not been the subject of a Neighbourhood plan previously.

- **The Plan Period**

- 3.4 Any Neighbourhood Plan, must specify the period during which it is to have effect. While the initial submission draft of the NP states in its introduction sections that it addresses the period between 2023 and 2033, a modified version issued further to the Regulation 16 representations has amended this to 2024 to 2034. I endorse this later time period and advise that it is included on the front cover of the NP and at relevant places within the text of the NP.

- **Excluded Development**

- 3.5 From my review of the documents before me, the proposed policies within the NP do not relate to any of the categories of excluded development, as defined by statute and extant regulations, or to matters outside the Neighbourhood Development Plan area. I find that in terms of excluded development; the Plan meets legal requirements.

- **Development and Use of Land**

- 3.6 Any Neighbourhood Plan's policies, in accordance with current regulations, should only contain policies relating to development and/or use of land. While supporting text can reflect the goals and ambitions of any community, unless directly relating to development or use of land, this should not be included within or be confused with specific policies.

- 3.7 Where I felt that any proposed policy, or part of that policy was ambiguous, unnecessarily duplicated other policies or statutory regulations, or concerned matters that do not relate to the development or use of land or property, I have recommended that it be modified.

- **Public Consultation**

- 3.8 Planning legislation requires public consultation to take place during the production of Neighbourhood Plans or any period proposing amendments to a Plan. Any public consultation should be open and accessible, and any information presented should be easy to understand and to comment upon. It should enable all sectors of the local community the ability to comment on and hence shape the proposals which may have a bearing on where they live, work or spend their leisure time.
- 3.9 As a requirement of the salient regulations of the Neighbourhood Development Planning (General) Regulations 2012 as amended, a Consultation Statement has been prepared by the Winthorpe with Langford Working Group and ultimately the QB. It was duly submitted to the Council and made available via the LPA and Parish's websites.
- 3.10 It is a comprehensive document and explains the context and outcomes of the community engagement events. It helpfully includes a summary table which explains the process up to the Regulation 14 stage of proceedings plus details of the Regulation 14 comments and the stance subsequently held by the QB.
- 3.11 Focus groups were formed to explore specific matters including business needs, heritage assets, the conservation area, housing needs, transport, green spaces and environmental issues. A community survey was pursued which had a good response rate and specific consultation was held with regard to the village envelope.
- 3.12 I consider that comments on the draft version of the NP were appropriately assessed and addressed and then explained by the QB.
- 3.13 The Plan was subject to some changes as a result of the consultation process and the Regulation 14 submissions by third parties. A Submission Version of the Updated Plan was duly prepared and submitted to the LPA later in 2024 and, as noted above, a further public consultation period was held early in 2025.
- 3.14 I have reviewed the representations to the Submission Version of the Plan, the Stage 16 representations, and stress that my role has not been to undertake a detailed analysis of the points presented but moreover review the general process and approach taken. An amended version dated March 2025, of the Submission NP, has been prepared by the QB and presented to me which incorporates amended text in responses to the Regulation 16 submissions.

- 3.15 I have reviewed the documents presented by the QB to explain and indeed support the policies. I consider that the various consultation initiatives and the approach adopted by the QB were appropriate. I have specifically had regard to whether the evidence base was poor or ambiguous and whether this has affected the validity of some policies.
- 3.16 However, in summary, I conclude that an appropriate consultation exercise was undertaken and that stakeholders had the opportunity to input into the Plan's preparation. As such, Regulations 14 and 16 have been addressed.

4.0 THE BASIC CONDITIONS AND HUMAN RIGHTS

4.1 BASIC CONDITIONS STATEMENT

- 4.1.1 I have reviewed the Basic Conditions Statement (BCS) dated December 2024 and find it to be appropriate in its format and approach. However, it confusingly refers to a Plan period of 2024 to 2033. **I advise that this is amended to refer to 2024 to 2034.**

