



Policy LP28 Sustainable Urban Extensions Evidence Report

**Proposed Submission
April 2016**

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1 Introduction and Policy Context

Introduction

- 1.1 A joint Local Plan for the Central Lincolnshire area is being produced which will set the framework for how development will be considered across the districts of the City of Lincoln, North Kesteven and West Lindsey to 2036.
- 1.2 This Evidence Report (which is one of a collection) provides background information and justification for policy LP28, which is a general policy relating to urban extensions.

National policy

- 1.3 The National Planning Policy Framework (NPPF) was published in March 2012 and the National Planning Practice Guidance (NPPG) was introduced in 2014 which offers 'live' government guidance.
- 1.4 Paragraph 52 of the NPPF is particularly relevant to urban extensions, stating *"the supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities."*
- 1.5 The above NPPF policy has been taken into account in preparing the Local Plan as a whole, and policy LP28 in particular.
- 1.6 At the time of writing this report, the NPPG did not include any specific guidance on urban extensions.

2 Central Lincolnshire Context in Relation to Policy LP28

- 2.1 A need has been identified for 36,960 homes across Central Lincolnshire over the plan period. In order to deliver this growth, the Local Plan is allocating various sites for residential development, including identifying 8 urban extensions (see policies LP30 (Lincoln SUEs); LP39 (Gainsborough SUEs); LP44 (Sleaford SUEs); and LP48 which summarises the allocations).
- 2.2 For the avoidance of doubt, this Evidence Report makes no detailed comment or appraisal on the rationale for Sustainable Urban Extensions in principle, or on the merits of individual sites. Such evidence is presented in other documents available in the Planning Policy Library on our website.
- 2.3 Urban extensions present an opportunity to deliver sustainable development whereby residential development is served by the necessary services, facilities, infrastructure, and employment opportunities to sustain a community.
- 2.4 Major urban extensions offer a solution to housing growth in areas with high development pressures, namely Lincoln, Gainsborough and Sleaford in the Central Lincolnshire area.

3 Local Plan Policy: Preliminary Draft

- 3.1 The Preliminary Draft version of the Local Plan (published for consultation in October – November 2014) included a policy with criteria for the development of sustainable urban extensions.
- 3.2 General comments on this policy included support for the requirement that it be the responsibility of those seeking to promote a site to clearly evidence the support of all significant landowners; concern that the policy makes no reference to heritage assets; and concern that the policy is currently worded such that each SUE proposal must satisfy all 22 criteria listed, implying that failure to comply with just one criteria would bring the SUE into conflict with the policy, thus making the policy unreasonable and unachievable.
- 3.3 A few comments were received in relation to landscape/ environment matters: it was suggested that reference to ‘landscape criteria’ be changed to ‘environmental criteria’ to cover both landscape and biodiversity issues; that Para u) was weaker than and inconsistent with previous sections which state that biodiversity needs to be protected and enhanced; and that SUEs are a key opportunity for large scale habitat creation as part of development.
- 3.4 The Preliminary Draft version of the Local Plan required a master plan for the delivery of the SUEs and included wording to prevent the ‘cherry picking’ of profitable elements. Comments in relation to these requirements included:
- it is unclear how a master plan can be approved by a Planning Committee in principle. Seeing as the masterplan will not be linked to a planning application the credibility of the ‘in principle’ approval seems to be in question.
 - It would be unreasonable to request a full planning application given the inevitable long development timescales for SUEs, the inherent inflexibility of such a consent and the level of detail which would be expected. An outline application is the standard approach: it would boost the marketability of the site and minimise upfront costs to the applicant whilst providing the Local Authority with a degree of certainty in terms of site delivery.
 - With regards to ‘cherry picking’, a standard approach would be to set trigger points within an appropriately worded legal document such as a S106 which would ensure that certain aspects of the scheme are delivered when the need arises.
 - Paragraph 5 regarding cherry picking is totally unacceptable: it is not the role of a planning policy document to restrict the phasing of less costly or more profitable elements of a development proposal. This is a commercial consideration of the developer.
- 3.5 One comment on the Preliminary Draft policy was that the policy does not include reference to the need to avoid the unnecessary sterilisation of minerals.
- 3.6 Comments in relation to the requirement to provide land for Gypsy and Traveller pitches included concern that this would have a significant effect on marketability, and objection on the basis that SUEs are prime sites necessary to contribute to Central Lincolnshire’s significant housing need.

4 Local Plan Policy: Further Draft

- 4.1 The policy in the Further Draft version of the Local Plan was amended in response to comments received during the consultation on the Preliminary Draft Local Plan and to remove duplication of criteria featured in other policies (e.g. general design principles).

