



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Officer Delegated Decision

29.01.2026

Emma Whittaker – Assistant Director of
Planning

Barrowby Neighbourhood Plan: Submission Publication

This report will consider whether the submitted Barrowby Neighbourhood Development Plan (the Plan) complies with prescribed criteria set out in legislation thereby enabling the Plan to be published for statutory consultation and proceed to independent examination.

Contact

Malavika Krishnan – Assistant Planning Policy Officer

 malavika.krishnan@southkesteven.gov.uk

Decision made by:	Emma Whittaker – Assistant Director of Planning
Decision:	To approve the publication of the Barrowby Neighbourhood Plan for its statutory Regulation 16 publication consultation and to undergo subsequent independent examination.
Public or Exempt:	Public
Reasons for exemption:	N/A
Conflicts of interest:	No
Policy compliant:	Yes
Details of delegation:	Part 3(c), Planning Scheme of Delegation (Appendix 1) “Planning Policy” of the Council’s Constitution is as follows: “Following consultation with the relevant Cabinet Member and the local Ward Councillor(s) the Assistant Director of Planning is authorised to make a decision on the validity

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance

- 1.1 The costs associated with Neighbourhood Planning can be recouped from the Neighbourhood Planning Grant supplied by the Department for Levelling Up, Housing and Communities. This is specifically referenced in section 5.33 in the report.

Completed by: David Scott – Assistant Director of Resources and Deputy s151 Officer

Legal and Governance

- 1.2 The Neighbourhood Plan has been prepared in line with legislative requirements and assessed to ensure that it meets the relevant tests set out in the Neighbourhood Planning Regulations.

Completed by: James Welbourn, Democratic Services Manager

Equality and Safeguarding Implications

- 1.3 It is the responsibility of the Neighbourhood Plan group to prepare an Equalities Impact Assessment. However, the Neighbourhood Plan will be assessed to ensure that it is in 'general conformity' with the South Kesteven Local Plan (as required by the Town & Country Planning Act 1990), which has been subject to an Equalities Impact Assessment.

Completed by: the author following consultation with Carol Drury, Community Engagement Manager

2. The Purpose of the Report

- 2.1 To consider whether the submitted Barrowby Neighbourhood Development Plan complies with prescribed criteria set out in legislation, thereby enabling the Plan to

be published for consultation and to undergo subsequent independent examination, prior to referendum.

3. Available Options Considered

- 3.1 **A)** Accept the Barrowby Neighbourhood Development Plan, on the basis that the draft plan submitted for independent examination complies with all the relevant statutory requirements set out in [paragraph 6 of Schedule 4B of the Town and Country Planning Act 1990 \(as amended\)](#).
- 3.2 **B)** Decline the Barrowby Neighbourhood Development Plan, on the basis that the draft plan is a repeat proposal of a similar proposal submitted within the previous 2 years, or does not meet the requirements set out in [paragraph 5 of Schedule 4B of the Town and Country Planning Act 1990 \(as amended\)](#).

4. Preferred Option

- 4.1 **A)** That the Barrowby Neighbourhood Development Plan should be accepted and proceed to the statutory (Regulation 16) consultation and independent examination as the Plan complies with all the relevant statutory requirements set out in [paragraph 6 of Schedule 4B of the Town and Country Planning Act 1990 \(as amended\)](#).

5. Reasons for the Decision(s)

- 5.1 The Barrowby Neighbourhood Development Plan is made up of the settlement of Barrowby and the Barrowby Parish Area.
- 5.2 The proposed Barrowby Neighbourhood Development Plan has been developed following consultation with residents, local businesses and other stakeholder organisations.
- 5.3 The Barrowby Neighbourhood Development Plan consists of a vision, a series of objectives and policies which reflect what is set out in the adopted South Kesteven Local Plan 2011 – 2036.
- 5.4 The draft pre-submission version of the Plan was published by the Barrowby Neighbourhood Plan Steering Group (NPSG) established by the Parish Council, comprising of volunteers from the local community and Parish Council Representatives for its Regulation 14 consultation between the 14th February 2025 and 11th April 2025.
- 5.5 The pre-submission version of the Barrowby Neighbourhood Development Plan was submitted to South Kesteven District Council, along with the relevant supporting documents (evidence base, map of the plan area, basic conditions statement, statement of consultation and a Strategic Environmental Assessment

(SEA) & Habitat Regulation Assessment (HRA) Screening Statement). These documents were received on 19th September 2025.