4.2 NATIONAL POLICY, ADVICE AND GUIDANCE

- 4.2.1 As noted earlier, the extant NPPF (Dec 2024) explains that a presumption in favour of sustainable development means that Neighbourhood Plans should support the strategic development needs set out in the Development Plan and plan positively to support appropriate local development. This has not changed from the 2021 and 2023 versions of the NPPF. Understandably, the preparation stages of the NP were prepared in the context of previous versions of the NPPF but as noted earlier, given the Government advice with regard to implementation of the updated NPPF by March 2025 for plan making, it is appropriate for my examination of this NP to proceed in the context of the Dec 2024 version of the NPPF.
- 4.2.2 Helpfully the BCS confirms in Section 3 that the most up to date version of the NPPF has been used to guide the NP and Table 1 proceeds to explain how the proposed policies within the NP align with relevant paragraphs in the Dec 2024 NPPF. I find this table helpful and clear.
- 4.2.3 Given the guidance found within Planning Practice Guidance (PPG) which accompanies the NPPF, I have considered the extent to which the NP policies meet the first basic condition in Section 5 below and, **subject to a number of modifications, I find the Plan compliant.**

4.3 THE DEVELOPMENT PLAN AND STRATEGIC POLICY

- 4.3.1 Neighbourhood Plans should be aligned with the strategic needs and priorities of the wider local area, i.e., they must be in general conformity with the strategic policies of the Development Plan. The NPPF advises that they should not promote less development than is set out in the Development Plan or undermine its strategic policies. Neighbourhood Plans should provide a practical framework within which decisions on planning applications can be made with predictability and efficiency.
- 4.3.2 The Development Plan pertinent to this examination includes, the Newark and Sherwood Local Development Framework, comprising the Amended Core Strategy which was adopted in Dec 2019 together with the Allocations and Development Management Development Plan (DPD). I am aware that the latter document has been subject to update and amendment, and an examination of new land allocations has been pursued by the LPA. While this amended document carries some weight, reflecting its progress through the examination process, it is not as yet an adopted document.
- 4.3.3 The extant Core Strategy contains clear spatial objectives and specific policies which have guided the NP. Table 2 of the BCS sets out the key Core Strategy policies relevant to the proposed NP policies. I find that this Table is clear and helpful.
- 4.3.4 I consider that the QB in this case has progressed matters appropriately. **The BCS is clear and comprehensive.**
- 4.3.5 I am content, subject to some modifications as detailed below; the NP policies are in general conformity with the relevant strategic policies of the Development Plan.

4.4 SUSTAINABLE DEVELOPMENT

- 4.4.1 Any Neighbourhood Plan, or updated version of such, should contribute to the achievement of sustainable development. The 2024 NPPF explains that there are three dimensions to sustainable development: economic, social and environmental. I consider that the approach taken and explained in the Basic Conditions Statement is robust.
- 4.4.2 Whilst there is no legal requirement for any Plan to be accompanied by a separate Sustainability Appraisal, it is helpful for it to acknowledge and explain how its policies have reflected sustainability matters in all forms, as expressed in the NPPF. I note that this has been reflected in Table 5 of the BCS.

4.5 EUROPEAN UNION (EU) OBLIGATIONS AND CONVENTIONS

- 4.5.1 Notwithstanding the decision by the UK to leave the European Union, any Neighbourhood Development Plan must still be compatible with certain obligations adopted through

European statute, as they have been incorporated into UK law. The NP would not be compliant otherwise.

- **Strategic Environment Assessment**

4.5.2 Directive 2001/42/EC, often referred to as the Strategic Environment Assessment (SEA) Directive, relates to the assessment of the effects of certain plans and programmes on the environment, and has relevance here. Similarly, Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (referred to as the Habitats and Wild Birds Directives respectively) aim to protect and improve Europe's most important habitats and species and can have a bearing on Neighbourhood Development Plans.

4.5.3 I note that following a screening assessment, an SEA screening opinion was issued by the LPA in December 2024. This advised that the proposed policies within the NP were not expected to have significant environmental effect and hence an SEA was not required.

4.5.4 **I concur with this and find that the Plan meets the legal requirements of the EU's SEA Directive and conclude that in respect of this EU obligation, the Plan is compliant.**

- **Habitat Regulations and Environmental Impact Assessment**

4.5.5 Similarly, further to a screening assessment, in its formal opinion dated December 2024, the LPA did not consider that a Habitats Regulation Assessment (HRA) was required as the NP was unlikely to have a significant effect on any designated sites.

4.5.6 **I concur and find that the NP meets the legal requirements of the EU and HRA Regulations and conclude that, in this respect, the Plan is compliant.**

- **Human Rights and Equality Impact Assessment**

4.5.7 The Basic Conditions Statement makes reference to compliance with the European Charter on Human Rights (ECHR) or the Human Rights Act 1998 at Section 6.