- 4.2 In response to the comments summarised in section 3 above, reference to heritage assets was not added to the policy because the Historic Environment policy would be taken into consideration as relevant when assessing all SUE proposals: it was deemed unnecessary to duplicate the principles of the historic environment policy within the SUE policy.
- 4.3 The Further Draft version of the policy addressed the extensive criteria: the policy was refined by incorporating the generic design criteria into the Design and Amenity policy and removing criteria which were addressed by policies elsewhere in the plan (such as the criteria relating to biodiversity and open space). The wording 'where applicable' was also included to add necessary flexibility.
- 4.4 The refinement of the policy also addressed the landscape and environment comments.
- 4.5 The requirement to produce a master plan was removed and replaced with the requirement to produce a broad concept plan for submission alongside an outline application. The wording preventing cherry picking was retained as this was considered important in supporting the sustainable development of urban extensions, though the policy was revised to clarify that the 'appropriate safeguards' to prevent cherry picking would normally be through a Section 106 agreement.
- 4.6 An additional criteria to avoid the unnecessary sterilisation of minerals was incorporated into the further draft of the policy (criteria h).
- 4.7 In response to the requirement for SUEs to provide land for Gypsy and Traveller pitches, this requirement was retained as the scale of SUEs and the need for them to address all forms of housing need means they are appropriate to assist in the provision of much needed Gypsy and Traveller pitches.

Further Draft consultation

- 4.8 Consultation on the Further Draft Local Plan between October and November 2015 revealed mixed support and objection to the policy. The detailed comments included:
- Concern that the master planning required under the provisions of policies LP28 and LP30 is only a realistic option for the largest property developers as the process will be very time consuming and complex.
 - Concern that the policy may unintentionally reduce the rate of delivery of housing as 'front loading' of infrastructure will impact on cash flow.
 - Various objections to the proposed requirement for urban extensions to set aside land for Gypsy and Traveller pitch provision.
 - Concern that policy lacks flexibility, specifically in regard to the need for the support of all landowners.
 - Suggestion that a 'phased masterplan' is required instead of a 'broad concept plan'.
 - Support for wording in respect of 'cherry picking' of profitable elements.
 - Support for requirement to prepare a Broad Concept Plan for each SUE in its entirety.
 - Support for criteria h (avoidance of sterilisation of minerals).
 - Suggestions for additional criteria include:
 - Reference to the implementation of the Central Lincolnshire Biodiversity Opportunity Mapping Study opportunities
 - Reinstatement of criterion u from Preliminary Draft version (biodiversity)
 - One respondent suggested the concept of 'sustainable village extensions' as the appropriate vehicle to ensure future growth outside the urban area and large towns.

5 Local Plan Policy: Proposed Submission

- 5.1 The Proposed Submission version of the policy has been amended in response to the various issues raised and where opportunities to improve the policy wording have been identified.
- 5.2 Paragraph 6.2.2 of the policy introduction now also refers to maximisation of sustainable travel modes as a contributing factor to ensuring a community is not physically and socially segregated.
- 5.3 The second paragraph of the policy has been amended to refer to 'inconsequential development', rather than 'inconsequential very minor development' as per the Further Draft wording. This is in acknowledgment of the fact that 'very minor development' is not a recognised planning term and has not been defined in the Local Plan.
- 5.4 The wording 'cherry picking of profitable elements of the urban extension being built first' has been removed from the fourth paragraph of the policy: it is considered that the paragraph retains its intent without this specific wording.
- 5.5 Reflecting the conclusions of the transport modelling work, especially the lower tier modelling work for the Lincoln Area (as available in the planning policy library), an additional paragraph has been added (fifth paragraph) regarding a requirement to minimise the need to travel whilst maximising sustainable travel modes, and outlining how this can be achieved. The addition of this paragraph resulted in criteria i of the Further Draft policy not being included in the Proposed Submission Local Plan to prevent duplication.
- 5.6 Criteria c has been amended in light of insufficient sites coming forward for allocation as Gypsy and Traveller pitches. The criteria now states that SUEs will be expected to incorporate a site of sufficient size to accommodate 5- 10 pitches as oppose to the 5 pitches stated in the Further Draft policy. The wording 'unless it would be demonstrably inappropriate to do so' has also been removed to strengthen the policy requirement. However, further word changes to this criteria has made it clear that off-site provision is also acceptable, thus bringing greater flexibility for the delivery of pitches.

6 Alternative Reasonable Options

- 6.1 The following alternative option has been considered for this policy. (Option 1 is the preferred policy approach which has been included in the Proposed Submission Local Plan.)
- 6.2 **Option 2:** Have no general policy on urban extensions and instead include the general criteria in each of the SUE specific policies. This option has been discounted given that it is desirable to avoid repeating general criteria across each SUE policy in order to have a concise plan.
- 6.3 **Option 3:** Include a policy along the lines of the Proposed Submission version, but remove or 'water down' some or all of the requirements set out in the policy. Whilst this option would likely find favour with the proponents of the urban extensions, and make such sites more deliverable / profitable, such an approach has been rejected as it is considered that the criteria and other requirements set out in the policy are necessary and reasonable in order to achieve successful and sustainable urban extensions. Furthermore, the viability study (as available in our planning policy library) demonstrates that SUEs (and the local plan taken as a whole, including this policy) are viable.

7 Conclusion

- 7.1 This Evidence Report demonstrates the rationale for the proposed policy as contained in the April 2016 Proposed Submission Local Plan. We hope this helps demonstrate how we have responded to comments received during both the Preliminary and Further Draft consultations, as well as how the latest evidence and national guidance has been taken into account.