

Inspectors' Matters, Issues and Questions for Examination

Matter 3 – Spatial Strategy and Distribution of Growth

This response has been prepared by WYG on behalf of the Church Commissioners for England who have significant land interests in the Central Lincolnshire area. The responses below are in respect of land to the north of Fiskerton, which is proposed for allocation for residential development in the Draft Fiskerton Neighbourhood Plan.

Issues 3e – Large Villages

Q16. Policy LP2 states that in exceptional circumstances additional growth from non-allocated sites in appropriate locations on the edge of large villages might be considered favourably, but are unlikely to be of a scale over 25 dwellings / 1ha in size. What is the justification for this policy stance? How are the 'exceptional circumstances' going to be considered and tested in a consistent and transparent manner across large and medium villages? Is the policy effective?

As noted in Q16 there is also a limit of 25 dwellings for medium villages as well as large villages. It is not clear what the exceptional circumstances are for medium villages to deliver housing on sites of up to 25 dwellings. However it should be noted that as set out in our response to Q32 below that Fiskerton Neighbourhood Group is seeking to deliver approximately 200 dwellings through a Neighbourhood Plan and this should not be restricted by the limitations in Policy LP2.

Q17. What is the justification for setting a threshold of 25 dwellings? Is this appropriate and justified?

We do not consider that there is justification for setting a development threshold of 25 dwellings for large and medium villages. This is unnecessarily limiting considering the scale of the large and medium villages and the facilities and services available in some of these settlements. As set out in our response to Q16 and Q32 Fiskerton Neighbourhood Group is seeking to deliver approximately 200 dwellings through a Neighbourhood Plan and this should not be restricted by the 25 dwelling limit in Policy LP2.

Issue 3f – Growth in Villages

Q19. In determining a development proposal Policy LP4 requires an assessment of the number of dwellings in the village, houses built since 2012, extant planning permissions and allocated sites to determine if capacity remains. A sequential test will also be involved and consideration of whether or not a site falls within the developed footprint or edge of a settlement (without a settlement boundary), and whether it is infill or not. In this context does Policy LP4 provide sufficient certainty to developers and local communities alike about where development will go and when? Does the policy comply with paragraph 154 of the Framework which requires that policies should provide a clear indication of how a decision maker should react to a development proposal?

We do not consider that the requirements in Policy LP4 are sound. The National Planning Policy Framework (NPPF) seeks to boost significantly the supply of housing and the Planning Practice Guidance (PPG) encourages sustainable development in villages. Policy LP4 is likely to restrict housing development in villages.

In addition to calculating the 'remaining capacity' of villages and undertaking a sequential test, there is also the requirement in Policy LP4 to provide demonstrable evidence of support from a pre-

application consultation exercise or support from the applicable Parish or Town Council. These requirements are considered unjustified, not positively prepared, not consistent with national planning policy and not effective.

There is no requirement in national planning policy or guidance for a sequential test for the location of residential development. The NPPF encourages the effective use of land by reusing land that has been previously development (brownfield land) provided that it is not of high environmental value, however it does not state that brownfield land should be prioritised for development. The requirement in Policy LP4 for proposals for greenfield sites to provide an explanation of why brownfield sites are not available or suitable is not justified. The PPG states that blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence. No such evidence has been put forward to support this policy and it is therefore considered unjustified.

The requirements in Policy LP4 are onerous and do not take account of whether development is in a sustainable location and provides community benefits. We do not consider that Policy LP4 provides a clear indication of how a decision maker should react to a development in the Plan and therefore consider that this policy should be amended to remove the requirement for demonstrable community support and a sequential test.

Q20. What is the justification for the maximum 10-15% growth levels identified for tier 5-6 settlements in Policy LP4? For example, is the aim of the policy to help ensure that development is focused in locations which are sustainable and/or to protect the character of villages and the surrounding countryside? Should the aim of the policy be clearly set out in the Local Plan? Will the policy be effective in achieving its aims?

It is not clear what the justification for the maximum growth levels are for tier 5 – 6 settlements in Policy LP4. This percentage growth level is a blanket policy which restricts housing development in some settlements and is therefore not consistent with the PPG. Planning applications should be considered on their merits based on the sustainability of the development proposed, and the characteristics of the settlement.

The Local Plan allocates sites for 30,329 dwellings over the Plan period. As the Local Plan housing requirement is for 36,690 it expected that a significant proportion of the balance (6,631) will be in the medium and small villages where only five sites have been allocated through the Local Plan. Given the restrictions on development and requirements of Policy LP4 it is unlikely that Policy LP4 will be effective in delivering the aims of the policy.

Q21. What evidence is there to justify higher 15% growth rates in some villages in Policy LP4?

The table in Policy LP4 identifies the alternative level of growth (between 10% and 15%) for the villages in categories 5 – 6 of the settlement hierarchy. We do not consider that the evidence for this growth rates is set out clearly in the Local Plan.