4.5.8 I am unaware of any matters proposed in the NP that challenge issues of human rights, and I conclude that the Plan does not breach and is otherwise compatible with the ECHR. I am not aware of any other European Directives which apply to this particular Neighbourhood Development Plan and **hence am satisfied that the Plan is compatible with EU obligations, and those replicated in UK legislation.**

4.5.9 With regard to equality, The Equality Act (2010) places a duty on all authorities to have regard to the need to, inter alia, eliminate discrimination and advance equality. I have found

no reference to action by the QB or the LPA on the matter but on review of the document before me find that, subject to some modifications, the policies proposed would serve to reduce existing inequalities, provide a high-quality public realm with few if any negative impacts on any protected characteristics.

4.5.10 **I am content that the Equality Impact is acceptable and there are no negative impacts.**

5.0 ASSESSMENT OF THE WINTHORPE WITH LANGFORD NEIGHBOURHOOD PLAN POLICIES

5.1 GENERAL COMMENTS

5.1.1 I am aware that some consultees, during the preparation of the NP and at the Regulation 14 and 16 stages, suggested additional initiatives, inclusion of references and amended policies and text. Some changes were included in the Reg 15 version of the NP, but some were not. This was at the discretion of the QB. I should stress that it is not the role of the Examiner to add further detail or policies that may have been considered by the QB through the Plan preparation, but not included in the Submission Version, unless I consider that their omission makes the NP non-compliant.

5.1.2 In terms of considering the NP against the Basic Conditions, I find that the Plan is compliant with Basic Conditions 4 and 5 and the following sections of this Report assess its compliance with:

- Basic Condition 1 (Compliance with National Policy reflected in the 2023 NPPF);
- Basic Condition 2 (Delivery of Sustainable Development); and
- Basic Condition 3 (General Conformity with the Development Plan).

5.1.3 I wish to stress that my examination has comprised a review of the proposed policies and supporting evidence. It has not comprised a forensic review of the rationale behind the policies but where I have found that the evidence base for the proposed amendments is unacceptably weak or erroneously interpreted, or in conflict with core strategic policies, I have suggested appropriate modifications.

5.2 THE OVERALL PRESENTATION AND FORM OF THE PLAN

5.2.1 Before I set out my specific findings on each of the policies within the NP, it is important to note that the NPPF and the PPG advise that plans should provide a practical basis on which decisions on planning applications can be made with a high degree of predictability and efficiency. I consider that this can be interpreted as 'having a clear document'.

5.2.3 The form of the Plan comprises;

- A foreword and summary section setting out the vision, objectives and a list of the proposed 10 policies which address; sustainable development; design; renewable energy; accessibility; built heritage; housing; business; community facilities; green infrastructure and flood protection.
- Introduction section presenting how the NP was prepared and its regulatory context
- A section explaining the evidence base and factual information relating to the NP area addressing; the history of the area, the extent of heritage assets; the natural environment; water and flooding issues; transport and infrastructure within and across the NP area; community facilities and housing provision and needs.
- A section explaining the community survey
- A section commenting on the policy context and specifically the NPPF, the Local Plan, the Core Strategy and the Allocations and Development Management DPD.
- The fifth section of the NP comments on future needs and the vision of the NP
- The sixth section sets out 10 formal policies. I welcome the format of explanatory text, and the formal policy then clearly set in a green box.
- The seventh section comments on community essential and desirable aspirations
- The appendices contain details of the policy context and a list of heritage assets.

5.2.4 I wish to briefly comment on the text in the initial sections, which set the context in advance of specific policies. **I offer the comments for consideration by the LPA and QB. In themselves they do not make the plan non-compliant with the basic conditions, but should they be addressed, I consider a clearer and more user-friendly document would be created.**

5.2.5 I have been provided with a version of the submission Draft dated March 2025 which incorporates the QB's stance in response to the Regulation 16 submissions. I am aware, however, that stakeholders and third parties will not have had the opportunity to comment on the March version of the NP, which includes a number of amendments, and typographical changes. I therefore feel it relevant to comment as follows;

- I note that the date of the NP has been amended to refer to the period 2024 to 2034 and references throughout the document have been amended by the QB to reflect this. I find this to be a pragmatic and sensible change.
- I find the initial section of the NP setting out the vision, objectives and a list of the proposed policies, clear and helpful.

