

Independent Examination of the Central Lincolnshire Local Plan



Hearing Statement: Matter 5

Hearing Days:
Wednesday 30 November 2016
Tuesday 6 December 2016

Session: AM and PM

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LP/MB/M5

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This paper sets out our comments in response to the questions to be discussed at the Local Plan Examination under Matter 5. Some of the questions appear to be **directed at the Local Planning Authorities. In those cases, we have answered 'no comment', although we reserve the right to respond to the Planning Authorities' statements and those of other respondents on the day.**

MATTER 5 – Residential Allocations and Development in the Countryside
(LP49, LP50, LP51, LP52, LP53, LP54, LP55)

20) In addition to the SUEs Policy, LP49 predominantly allocates sites for residential development in the Lincoln Urban Area, the Main Towns of Gainsborough and Sleaford, Market Towns and Large Villages. Some sites with planning permission are also allocated in Medium and Small Villages, with more proposed through the **Council’s suggested Main Modifications11.**

21) The following Issues and Questions primarily relate to the rationale and justification for the allocations in each tier of the hierarchy. Discussions at the Hearing sessions will be based upon the following questions and applied to the Lincoln Urban Area allocations, Main and Market Town allocations and allocations in Large Villages.

Issue 5a – General Questions

1. QUESTION 1

Was the site selection process robust? Were an appropriate selection of potential sites assessed? Were appropriate criteria taken into account in deciding which sites to select and was the assessment against these criteria robust? How was the red, amber, green scoring system in the *Residential Allocations Evidence Report* used to arrive at conclusions on the preferred allocations? Was any weighting given to particular criteria or scores? How was the Integrated Impact Assessment Score used given it is omitted from some site assessments? Was the previously developed status of land taken into account?

1.1. The assessment process appears to be site by site, with little or no assessment of the needs and capacity of the wider settlement, either in itself or taking account of its relationship to neighbouring settlements. In several cases allocations are promoted that already have planning permission, but there is no assessment of the purpose of development, whether more or less growth would be promoted in the settlement in the absence of extant planning consents, or whether the sites with planning permission would have come forward as allocations if they did not already benefit from planning permission.

1.2. The basis for the local plan strategy appears to be big places can have some growth, bigger places can have more growth, with little to no assessment of the impact of the approach on the capacity of the settlement or the distribution of population and economic activity over time, and the potential impact this may have on the development potential beyond the current plan period. Will the current strategy provide a solid foundation to facilitate future growth, or will it limit future

potential by directing investment in development and infrastructure to inappropriate locations? The plan itself and the supporting Infrastructure Delivery Plan make not reference to life beyond the plan period, but clearly there will be a continuing need to manage change.

- 1.3. Undoubtedly Lincoln, Gainsborough and Sleaford will and should have proportionately more growth than smaller settlements. Although Gainsborough and Sleaford appear to have the same absolute level of growth, this growth represents a different proportion for each settlement. Ultimately, this will have an impact on the role and capacity of each settlement, both in itself and in relation to the wider network of settlements across Central Lincolnshire and the wider area. There is, therefore, no means to assess whether the approach is sustainable and appropriate. This divergence in growth rates between Sleaford and Gainsborough will be repeated across the range of smaller settlements across the plan area, but the impact on the distribution of services and the change in role and function of different settlements that will arise from this approach has not been assessed in any way.

2. QUESTION 2

Are there any significant factors that indicate that any sites should not have been allocated?

- 2.1. The fundamental approach to the plan has avoided any such assessment. The growth strategy of the plan does not appear to have assessed the impact of the growth strategy on the relationship between settlements over the lifetime of the plan, or assessed the impact of the approach on the capacity of settlements to support future growth.

3. QUESTION 3

Is there any risk that site conditions and constraints might prevent development or adversely affect viability and delivery? Are all sites viable and deliverable?

- 3.1. No comment.

4. QUESTION 4

Are the site boundaries correctly defined?

- 4.1. One of our clients' **land at Nettleham is promoted both in the "made"** Nettleham Neighbourhood Plan and the draft Local Plan (CL4660). The draft Local Plan, however, promotes a smaller site than that shown in the Nettleham Neighbourhood Plan. The Nettleham Neighbourhood Plan site allows for site access, unlike the boundary shown in the draft Local

Plan. The scheme used as the basis for our public consultation exercise prior to the submission of a planning application is based on the Nettleham Neighbourhood Plan boundary. This has been drawn to the Planning Authorities' attention at the further draft stage, but has not been addressed in the submission draft. This example could be a lone example or could indicate there are similar issues across the plan.

5. QUESTION 5

Are the assumptions regarding the density of development and net developable areas justified and based on available evidence?

5.1. We have generally taken the assumptions regarding density and developable areas as an indication of site opportunities and constraints, based as it is in many cases on the general plan wide analysis. More specific analysis on a site by site basis should confirm the details of the development area and the capacity of the site, which may be more or less than the general assumptions used in the plan. We would be concerned, however, if the assumed figures were applied as absolute figures in assessing detailed proposals.