- 5.6 On submission of a Neighbourhood Development Plan, the Local Planning Authority (LPA) must undertake an assessment of the proposed Plan against certain criteria (as set out in legislation) and decide whether the proposal complies with these criteria. If it is concluded that it does comply with the criteria, then the Plan will be taken forward to the next stage of publication consultation, prior to examination.
- 5.7 Notice of this decision should be sent to the qualifying body (in this case the qualifying body will be Barrowby Parish Council). If the Plan does not meet the requirements, the qualifying body should be notified of the reasons in a written statement.
- 5.8 In accordance with the agreed scheme of delegation, Assistant Director of Planning is authorised to decide, after consultation with the Portfolio Holder and Local Ward Members, whether a Neighbourhood Plan complies with the set legislative criteria.
- 5.9 The following section of the report will provide commentary to whether the submitted Barrowby Neighbourhood Development Plan complies with the set legislative criteria.

Assessment of the Plan against the criteria

- 5.10 The criteria prescribed by legislation and which the LPA must consider are:
- Whether the Parish / Town Council is authorised to act (i.e. whether it is the appropriate body to produce a Neighbourhood Plan for the area suggested).
 - Whether the proposal and accompanying documents:
 - Comply with the rules for submission to the Council.
 - Meet the definition of a Neighbourhood Plan.
 - Meet the scope of Neighbourhood Plan provisions.
 - Whether the Parish / Town council has undertaken the correct procedures in relation to consultation and publicity regarding the Neighbourhood Plan.
- 5.11 The following sets out details of the assessment against the above criteria:

Is the Parish/ Town Council Authorised to Act

- 5.12 Section 61F of the Town and Country Planning Act 1990 (as amended) (the 1990 Act) states:

“A Parish Council are authorised to act in relation to a neighbourhood area if that area consists of or includes the whole or any part of the area of the Council.”

Barrowby Parish Council applied to the LPA to designate the whole Barrowby parish area as its neighbourhood plan area on the 12th of June 2017. This application was approved by the LPA on the 12th of June 2017

5.13 It is therefore considered that Barrowby Parish Council, is authorised to act in relation to this neighbourhood area.

Do the proposal and accompanying documents:

(i) Comply with the rules for submission to the Council?

5.14 Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (the Regulations) states that the submitted documents should include:

- A map or statement identifying the area to which the Plan relates.
- A consultation statement, which contains details of those consulted, how they were consulted, summaries of the main issues and concerns raised and how these have been considered and, where relevant, addressed in the Neighbourhood Plan
- The proposed Neighbourhood Plan.
- A statement showing how the Plan meets the requirements set out in paragraph 8 of Schedule 4B of the 1990 Act (known as the Basic Conditions Statement).
- A Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA) screening report.

5.15 The Barrowby Neighbourhood Development Plan Steering Group, on behalf of Barrowby Parish Council, has submitted all of the above documents including the ***proposed Barrowby Neighbourhood Plan***, alongside their evidence base.

5.16 The submitted ***map*** clearly identifies the whole Barrowby Neighbourhood area on an Ordnance Survey base layer showing the extent to which the Barrowby Neighbourhood Plan relates.

5.17 The submitted ***Consultation Statement*** contains details and a timeline of who was consulted and when. Within the context of the document it also sets out how consultation on the draft Barrowby Neighbourhood Plan complied with the expectations set out in regulation 14 Neighbourhood Planning (General) Regulations 2012. The consultation statement and appendix provides additional detail and evidence in terms of setting out the consultation methods used when seeking the opinions of concerned parties throughout the process. Responses received through the consultation processes have also been broadly documented and addressed within the document.