- The introductory section of the NP, again, is well set out and contains an appropriate amount of factual information, explanation about the neighbourhood plan process and the specific work undertaken on behalf of the QB. Again, I find this clear and helpful.
- The need for a robust evidence base has been explained well, as has the factual information and data relating to geographical, historical, and environmental context for the NP area. Appropriate reference has also been made to biodiversity and flooding matters. **I note that the QB accepts the need to include a key to accompany Figure 8 'Map of Flood Risk within the NP area'. I support this and a key should be added.**
- **I also endorse the removal of para 2.55 and the subsequent renumbering of paragraphs.**
- I note that section addressing housing and housing needs has been amended with additional paragraphs proposed by the QB. I find that the proposed paragraphs 2.61 to 2.67 appropriately and helpfully refer to Dec 2024 version of the NPPF and accept that going forward, local planning authorities will need to reflect housing targets for their respective areas. In this case I understand that Newark & Sherwood DC will be reviewing its housing needs and supply. I am advised, however, that the LPA is not currently intending to allocate new housing sites within the NP area. Reflecting its rural characteristic, Winthorpe is not mooted as a settlement that should accommodate significant growth.
- I welcome the additional text offered by the QB and endorse its inclusion. **I do however consider that reference to the 2011 census data could be appropriately updated to reflect the more recent 2021 Census information.** The Housing Needs Assessment used by the QB to support its housing policies, was prepared by Aecom on behalf of the Parish Council in December 2021. It understandably references the 2011 census date and is nearly 5 years out of date.
- I note however that the QB took the opportunity through its community survey work to obtain a more up to date picture of housing needs as part of a its more general consultation with the local population and stakeholders. I have reviewed the survey results.
- The March version of the NP in Section 4, addressing planning policy, has been appropriately updated by the QB to refer to the Dec 2024 NPPF. **I welcome the revised text at para 4.3 and 4.4**
- I note the amended and extended text above para 4.6 explaining the documents comprising the local development framework. **For consistency, I advise that the unnumbered text be given a paragraph number and subsequent paragraphs be renumbered.**
- The amended para 4.10, proposed by the QB is helpful but I suggest that it is further amended as follows;

Newark & Sherwood District Council is in the process of reviewing the Alocations & Development Management DPD. An amended version of the document has been

submitted to the Planning Inspectorate and an Examination in Public was held in November 2024. The District Council is not proposing to make any new housing, employment or retail allocations as part of this review, within the Winthorpe with Langford NP area.

5.3 ASSESSMENT OF POLICIES

- 5.3.1 I now turn to the specific policies, having reviewed the evidence base, and the approach taken by the QB in preparing the policies, in light of the guidance and advice found in the NPPF and the PPG.

Commented [1]:

POLICY 1: SUSTAINABLE DEVELOPMENT

- 5.3.2 The supporting text accompanying this policy references the principles of the NPPF and the relevant local development framework. **I endorse the QB's amended text at paragraphs 6.3 and 6.4.**
- 5.3.3 While the policy duplicates national guidance and adopted local policy, it makes sufficient reference the NP in question and the 'Village Envelope' to enable the policy to have specific relevance. I have reviewed the evidence base and consultations with respect to the village envelope around Winthorpe and find this to be appropriate.
- 5.3.4 **I endorse the amended text proposed by the QB and the specific reference to adopted local policy and the A&DM DPD relating to Newark Showground.**
- 5.3.5 **I find that with these amendments; POLICY 1 is compliant without further modification.**

POLICY 2; DELIVERING GOOD DESIGN

- 5.3.6 The explanatory text accompanying this policy helpfully refers to the consultation responses and the subsequent commissioning of the design guidance.
- 5.3.7 **I endorse the QB's amended text at paragraphs 6.7 and 6.8.** The text helpfully explains that one of the principles of neighbourhood plans is to allow the local community to identify and promote any special characteristic of their respective area.
- 5.3.8 The formal text of Policy 2 is clear and includes appropriate guidance to any user of the plan.
- 5.3.9 **With the QB's amended text, I find Policy 2 compliant without modification.**

POLICY 3: RENEWABLE ENERGY

- 5.3.10 The accompanying text to Policy 3 appropriately refers to national guidance and adopted policy. I consider that in amending the text of para 6.9, the QB has made unnecessary duplicated reference to Policy DM4 of the A&DM DPD. I consider para 6.9 should read as follows;

'The policy supports the development of renewable energy and a low carbon future, in accordance with the National Planning Policy Framework (NPPF) paragraphs 152, 155 and 158. It also aligns with Core Policy 10 of the Amended Core Strategy and Policy DM4 of the Allocations and Development Management DPD, which promotes renewable energy and low carbon sources, as long as it does not negatively impact the landscape, heritage, amenities, highway safety, ecology or aviation interests.'

