

Central Lincolnshire Policy NS72 Lincoln Regeneration and Opportunity Areas Evidence Report

Formerly Policy NS71

March 2022



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1. Introduction

- 1.1. The Central Lincolnshire Local Plan is being updated since the first Local Plan for Central Lincolnshire, an area covering the districts of City of Lincoln, North Kesteven and West Lindsey, was adopted in April 2017.
- 1.2. This Evidence Report (which is one of a collection) provides background information and justification for Policy NS72 Lincoln Regeneration and Opportunity Areas, which relates to the regeneration of specific areas close to the city centre.

2. Policy Context

National Policy and Guidance

- 2.1. The National Planning Policy Framework (NPPF) was revised in July 2021 and sets out the framework for planning in England. There are number of key strands relating regeneration including aspects within Chapter 6 Building a Stronger, Competitive Economy.

Paragraph 82 states *“Planning policies should:*

- a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;*
- b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;*
- c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and*
- d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.”*

Paragraph 86 states *“Planning policies should:*

- a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;*
- b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;*
- c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and*
- d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.”*

- 2.2. Paragraph 124, Chapter 11 ‘Making Effective Use of Land’, sets out key requirements to take into account an areas character when regenerating or promoting opportunities for change. Paragraph 124 states:

“Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*

- c) *the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) *the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) *the importance of securing well-designed, attractive and healthy places.”*

2.3. Relevant to the regeneration of sites within Lincoln City, is Chapter 16 ‘Conserving and enhancing the historic environment’

Paragraph 189 states “*Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value⁶⁶. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations⁶⁷.*”

Paragraph 190 states “*Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:*

- a) *the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;*
- b) *the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
- c) *the desirability of new development making a positive contribution to local character and distinctiveness; and*
- d) *opportunities to draw on the contribution made by the historic environment to the character of a place.”*

2.4. Planning Practice Guidance (PPG). The NPPG was introduced in 2014 and it sets out live guidance on how to implement the policies of the NPPF. There are number of guidance pages relating to estate regeneration many of the regeneration opportunities presented within the reviewed Central Lincolnshire Local Plan are mixed used development opportunities. Therefore, these specific guides are not necessarily all encompassing for the scenarios presented within this policy. When reviewing the PPG, the general role of plan making is important aspect when developing local specific regeneration opportunities with planning policy.

“Statutory duty and the role of plans -What is the role of plans?”

The development plan is at the heart of the planning system with a requirement set in law that planning decisions must be taken in line with the development plan unless material considerations indicate otherwise. Plans set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to

⁶⁶Some World Heritage Sites are inscribed by UNESCO to be of natural significance rather than cultural significance; and in some cases they are inscribed for both their natural and cultural significance.

⁶⁷The policies set out in this chapter relate, as applicable, to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-making.

housing, the economy, community facilities and infrastructure – as well as a basis for conserving and enhancing the natural and historic environment, mitigating and adapting to climate change, and achieving well designed places. It is essential that plans are in place and kept up to date.

Section 19(1B) - (1E) of the Planning and Compulsory Purchase Act 2004 sets out that each local planning authority must identify their strategic priorities and have policies to address these in their development plan documents (taken as a whole).

The development plan for an area is made up of the combination of strategic policies (which address the priorities for an area) and non-strategic policies (which deal with more detailed matters). Paragraphs 17 to 19 of the National Planning Policy Framework describe the plan-making framework which allows flexibility in the way policies for the development and use of land are produced¹”

Local Policy

2.5. LP35 Lincoln’s Regeneration and Opportunity Areas is the current policy (adopted, 2017) for regeneration in Lincoln. Within this policy a number of sites are identified as regeneration areas including:

- Waterside North/Spa Road
- South High Street Area
- Firth Road Area
- Land East of Canwick Road

2.6. The current policy sets out a framework when planning permission will be granted for appropriate redevelopment through specifying which land use class will be supported in principle. In some instances, a criteria-based approach is deployed taking into account of townscape and overall character of the area in line with the wider plan.

3. Context and Evidence

3.1. There are a number of areas within Central Lincolnshire that have been identified for development or redevelopment/ renewal. A local plan-based policy approach will help ensure the future of these sites/areas are progressed in line with the ambitions for the site. The regeneration-based policies are written with a ‘in principle approach’ to help provide certainty for the site and to help ensure that any development that does occur, makes the most of the opportunities at these sites. The District Councils within each policy area may wish to progress a masterplan, design code or other site-specific guidance to supplement these policies further still.

