

Central Lincolnshire Local Plan 2012-2036 Examination

MATTER 10: Gainsborough (LP38, LP40, LP41 and LP42)

Central Lincolnshire Joint Strategic Planning Committee
Hearing Statement

October 2016



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Issue 10a Gainsborough

Q 1. What is the justification for Policy LP38 criterion a. which seeks to preserve and enhance the special character setting and appearance of conservation areas?

The wording of criterion a. was taken from section 71(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states “*It shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas*”.

However, in the exercise of its planning functions section 72 (1) states “*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*”.

In relation to Conservation Areas, Policy LP25 in the Plan states that: “*Development within, affecting the setting of, or affecting views into or out of, a Conservation Area should preserve, and wherever possible enhance, features that contribute positively to the area’s character, appearance and setting*”.

Gainsborough’s conservation areas are on the Historic England “At Risk” register and require significant input in order to protect and enhance them in order to remove them from the “At Risk” register. Throughout the 20th century the town has lost much of the historic core of the town to the point where Historic England believe that there is just enough ‘critical mass’ to pursue a heritage led approach. West Lindsey Council has committed significant sums towards a heritage-led approach to regenerating the town centre so that it complements the existing heritage assets. To support the heritage-led approach the council has developed a heritage masterplan for the town centre, which maps the existing heritage assets and their current state of repair and what needs to be done to bring them back in to a worthwhile use. Furthermore, the council has submitted a Townscape Heritage Initiative (THI) bid to the Heritage Lottery Fund (HLF) in order to fund restoration efforts on Lord Street including renewing the public realm.

To ensure consistency with national policy, legislation and other policies in the Plan, the Committee proposes the following amendment (suggested modification Main/SC/17):

LP38, criterion a.:

“Preserve and, **where possible**, enhance the special character, setting and appearance of the Conservation Areas, respecting their special historic and architectural context...”

Q2. Are the ‘important local views’ in Policy LP38 set out anywhere? To be effective should they be set out in the Plan?

No these are not currently set out anywhere. The Committee is of the view that it would not be appropriate to list all important local views in the Plan, as it is not possible to produce an exhaustive list of every view and the omission of a view may imply it is not important or significant. However, the Committee considers it would be beneficial to set out the important local views in a subsequent Supplementary Planning Document or updated Gainsborough Masterplan (as referred to Policy LP38, para 1) upon adoption of the Central Lincolnshire Local Plan. Wider evidence is also available (see Matter 13, Q9 response) to assist in determining what might, in any particular case, be an important local view.’

Q3. Is the requirement for proposals to ‘protect and enhance’ the landscape character and setting of Gainsborough and the surrounding villages justified? Is it consistent with paragraph 109 of the Framework which refers to protecting and enhancing valued landscapes? Does the Local Plan need to distinguish between any areas of valued landscape in and around Gainsborough and the surrounding villages?

Valued landscapes in Central Lincolnshire are identified and protected through Policy LP17 Landscape, Townscape and Views. However, in addition to paragraph 109, one of the core principles of the NPPF is that planning should recognise the intrinsic character and beauty of the countryside (paragraph 17). The NPPG states that: “*Local plans should include strategic policies for the conservation and enhancement of the natural environment, including landscape. This includes designated landscapes but also the wider countryside*”, (Reference ID: 8-001-20140306).

Therefore the Committee is of the view that it is appropriate and justified for policies in the Local Plan to seek to protect and enhance the landscape character and setting of Gainsborough and the surrounding villages outside of the designated valued landscapes identified under policy LP17. The West Lindsey Landscape Character Assessment (**E037**) provides evidence of the key features, elements and characteristics of the landscape around Gainsborough and the surrounding villages, sensitivity of the landscape to change, and opportunities for enhancement. It is not necessary to replicate this Assessment in the Local Plan itself.

Q4. Policy LP40 refers to ‘all relevant development proposals’ and the requirement that they ‘must’ assist in the delivery of the long term aim of creating an uninterrupted and attractive pedestrian and cycle corridor connecting the riverside area with Lea and Morton. Is it justified to require that all development proposals must contribute to this corridor, even small scale development proposals? How will development proposals assist in its delivery? Is it clear to decision makers, developers and communities what is required of development along the Gainsborough Riverside under policy LP40?

Yes, for all ‘relevant’ proposals, it is justified. The delivery of an uninterrupted pedestrian route along the River Trent, together with an improved public realm, enhanced walking and cycling network and improved connections between the riverside and other parts of the town, has been a long term objective of West Lindsey District Council since the 1990s and has received support through a range of community consultation events, most recently in Gainsborough Town Council’s town planning exercise. The policy seeks to ensure that the siting of any development, regardless of scale, does not compromise the delivery of the route and that development contributes, where appropriate, to riverside enhancements and linkages.

As mentioned in response to Q2 above, it is the aim of West Lindsey District Council to produce a Supplementary Planning Document or updated masterplan to cover Gainsborough town centre and the riverside area. This will provide more detailed design and layout guidance for potential redevelopment sites and areas along the riverside.

Q5. What is a ‘town centre use’ for the purpose of Policy LP42? Does this need to be defined in the Local Plan? Similarly, what is a ‘recognised town centre use’ under criteria a.? Is a consistent approach required? Is the policy effective in this regard?

Yes the Committee agrees that a consistent approach is required to defining town centre uses in the Local Plan. To ensure consistency with the wording used in the NPPF, and throughout the

retail policies in the Local Plan, the Committee propose the following amendments (suggested modification Main/SC18):

Policy LP42, para 1:

“Proposals for **main** town centre uses will be supported...”

Policy LP42, bullet point a.:

“... a recognised **main** town centre use; and”

Whilst not raised as an issue by the Inspector, for further consistency it is suggested that within the Sleaford section of the Local Plan, Policy LP46 Sleaford Town Centre, para 1 is similarly amended (modification Main/SC/19):

“In Sleaford town centre, as identified on the Policies Map, proposals for **main** town centre uses will, in principle, be permitted”.

Due to the frequent use of the phrase ‘main town centre use’ throughout the Local Plan (especially if the suggested modifications are agreed), then the Committee also believes it appropriate for the definition of main town centre uses to be added to Appendix D Glossary as follows, though this is considered to be a ‘minor modification’ (Minor/SC/15) rather than one that the Inspector needs to make:

“main town centre use - as defined in the glossary of the NPPF”

Q6. Is the requirement for non-retail uses not to affect the ‘broad area’ in which they are located precise enough under Policy LP42 criteria b.? Is the policy effective in this regard?

The Committee acknowledges that the phrase ‘broad area’ could be open to misinterpretation. The following amendments are therefore suggested (modification Main/SC/18):

LP42, para 2:

“In the identified Primary Shopping Area, proposals for non-retail use on ground floors will only be supported if **they**:

- a. ~~They are~~ **Are** a recognised **main** town centre use; and
- b. Would not result in the over concentration of non-retail uses ~~in the broad area in which the proposal is set~~ **that would undermine the primary shopping area’s overall retail function and character**; and
- c. Would have no demonstrable impact on the vitality and viability of the centre as a whole.