We do not consider that growth levels should be restricted to 15% where local communities wish to deliver additional growth through a Neighbourhood Plan. This is further discussed in response to Q32 below.

Q30. Is the requirement for 'clear local community support' precise enough, and is the policy effective?

We do not consider that the requirement for 'clear local community support' is precise or that the policy will be effective. The policy would be difficult to implement as it is not clear how local community support would be demonstrated. Policy LP4 does not identify whether the Central Lincolnshire authorities would arrange and monitor pre-application community consultations to ensure that impartiality is maintained. It would be difficult and time consuming to engage the whole

community to gain a representative view of support or otherwise. Developments could be opposed by the local community on non-planning grounds such as on the value of properties and the loss of a view which are not material planning considerations. The inclusion of this requirement in Policy LP4 is likely to mean that the policy is not effective or deliverable.

Q31. Policy LP2 states that medium villages will accommodate a 'limited amount of development' and small villages 'small scale development' unless "...otherwise promoted via a neighbourhood plan..." Is this consistent with paragraph 184 of the Framework which requires neighbourhood plans to be in general conformity with, and reflect the strategic policies of the Local Plan?

We do not consider that Policy LP2 is consistent with paragraph 184 of the NPPF which states: "*The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.*"

Where Neighbourhood Plans seek to deliver additional growth in medium villages above the levels proposed in Policy LP4, this will be inconsistent with Policy LP2 which states that medium villages will accommodate a 'limited amount of development'. Therefore development proposals which are consistent with Neighbourhood Plans will be inconsistent with the strategic policies in the Local Plan. The Local Plan should therefore reflect, and be consistent with, the policies in the Neighbourhood Plan such as housing growth. This is the case in Fiskerton which is outlined in response to question 32 below. The proposed housing growth for Fiskerton through the Neighbourhood Plan should be set out in Policy LP2 and Policy LP4. This will ensure that the Neighbourhood Plan is in general conformity with the strategic policies in the Local Plan.

Policy LP2 should be amended as it currently states that 'in exceptional circumstances' proposals may come forward at a larger scale on sites of up to 25 dwellings. Policy LP2 should clarify that Neighbourhood Plans can allocate more than 25 dwellings.

Q32. Does the Committee have a list of Parish Council's currently preparing a Neighbourhood Plan and confirmation of those that have been made? Do any of these include proposals for housing and if so, how do they relate to the policies in the Local Plan?

The Fiskerton Neighbourhood Plan is currently being prepared by the Fiskerton Parish Council Neighbourhood Plan Sub Committee. It is expected that a further Draft Neighbourhood Plan will be published for consultation in November 2016 with submission of the Neighbourhood Plan to West Lindsey District Council in February 2017. The Church Commissioners have been engaging with the Fiskerton Neighbourhood Plan Sub Committee since 2014 regarding the Fiskerton Neighbourhood Plan.

The most recent draft of the Fiskerton Neighbourhood Plan (November 2015) identifies at Policy H1 that approximately 200 new houses will be allocated and delivered over the period 2016 and 2036. We support this housing requirement as set out in our previous representations to the Central Lincolnshire Local Plan.

The previous draft of the Central Lincolnshire Local Plan (the Further Draft Local Plan 2015) included a growth level of approximately 35% for Fiskerton, which is aligned with the housing growth in the Fiskerton Neighbourhood Plan. It is unclear why the housing growth in the Local Plan has been reduced when the housing growth in the Neighbourhood Plan for Fiskerton has stayed at approximately 200 dwellings.

The Fiskerton Neighbourhood Plan identifies that the housing requirement for Fiskerton (200 dwellings) can be delivered by the development of a site to the north of Fiskerton, which is owned by the Church Commissioners for England. Support for this has been submitted through previous representations.

We consider that the Fiskerton Neighbourhood Plan Group is planning positively to meet local development needs and the Neighbourhood Plan sets out a positive vision for the future of the area in line with the NPPF. This should be reflected in the Local Plan.

Q33. Is the inclusion of a 'sequential test' appropriate, justified and consistent with the Framework? Is the sequential approach in the Policy justified?

As set out in our response to Q19 above, we do not consider that the inclusion of a 'sequential' test is appropriate, justified and consistent with the NPPF and we consider that for Policy LP4 to be found sound the requirement for a sequential test should be removed from this policy.

Q34. Is the approach to development in small and medium villages consistent with paragraph 55 of the Framework? Will there be enough growth in small, medium and large villages to help support sustainable rural communities? Is the Local Plan consistent with paragraph 55 of the Framework which states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities?

We consider that the approach to development in villages is not consistent with paragraph 55 of the NPPF, in particular that development is restricted in medium villages where the community wish to see additional housing growth to that planned in the Local Plan.

The requirements included within Policy LP4 are onerous and are unlikely to lead to significant number of dwellings being delivered.