

Your ref:  
Our ref: 1248 1 MB HC

06 March 2017

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Central Lincolnshire Local Plan Team  
North Kesteven District Council  
Kesteven Street  
Sleaford  
NG34 7EF

Dear Sirs

**LARKFLEET HOMES LIMITED  
CENTRAL LINCOLNSHIRE LOCAL PLAN  
PROPOSED POST SUBMISSION MAIN MODIFICATIONS**

We are writing further to the publication of proposed Main Modifications to the Central Lincolnshire Local Plan. We note the Main Modifications arise from discussions at the various hearings held as part of the Examination in Public and, therefore, have not been formally recommended by the Inspector. Indeed, they predate any recommendation or report from the Inspector. As such, the Modifications reflect discussions on a number of issues covered at the Hearing, but may only form part of the recommendations be included in the Inspector's report, as and when it is published.

These comments have been prepared on behalf of our client who has development interests across Central Lincolnshire.

We note there is no proposed format for representations and, as such, this letter sets out our representations on a number of issues.

MM/1	The change commits the Planning Authority to monitor the effectiveness of Policy LP2. Whereas an effective regime of monitoring would be welcome, the proposed wording does not set out the criteria to assess whether the policy is being successful. Will the effectiveness of the policy be gauged in the distribution of actual development (to meet the purpose of the policy to "significantly strengthen the role of Lincoln" to "maintain and enhance" the roles of main towns, market towns and large villages and the support the function and/or sustainability of medium villages and to limit growth of small villages) or will success be measured in the grant or refusal of planning applications, the meeting of arbitrary growth targets for those settlements (those that actually have a target), or the success rate of appeal? Without this clarification, it will not be possible to determine, as the Main Modification claims, whether the policy is providing an effective framework for decision makers. It is also far from clear what steps could possibly be taken to respond to any perceived weakness, without first knowing what would constitute a weakness.
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	<p>LP4 sets particular growth targets for settlements in tiers 5 and 6 of the hierarchy. Apart from Lincoln, Gainsborough and Sleaford, these are the only settlements with a specific target. These targets are to operate, in effect, as a cap on development. The LPA has also undertaken to monitor the delivery of dwellings in these settlements (MM/7), both in terms of consented and actual development, to help operate the cap on development. It is not clear how this data will feed into the monitoring of Policy LP2, especially with regard to the success, or otherwise, of LP2 in supporting the function and or sustainability of medium villages and of delivering limited growth in small villages. There is no obvious link between the cap imposed by LP4 and the purpose of LP2.</p>
MM/2	<p>MM/2 sets out a series of text changes to ensure greater clarity to decision makers.</p> <p>One change, to footnote "****" (page 12) seeks to clarify the definition of "demonstration of clear local support". The proposed wording, however, does not in any way define what is meant by the phrase a "demonstration of clear local support".</p> <p>In many cases the community can voice support and object to a scheme. The policy does not set out a clear framework for a decision maker to assess the value of views expressed by different sections of the community.</p> <p>In considering a planning application, a decision maker is required to take into account "Material Planning Considerations" and cannot, or should not, include non-material planning considerations. It is not clear whether "clear local support" would need to have any reference to material planning matters. The proposed wording does not explain the approach a decision maker should take if the community either support or objects to a scheme based on material planning considerations.</p> <p>Any assessment of a development proposal must be assessed against all material considerations and a community should not be given a veto to refuse a proposal, or indeed carte blanche to approve one, without having regard to material planning matters, otherwise the decision maker may be subject to challenge. If sustainable development can be refused because of a</p>