- 5.18 The submitted **Basic Conditions Statement** sets out how the Barrowby Neighbourhood Plan complies with national policy, how it contributes to sustainable development, how it is in general conformity with the adopted South Kesteven Local Plan 2011- 2030 and how it is compatible with retained European Union (EU) legislation.
- 5.19 The submitted **SEA Assessment Screening and HRA Assessment Screening** reports conclude that the Barrowby Neighbourhood Development Plan would not have significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations and therefore did not need to be subject to a full SEA, nor was there a requirement for further HRA screening.
- 5.20 Since a full SEA was not required and no further HRA screening was necessary, there was no obligation to submit the SEA or HRA screening reports to the three statutory consultees (Natural England, Historic England and the Environment Agency). Consequently, no comments were provided.

Do the proposals and accompanying documents:

(ii) Meet the definition of a Neighbourhood Plan?

- 5.21 Section 38A of the Planning and Compulsory Purchase Act (the 2004 Act) defines a Neighbourhood Development Plan as: “*a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the Plan.*”

It is considered that the Barrowby Neighbourhood Development Plan meets this definition as it contains a variety of neighbourhood-wide policies relating to sustainable development, the environment, heritage, and community infrastructure, including policies specifically relating to:

- *Sustainable Development*
- *Delivering Good Design*
- *Housing Development*
- *Custom and Self-Build Housing*
- *Community Facilities*
- *Conserving Our Historic Environment*
- *Important Views*
- *Green Infrastructure, Local Green Spaces and Biodiversity*
- *Renewable Energy*

Do the proposals and accompanying documents:

(iii) Meet the scope of Neighbourhood Plan provisions?

- 5.22 The Neighbourhood Plan provisions, as defined in Section 38B of the Planning and Compulsory Purchase Act 2004, state that:
- The Neighbourhood Development Plan must specify the period for which it is to have effect.
 - It cannot include provision about development that is 'excluded development'.
 - It cannot relate to more than one neighbourhood area.
- 5.23 The Barrowby Neighbourhood Development Plan clearly states that it will cover the period to 2040.
- 5.24 The Barrowby Neighbourhood Development Plan does not make any provision regarding excluded development. Excluded development relates to minerals development, waste development or nationally significant infrastructure projects.
- 5.25 The Barrowby Neighbourhood Development Plan only relates to the Barrowby Parish area. There are no other Neighbourhood Development Plans in existence or production that relate to this area or are part of it.

Has the Parish / Town Council undertaken the correct procedures in relation to consultation and publicity regarding the Neighbourhood Plan:

- 5.26 Regulation 14 Neighbourhood Planning (General) Regulations 2012 states that, before submitting the Neighbourhood Plan to the Local Planning Authority (LPA), the Parish / Town Council should:
- A) Publicise the Plan in a manner that is likely to bring to the attention of people who live, work or carry out business in the area. Giving detail of:
 - i. The proposals.
 - ii. When and where they can be inspected.
 - iii. How to make representations.
 - iv. The deadline for making representations (not less than 6 weeks from when they were first publicised).
 - B) Consult consultation bodies (from the list of bodies within the Regulations) whose interests they consider may be affected by the proposals for a Neighbourhood Plan
 - C) Send off a copy of the draft Neighbourhood Plan to the LPA
- 5.27 As set out in paragraph 5.17 of this report, the pre-submission consultation undertaken by the Neighbourhood Plan Steering Group on behalf of Barrowby Parish Council meets the above requirements, as detailed in the consultation

statement, the link to which can be found within the 'background documents' section of this report.

Is the draft plan a repeat proposal of a similar proposal submitted within the previous 2 years:

- 5.28 Upon inspection, the Barrowby Neighbourhood Development Plan is **not** a repeat proposal of a similar proposal submitted within the previous 2 years.