3.2. For Lincoln Regeneration and Opportunity Areas this policy has broadly remained the same from those listed in LP35 of the current Local Plan. The main addition to the sites identified is, Tentercroft Street, ROA1, which was previously within the Lincoln Mixed Use Area in Policy LP33. Other changes that have taken place include updates to specific land use changes to now encompass Class E.

¹ Paragraph: 001 Reference ID: 61-001-20190315
Revision date: 15 03 2019

4. Issues and Options Consultation

- 4.1. During the Issues and Options Consultation this policy was not proposed to be changed. This is noted within proposal 3. No comments were received to dispute this.

5. Regulation 18 Consultation

- 5.1. A Consultation Draft of the Local Plan was published for consultation between 30 June and 24 August 2021. During this eight week consultation comments were received on the plan, the policies within the plan, and supporting information and evidence.
- 5.2. The following issues were raised during this consultation:
- Suggestion that these sites need accurate assessments of availability, suitability, deliverability, develop-ability and viability.
 - The Councils' assumptions on lead-in times should be correct and supported by parties for delivery housing on the sites.
 - A number of site allocations are within the Environment Agency Flood Zones. Sites need to be arranged so dwellings are outside these zones or finished floor levels at the appropriate amount. Industrial development should be flood resistant.
 - Observation that the following sites include areas at risk of flooding: Firth Rd, ROA4; Spa Rd, ROA2; High St South, ROA5; East of Canwick Rd ROA3; Tentercroft St, ROA1.
 - Comments raised consistency should be provided across the sites within this policy to mitigation if the form off-site improvements that are proportionate to upgrading sustainable transport provision from the City Centre.
- 5.3. A number of comments raised specific details about flooding. These constraints will need to be satisfied through the development management process (or potentially any master planning process that may occur) with any proposals being supported by a Flood Risk Assessment.
- 5.4. Comments raised queries over lead times and accurate assessments of availability, suitability, deliverability, develop-ability and viability. The Lincoln Regeneration policy is not an allocation but a framework that sets out opportunities for redevelopment. Therefore, is not reliant on for the 5-year land supply or wider housing supply for Central Lincolnshire.

6. Proposed Approach in Draft Local Plan

- 6.1. The proposed approach to this policy is to refresh the existing policy. All aspects to the policy remain largely unaltered. Retaining the policy through a refresh provides certainty for these areas identified in LP35 of the current adopted 2017 Local Plan in terms of delivering the ambition for these sites.
- 6.2. The inclusion of Tentercroft Street (ROA1) is proposed following highway improvements of the EW Link Road and greater connectivity from the A1434 as an important edge of centre location that is identified as an area of investment in the October 2020 Lincoln Investment Plan. This designation will help to ensure that the Local Plan aligns to the Investment Plan. The revision to include this as a specific site location provides a strategic framework to provide regeneration opportunities.

- 6.3. It should be noted that no reliance is placed on any development coming forward on these sites to meet the strategic needs of the Local Plan.

7. Reasonable Alternative Options

- 7.1. The following alternative options have been considered for this policy (option 1 being the preferred option). They are summarised as follows:

Option 1: A policy which provides a positive framework to promote the redevelopment or regeneration of these areas with specific criteria for each area.

Option 2: A generic policy promoting the regeneration of all of these areas.

Option 3: No policy with development proposals being considered against general policies in the plan.

- 7.2. Option 1 gives specific details for Lincoln regeneration and opportunity areas outlining the ambition for each area identified site/area. This approach provides certainty and a clear direction for future development of these sites/areas. For ROA5 site, a criteria-based approach is applied to ensure high street development does not lose its mixed-use character yet providing a framework for suitable proposals to be supported.
- 7.3. Option 2 would not provide a degree of certainty. However, the approach would not be area/site specific so is likely to be too broad and therefore has potential not to control development that protects the character of the area.
- 7.4. Option 2 would not provide certainty for these specific locations. Instead, regeneration proposals would not be localised and may not necessarily take into account the local specifics of the site. The land uses proposed may be detrimental to the local character if there were to be no local specific based policy in place for detailed site by site approach.

8. Conclusion

- 8.1. This Evidence Report demonstrates the rationale for the proposed policy as contained in the Proposed Submission Draft Central Lincolnshire Local Plan. This helps bring together relevant evidence that has informed this policy and how we have responded to comments received during the plan making process, as well as how the latest evidence and national guidance has been taken into account.