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	<p>simple poll, or indeed if unsustainable development is approved on the same basis, regardless of the benefits of development, is this a justified, effective policy in accordance with national planning policy?</p> <p>The wording should define what constitutes "demonstration of clear local community support". It should also set out how the community view will be tested against material planning issues.</p>
MM/3	<p>The changes are proposed to provide clarity on the nature of the Objective Assessment of Need and how it has been derived. The need for the change arose at the Hearings when it became clear there was confusion regarding the process for setting the housing growth target, specifically around the relationship between housing growth and jobs growth. A specific issue related to the use of different jobs targets, one which referred to number of jobs (full and part time) and another, lower figure, that referred to full time equivalent jobs.</p> <p>The Main Modification fails to explain the process undertaken and the derivation of a single target.</p> <p>The evidence of the Strategic Housing Market Assessment (SHMA), as quoted in the evidence statements for the growth targets, states the housing growth should be a minimum of 1540 dwellings per year. Key policies, however, such as LP4, appear to treat the figure as an absolute target and not, as the SHMA clearly indicates, a floor. Although the wording in paragraph 3.3.3. states the target should not be treated as a target, it stops somewhat short of stating, as clearly directed by the evidence, that the figure should be a minimum. The Main Modification has failed to provide any clarity on this issue, or explained why the draft plan appears to be at odds with the evidence on which it is based.</p>
MM/4	<p>LP3 – The policy is to be replaced with words to set out the growth target in terms of homes and jobs. In each case the target is set out as an absolute figure, whereas the evidence that has given rise to both these figures indicates they are a minimum. The SHMA refers to the need to bring forward a minimum of 1540 new homes to help meet the growth target, whereas the growth target itself is derived from the Employment Needs Assessment</p>

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	<p>which sets out three scenarios. The chosen target is the "baseline" (and lowest) target. The Local Plan stresses it does not promote overly ambitious housing growth targets, as the jobs may not come to follow them. This is despite the fact houses tend not to be built if people are not present to buy or rent them, the plan accepts that it is planning for the lowest target, and this could be exceeded. The wording of the policy should reflect the "minimum" and instead make it clear the growth targets are not a cap on future growth.</p>
MM/6	<p>Lea has an allocation equivalent to 15% growth target. Does this mean that no other growth will be allowed in Lea? This situation must be clarified.</p>
MM/7	<p>The commitment to monitoring delivery of development in each village is welcomed. It is not clear, however, what use would be made of the output of this monitoring. Will it just be used to indicate when no new proposals will be welcome in the settlement, or will it be used, in conjunction with other monitoring material, to assess the effectiveness of the policy in maintaining and improving the sustainability of settlements and the overall delivery of new properties?</p>
MM/34	<p>LP28 – the meaning of the word "appropriate" with regard to pre-school, primary school, secondary school and sixth form provision is not clear – what is it appropriate to? Is it the needs of the development, of the area or the education policy? We note that secondary school and sixth form cannot be subject to S106, being subject as they are to the Community Infrastructure Levy (CIL). Is the inclusion of secondary and post 16 education in a policy regarding the allocation of land for other purposes contrary and in conflict with the CIL Regulations?</p>
Map Modifications	<p>The modifications as indicated are unclear and inconsistent in showing what change is actually being promoted. Some maps appear to show the allocation as it is proposed to be included in the adopted plan and some show the current map, although the text indicates the plan is due to change.</p>

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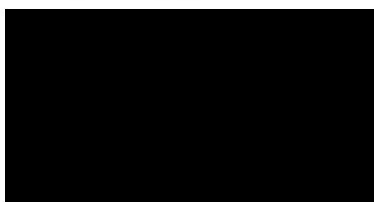
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	<p>The Map Modifications should be revised to indicate the actual changes proposed and then be subject to a further consultation period. This lack of clarity is compounded by the lack of a key.</p> <p>It is very difficult to comment on the proposed map changes, as the Modification documents are inconsistent, and fail to provide clarity regarding the actual change being promoted.</p>
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We trust these comments are self-explanatory and look forward to discussing these matters in due course and please do not hesitate to contact this office should you have any queries.

Yours faithfully



*MB* Michael Braithwaite MRTPI

cc Larkfleet Homes