- 5.3.11 I note that the formal text of the policy has been amended in the March version of the NP by the QB to refer to 'plant, infrastructure and machinery'. **I endorse and support this.**
- 5.3.12 **With the above modifications, I find Policy 3 compliant.**

POLICY 4; ACCESSIBILITY, COMMUNICATIONS AND TRANSPORT

- 5.3.13 This policy promotes sustainable travel within and across the NP area and accordingly the accompanying text makes appropriate reference to relevant elements of the NPPF and adopted and emerging policy. **I endorse the proposed updating of the text to accurately refer to relevant extant NPPF paragraphs and Core Strategy policies.**
- 5.3.14 Relevant reference has been made to the nature of the NP area and the paucity of public rights of way. I note that the area is physically constrained by the River Trent, the A1 and A46 with few access or crossing points.
- 5.3.15 The community clearly highlighted access and connectivity issues during the consultation stages of the plan's preparation and the need to improved footpath connections and crossing points is understood.
- 5.3.16 I note the amendment to the list set out under 'community aspirations' and the deletion to the reference to the A46. Specific highway works are under the auspices of the County Highway Authority or National Highways, and not within the remit of a NP.
- 5.3.17 The QB has offered to make further amendments to the formal text of Policy 4 **which I endorse.**
- 5.3.18 **With those amendments, I find Policy 4 compliant.**

POLICY 5; CONSERVING OUR HISTORIC ENVIRONMENT

- 5.3.19 This policy reflects the community's clear wish to preserve and enhance the historic character of the NP area. Again, the accompanying text makes appropriate reference to the extant NPPF and Core Strategies.
- 5.3.20 Para 6.17 is clumsy and has duplicated text. I consider it should be rewritten as follows;
- Additionally, the policy aligns with Core Policy 14 of the Amended Core Strategy which promotes the protection of the historic environment, including both designated and non-designated heritage assets.***
- 5.3.21 The illustration below para 6.17 is not annotated. **It would provide context and assist any reader if the property illustrated was named and located.**
- 5.3.22 I welcome the QB's indication to reference Nottinghamshire County Council's archaeological service and the additional note which explains its work.
- 5.3.23 The formal text of Policy 5, inter alia, refers to the Winthorpe Conservation Area Appraisal. **I am not advised that this has been adopted as supplementary planning guidance but consider that full details of this document should be provided, including its author and publication date, and a link should be provided to assist any reader.**
- 5.3.24 **With this modification, I find Policy 5 compliant.**

POLICY 6; HOUSING

- 5.3.25 The text accompanying this policy advises that the LPA is undertaking a review of its housing needs and that it is not anticipating identifying new housing allocations within the NP area. Accordingly, the QB has not considered it necessary to identify land for new housing growth.
- 5.3.26 Nevertheless, windfall and speculative development may come forward and indeed this was highlighted in the community consultations.
- 5.3.27 Given the demographics of the area and the potential for some infill development, the NP proposes to guide new development to make use of brown field land and reflect local needs. Relevant references have been made to the NPPF and the Core Strategy. With respect to the latter, the second part of para 6.22 should become para 6.23 and would be better drafted as follows;
- The policy is also in line with Core Policies 3 and 9 of the Amended Core Strategy, which outline the priorities for housing development and emphasises the importance of efficient land use and reuse of previously developed land.***

- 5.3.28 **Subsequent paragraphs need to be renumbered.** The addition of the graphs reflecting the results of the community survey are helpful but the illustration accompanying this section is again not annotated. **The location of the photograph should be included.**
- 5.3.29 **The QB has suggested amendments to the formal text at the end of (b) and at (c) of Policy 6. I endorse these amendments with the exception of the words 'often being 'at (ii) of (c). These are superfluous and can be deleted.**
- 5.3.30 **With these modifications I find Policy 6 compliant.**