6. QUESTION 6

The April 2016 Residential Allocations Evidence Report states that a site threshold of 25 dwellings was used to consider potential allocations as this allowed Officers to '**focus** on sites that would make a significant contribution to housing **supply**'. Is this consistent with the PPG (3-010-20140306) which states that plan makers will need to assess a range of different site sizes and should consider all sites capable of delivering five or more dwellings? What impact does adopting a higher threshold have on the effectiveness of the Local Plan?

6.1. We are concerned at the use of 25 dwellings as a minimum size for site allocations. There is no justification for the use of this level. Clearly the Local Planning Authority is expecting significant levels of growth to come forward from smaller sites in all settlements. The approach, however, has resulted in a lack of any meaningful assessment of smaller sites to demonstrate whether the necessary level of growth will come forward on these smaller sites. Adopting a higher threshold may not, in principle, reduce the effectiveness of the plan, if it is supported by evidence to demonstrate the availability of **smaller "windfall" sites that will constitute** a significant portion of the housing supply. The evidence of the availability of windfall sites in accordance with the aspiration of the Local Plan, however, is sadly lacking and it must be concluded that the effectiveness of the plan is therefore significantly reduced.

7. QUESTION 7

Did the Constraints and Sustainability Assessment in the Residential Allocations Evidence Report assess each site against any relevant national/local planning policies and/or designations to establish which have reasonable potential for development?

7.1. No comment.

Issue 5b – Allocations in Lincoln Urban Area – Policy LP49

8. QUESTION 8

Are the allocations in the Lincoln Urban Area justified, effective and consistent with national policy?

8.1. No comment.

Issue 5c – Allocations in Main Towns (Gainsborough and Sleaford – Policy LP50) and Market Towns (Caistor and Market Rasen – Policy LP51)

9. QUESTION 9

Are the allocations in the Main Towns and Market Towns justified, effective and consistent with national policy?

9.1. We are not in a position to comment on all allocations in principle. Clearly the question must only relate to sites above 25 dwellings, although clearly other sites with smaller capacity could also be brought forward that maybe justified, effective and consistent with national policy. Given the concern raised regarding meeting overall growth targets and the capacity of other sites to contribute significantly to the delivery of new homes, there may be need to consider bringing forward other sites.

10. QUESTION 10

What are the reasons for the revised indicative dwelling capacity on site CL4686? Why has this been reduced from 450 to 245 units? Is MM/SC/5 necessary to make the Local Plan sound?

10.1. No comment.

Issue 5d – Allocations in Large Villages – Policy LP52

11. QUESTION 11

Are the allocations in the Large Villages justified, effective and consistent with national policy?

11.1. We have raised a number of concerns already regarding, for instance, the accuracy of site boundaries at Nettleham or the uncritical approach to allocating sites with planning permission in villages, with little

assessment of the needs or capacity of the settlement to accommodate more or less development. There must be some doubt about the justification and effectiveness of the allocations, as the approach is not applied consistently across the plan area.

12. QUESTION 12

Is the addition of allocation CL4007 through MM/SC/6 necessary to make the Local Plan sound? Is this necessary? Does the allocation materially affect the spatial distribution of housing or position of Bardney within the hierarchy of villages?

12.1. We understand that CL4007 is added to the plan due to the grant of planning permission at appeal. No analysis appears to have been undertaken to assess the impact of increased growth in Bardney, either on the settlement itself, its role in the settlement hierarchy or the wider distribution of growth across the plan area. We understand that the primary school is not at optimum size, for instance, which would indicate that Bardney could accommodate further growth, above and beyond that promoted in the draft plan and MM/SC/6 in order to make most efficient use of the existing facility. Clearly there may be other issues which may support or counter further development in Bardney, but these issues are not explored in the plan or its supporting evidence.

13. QUESTION 13

How was the scale of development proposed in allocation CL1100, and cumulatively with other allocations in Witham St Hughs defined? Is the level of growth proposed comparable with other Large Villages in the Lincoln Strategy Area?

13.1. No comment.

Issue 5e – Allocations in Medium and Small Villages – Policy LP53

14. QUESTION 14

Are the allocations in the Medium and Small Villages justified, effective and consistent with national policy?

14.1. All allocations in these villages already benefit from planning permission. No attempt has been made to justify the sites beyond the fact that they already benefit from planning permission. If the sites have been approved because they are justified, effective and consistent with national policy, but would not be approved under the terms of the draft policy (as the settlements are not deemed appropriate for allocation) doubt must be cast on whether the draft policy is justified, effective and

consistent with national policy. Other sites have been promoted in other settlements, such as Potterhanworth, Scothern, Thorpe on the Hill and Kirkby la Thorpe but are being resisted because they exceed the arbitrary cap on site size promoted in the draft local plan. In many cases the cap is the sole reason for resisting otherwise sustainable development. Again this demonstrates that the policy itself is not justified, effective and consistent with national policy, which has been used as a justification for the grant of planning permission for sites subsequently allocated in the local plan.