Next Steps

- 5.29 If the recommendation is approved, the District Council (SKDC) will arrange for the Barrowby Neighbourhood Development Plan to be published for statutory consultation in accordance with Regulation 16 Neighbourhood Planning (General) Regulations 2012. Comments on the Barrowby Neighbourhood Development Plan will then be invited from the public, stakeholder bodies and any additional interested consultees. This consultation period will run for a minimum of 6 weeks.
- 5.30 This will then be followed by an independent examination which will be carried out by a suitably qualified examiner. Although the appointment of the examiner is made by the District Council, there is a requirement for this to be with the consent of the Parish/Town Council and Neighbourhood Plan group if one is in place. There are numerous schemes routes through which an accredited Neighbourhood Plan examiner can be procured.
- 5.31 The examiner has a 'light touch' role and must only consider the Neighbourhood Plan against certain prescribed criteria. Following the examination (which will normally be dealt with through written representations), the examiner will produce a report recommending whether or not the Neighbourhood Plan should go to a referendum (with or without certain modifications). The District Council considers this report and decides whether or not it agrees with the examiner's recommendations and decision.
- 5.32 If it is then decided that the Plan should go to a referendum (with or without modifications), subject to a separate decision, then the District Council will organise the holding of a referendum in the Neighbourhood Area (there are specific Regulations governing arrangements for a Neighbourhood Plan Referendum). This is a simple yes/no vote and a majority of those voting in favour of the Plan is required before it can be adopted by the District Council.
- 5.33 The costs of the examination and referendum are borne by the District Council, but these can be recovered from the Neighbourhood Planning Grant from the Ministry of Housing, Communities and Local Government. This can be claimed once a date has been set for referendum, following examination (currently £20,000 in total for new Neighbourhood Plans).

- 5.34 Once a referendum date is set the final version of the Neighbourhood Plan and other relevant documents must be on the website at least 28 working days before the Referendum date. The Council will also need to ensure that the publication of the 'notice of referendum' takes place at least 25 working days before the Referendum. The detailed requirements in respect of the referendum process are set out in the Neighbourhood Planning (Referendums) Regulations 2012 (as amended).

Conclusion

- 5.35 It is concluded that the Barrowby Neighbourhood Plan has met each of the specified submission criteria as outlined in current legislation and is not a repeat proposal of a similar proposal submitted within the previous 2 years. Therefore, it is recommended the submission of the Barrowby Neighbourhood Development Plan should be accepted and proceed to its statutory consultation and subsequent examination. Notice of this should be given to the Parish Council and the acting Neighbourhood Plan group (Neighbourhood Plan Steering Group).

6. Consultation

- 6.1 The purpose of this report is to consider whether the Barrowby Neighbourhood Development Plan complies with prescribed criteria set out in legislation, for the District Council (SKDC) to proceed with the statutory Regulation 16 consultation.
- 6.2 The previous consultation, undertaken by Barrowby Neighbourhood Plan Steering Group for comments on the draft Barrowby Neighbourhood Development Plan, can be found within the submitted Consultation Statement.

Background Papers

The Localism Act 2011 - <http://www.legislation.gov.uk/ukpga/2011/20/contents>

The Neighbourhood Planning (General) Regulations 2012 - <http://www.legislation.gov.uk/uksi/2012/637/contents/made>

Barrowby NP – Submission Document

Barrowby NP – Basic Conditions Statement

Barrowby NP – Consultation Statement

Barrowby NP – Map of NP Area

Barrowby NP – SEA Screening Report & HRA Screening Report

Barrowby NP – Local Green Space Assessment

Additional background information on the Barrowby Neighbourhood Plan can be found on the Barrowby Neighbourhood Plan webpage -

<https://barrowby.parish.lincolnshire.gov.uk/downloads/download/3/barrowby-neighbourhood-plan>

Signed by:



Dated: 29 January 2026