POLICY 7; BUSINESS AND SERVICES

- 5.3.31 Given the nature of the area there is an element of agricultural business activity, but the most significant location of employment is the Newark Showground which sits within the NP area. Understandably this is highlighted in the text accompanying Policy 7 together with references to national and local policy supporting rural tourism and the conversion of rural property to allow for agricultural diversification.
- 5.3.32 I note that the QB has suggested a number of amendments to the text at paras 6.24 to 6.27. These are responding to Regulation 16 submissions. **I endorse the amended text presented by the QB.**
- 5.3.33 The formal policy is generally well drafted. It appropriately links to the local policy for the Showground to Winthorpe and reflects NP Policy 4 in terms of supporting improved access. I find this a positive reflection of the results of the community survey exercise.
- 5.3.34 (3) of Policy 7 has been suggested for amendment by the QB but I consider that the amendment would be better drafted as follows;
- Development to enable home working will be supported, subject to compliance with the requirements of section 5 of this policy.***
- 5.3.35 **With this minor modification, I find Policy 7 compliant.**

POLICY 8; COMMUNITY FACILITIES

- 5.3.36 The QB has offered some amendments to the explanatory text to this policy. I find these amendments make appropriate reference to national policy and the ADM DPD and so endorse them.
- 5.3.37 I welcome Figure 14, which is appropriately annotated. **However, the formatting of the March version of the NP needs attention as Figure 14 overlays the formal policy.**

5.3.38 The text of the formal policy is clear, but I consider that (2) should be modified slightly with the replacement of *'the identified facilities....'* with *'these identified facilities....'*

5.3.39 **With these minor modifications, I find Policy 8 compliant.**

POLICY 9: GREEN INFRASTRUCTURE, LOCAL GREEN SPACES and BIODIVERSITY

5.3.40 As with many rural locations, the local population within this NP values the green and blue spaces available. The overriding stance is to protect that space. The supporting text to Policy 9 appropriately refers to the NPPF and confirms a 10% net biodiversity gain accompanying new development.

5.3.41 Reflecting consultation comments, Figure 15 indicates the 'open break' between Newark and Winthorpe which is adopted LDF policy. The QB's revised format of the March version of the NP, however, means that this Figure is obscured by a photograph of the general area. **Not only does the formatting need attention, but the photograph also requires appropriate annotation to explain the subject and where the photo has been taken from.**

5.3.42 The formal policy in the March version of the NP has been proposed for minor amendment by the QB. **I welcome the amendments. However, I suggest that to assist any user of the NP, if Local Green Space (LGS) lie within the NP area then this should be explained in the accompanying supporting text and indicated in Figure 15.**

5.3.43 Currently the key supporting Figure 15 includes reference to LGS but the map does not appear to specifically identify LGS relevant to the NP area. **The terminology 'Local Green Space' is a formal classification. If no LGSs lie within the NP area then this element of the key should be removed. Furthermore, the use of 'Local Green Space' in the policy title should be removed together with the second element of the policy, as both are misleading.**

5.3.44 **I understand that the reference in amended para 6.36 should correctly refer to Policy DM7 of the Amended Allocation and Development Management DPD. This should be corrected.**

5.3.45 **Only with these modifications do I find Policy 9 compliant.**

POLICY 10: FLOOD PROTECTION and SUSTAINABLE DRAINAGE

5.3.45 The QB has offered some amendments to the accompanying explanatory text to this policy and the amendment of (1) within the formal policy itself. **I find the amendments appropriate.**

5.3.46 While the simple duplication of national and strategic policy is not encouraged in NPs, I have noted the extent of comment and concern for the community on this matter and consider that the inclusion of Policy 10, albeit a duplication of extant policy, is therefore warranted.

5.3.47 **Subject to the QB's proposed amendments, I find Policy 10 compliant.**

5.4 COMMUNITY ASPIRATIONS

5.4.1 I note the explanation in Section 7 of the NP with respect to aspirational projects that the community have indicated are of essential and desirable. A list of works has been set out under these two headings.

5.4.2 As the LPA and the QB will be aware, while some of these aspirations could have been addressed through specific policies within the NP, they were not. Other projects are beyond the remit of the NP in that they address highway and traffic management and parking strategies, or the provision of very specific facilities or services.

5.4.3 I accept that aspirational projects are of importance to the community but **if this section is to remain within the NP, I recommend that an introductory paragraph is inserted at the beginning to read;**

A number of Aspirational Projects and Activities are discussed below. These have been identified as being of importance to the local community but are not subject to any formal NP policy. They are highlighted in this section of the NP for information purposes only.