15. QUESTION 15

Should the plan take a more comprehensive approach to providing allocations (say under 25 dwellings) in Medium and Small villages commensurate with their size, role, function and accessibility to services?

15.1. Yes. There is no evidence provided to support the plan to demonstrate that the level of growth in these villages will come forward in accordance with the plan. The fact that the plan contains allocations for larger developments (above 25 dwellings) indicates that the cap would act as a constraint on future development. Consideration should be given to including allocations of all sizes across settlements, to take account of needs of the settlement and its capacity to support sustainable growth.

16. QUESTION 16

It is necessary to add additional allocations proposed through MM/SC/7? Is MM/SC/7 necessary to make the Local Plan sound?

16.1. MM/SC/7 promotes the sites that have been granted planning permission by West Lindsey District Council, or at appeal across a range of small, medium or large villages. The fact that these developments have been approved, in many cases contrary to the policies in the emerging plan, would indicate that the plan is not sound and the delivery of growth will be dependent on developments that are contrary to its policies.

Issue 5f – Development in Hamlets and the Countryside – Policy LP55

17. QUESTION 17

Policy LP55 Part A refers to the re-use and conversion of non-residential buildings for residential use in hamlets and the countryside. What criteria and/or policies apply to similar proposals in small villages

17.1. No comment.

18. QUESTION 18

Similarly, how does the Local Plan provide a basis upon which to assess the re-use and conversion of non-residential buildings in the Lincoln Urban Area or adjacent to Main/Market Towns?

18.1. No comment.

19. QUESTION 19

As identified through Issues 3c and 3d above, Policies LP2, LP3 and LP4 accept the possibility of development on the edge of settlements. In contrast, Policy LP55 restricts new dwellings in the countryside. In this context how will the 'countryside' and 'appropriate locations' (as per Policy LP2) be defined? Does Part D need to provide a caveat, explanation and/or other mechanism so as not to preclude residential development under Policies LP2 and LP4?

19.1. As discussed under question 13 of issue 3d, "We are concerned that although the plan promotes the deletion of settlement boundaries no effective guidance has been provided to define what is within or adjacent to a settlement or provided guidance as to what development may be acceptable. Policy 55 does not address this issue in any way, as it implies that it is applicable to development in the open countryside, and does not address development adjacent to settlements. Clearly this inconsistency **needs to be resolved in some way.**"

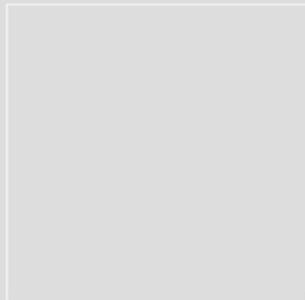
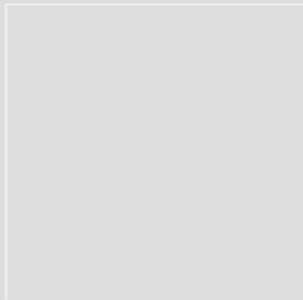
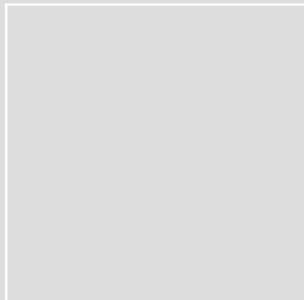
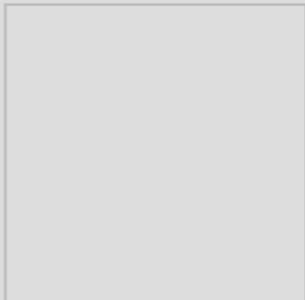
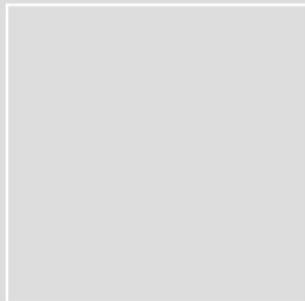
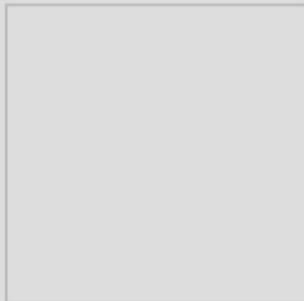
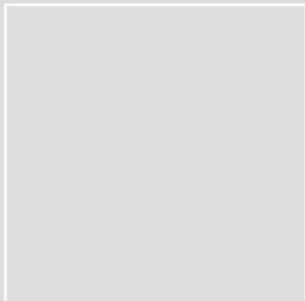
20. QUESTION 20

Is Part G consistent with paragraph 112 of the Framework which states that "local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a **higher quality.**"

20.1. No comment.

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