5.4.4 I also consider that for consistency, the illustration inserted in this section should be appropriately annotated.

6.0 PLAN MONITORING AND REVIEW

6.1 Reference is made in the NP to the future review of the Plan at para 1.10 and that there is an intent to review the document five years after it is first made. Given the quality of the NP presented to me and the nature of the work undertaken to date, I have no reason to doubt the ability of, or the commitment of this stance, by the QB.

6.2 I find the approach taken by the QB and the commitment to future reviews of the NP to be **in accordance with current guidance and endorsed.**

7.0 REFERENDUM

7.1 Further to my comments and the proposed modifications above, I recommend to Newark and Sherwood District Council that the Winthorpe with Langford Neighbourhood Plan should proceed to a Referendum. I am required, however, to consider whether the

Referendum Area should reflect the approved Neighbourhood Area or whether it should extend beyond this, in any way.

- 7.2 As noted earlier, the Neighbourhood Area reflects the parishes of Winthorpe and Langford without any additions and deletions and hence **I am content that this defined NP area should also reflect the area for any forthcoming Referendum.**

8.0 SUMMARY AND RECOMMENDATION

- 8.1 I find that the Winthorpe with Landford Neighbourhood Plan is a well-written document, albeit requiring some minor modifications to proposed policies and accompanying explanatory text.
- 8.2 I note that the QB has helpfully suggested some amendments in light of the Regulation 16 representations and in general I have endorsed these. I also find that appropriate and updated references to the extant NPPF have been made.
- 8.3 Some additional annotation is required to assist some of the illustrations included within the NP and some attention to formatting is required to address areas where Figures overlay text.
- 8.4 The Plan has been the subject of effective consultation, and the resulting vision, objectives and ensuing policies reflect the findings of those consultations. Drafts of the NP have been the subject of appropriate amendments, which have taken on board relevant comments from statutory consultees and key stakeholders.
- 8.5 In one place (Policy 10) I find the text repetitive of extant adopted policies, but I accept that this reinforces the key issues of importance to the local community and is supported by the evidence base. I consider that this policy can remain.
- 8.6 I repeat my comments from the start of my report and confirm that I have reviewed the comments raised during the Regulation 14 and 16 stages of the NP preparation but do not feel that the issues raised present sufficient weight to require deletion or further modification of policies, over and above those suggested within this report.
- 8.7 In summary, the Plan complies with the legal requirements set out in Paragraph 8(1) and 8(2) of Schedule 4B to the Town and Country Planning Act 1990 and the relevant regulations relating to the preparation of a Neighbourhood Development Plan. I do not have any concerns over the defined Plan Area nor with that area forming the basis for any Referendum.
- 8.8 **Hence, I recommend that further to the proposed modifications, the Winthorpe with Langford Neighbourhood Plan should proceed to a Referendum forthwith.**

Louise Brooke-Smith, OBE, FRICS, MRTPI. July 2025

Appendix A - Documents reviewed by the Examiner.

- National Planning Policy Framework (The Framework) (2024).
- Planning Practice Guidance (Paragraphs: 001 Reference ID: 41-001-20190509 (and onwards relating to Neighbourhood Plans) – and as revised.
- Town and Country Planning Act 1990 (as amended)
- The Planning and Compulsory Purchase Act 2004 (as amended)
- The Localism Act (2011)
- The Neighbourhood Development Planning (General) Regulations (2012) and additions
- The Neighbourhood Planning Act 2017 and associated guidance and regulations.
- Draft Version of the Winthorpe with Langford Neighbourhood Plan
- Winthorpe with Langford Neighbourhood Plan (Submission Draft Dec 2024) and all associated documents
- Winthorpe with Langford Neighbourhood Plan (Submission V2 March 2025)
- Documents identified in the Winthorpe with Langford Neighbourhood Plan pages of the LPA and respective Parish Council Websites – including Regulation 14 and Regulation 16 submissions and responses and supporting evidence.
- Newark & Sherwood District Council Amended Core Strategy 2019
- Allocations and Development Management Development Plan Documents (ADMDDP) 2013 and Amended version.

Appendix B – Examiner's use of Abbreviations

- | | |
|---|-----------------|
| • Winthorpe with Langford Neighbourhood Plan; | WLNP |
| • Plan / The Neighbourhood Plan; | NP |
| • Qualifying Body; | QB |
| • Newark & Sherwood DC; | N&SDC / Council |
| • Local Planning Authority; | LPA |
| • National Planning Policy Framework; | NPPF |
| • Planning Practice Guidance; | PPG |
| • Basic Conditions Statement; | BCS |