

Questions raised by the Examiner and Responses

NKDC Questions

1. How far has the conservation area review for Billingham progressed – is it likely that the revised area will be designated shortly ie in time for modifications to the NDP to reflect the revised area?

The Billingham Conservation Area is not currently under review nor is it a priority in terms of the future work programme for conservation area re-appraisals. It is suggested that the current Conservation Area boundary is used for the purposes of this Neighbourhood Plan.

2. What is reality of situation at Lafford School site if permission was granted for residential in February. Is there still prospect that the NDP aspirations to provide parking, recreation facilities and A1/D1 and D2 on the site could be realised?

Outline planning permission for residential development was granted on 2 February 2018. The outline permission was solely for residential development and affords a period of three years for submission of reserved matters for the details of the development, all matters having been reserved. During the consideration of the application there were representations made by the NP Group to the effect that a mixed use was envisaged and indeed the landowner referred to pre-application discussions and engagement with the NP Group on alternative uses. Nonetheless the applicant chose to pursue a wholly residential redevelopment through their outline planning application, and continued to do so even when formal representations were made by the NP Group. These representations were material in the assessment of the outline planning application but given the stage of preparation of the NP, only very limited weight could be afforded to them. It remains to be seen whether there is any willingness on behalf of the landowner to modify their development aspirations for their land. With the extant outline planning permission in place, were the landowner to pursue a residential development through submission of reserved matters then the principle of development, irrespective of any allocation via the NP, could not be revisited. Ultimately it is a question of the landowners intent: if they intend to pursue their permission for residential development, then the aspirations of the NP will prove undeliverable. Only the landowner can answer whether or not the NP allocation is deliverable.

3. What is current position regarding planning permission for the large residential allocation off Mill Lane to the south of the village – is anything yet in place?

The Council has held informal pre-application discussions with landowners looking to bring forward small scale development of allocation CL1110 with access derived from the existing road network to the north-east of the site where it adjoins the existing village footprint. Whilst the Council would welcome such a development, we are keen to explore how an access from existing road network within the village could enable a more comprehensive development including progression in to allocation CL3031. This will entail some further traffic assessment and engagement with the County Council. However, there are no current pre-application discussions on-going relating to allocations CL3018 and CL3031 in the CLLP.

CL1101 has full planning permission for 65 dwellings.

4. What is current position regarding the West Street allocation? Is it still only an outline permission in place and would it still be feasible to realise the NDPs aspirations to provide new local retail and leisure facilities? Although the policy for West Street refers to medical facilities it is not clear what is intended here.

CL2091 (West Street) is subject to an outline planning permission for up to 132 dwellings and is allocated in the CLLP for residential purposes. The outline permission runs until 22 December 2019. The attitude of the landowner to an alternative mix of development is unknown to the Council. However, for the Council there are concerns that need to be registered about the introduction of a range of alternative uses, including retail and leisure, for a site that is exclusively allocated for residential purposes in that to do so would bring the NP directly in to conflict with the CLLP.

The policy as written is too broad in scope and needs specificity. It is apparent from Fig. 32 in the NP that it is envisaged that the garage site offers an opportunity for suitably scale retail development but the policy reads that such facilities could be sited generally on West Street that draws it in to the potential conflict with the CLLP.

5. What is current position re Waterside allocated site? Is it still only an outline permission in place and if so are the NDPs aspirations to take some space for additional parking and extension to the medical centre achievable?

The following is an extract from the Officer report for the outline planning permission – 17/0278/OUT – that references the then emerging NP and its aspirations for the expansion of medical facilities. As can be seen, the NHS made no comments relating to expansion of the health centre.

The site is allocated for residential development in policy LP52 of the Central Lincolnshire Local Plan (2017) (CLLP) under reference CL4721 'Land off Waterside Billingham'. The site extends to 2.05 ha and has an indicative dwelling capacity of 49 dwellings. The current application occupies the allocated site. It is in outline but with all matters reserved. A plan accompanies the application which shows how the site might be developed out for 33 dwellings, but this is indicative only and does not form part of and limited weight is afforded to it.

A Neighbourhood Plan for Billingham is being produced, however its status as a presubmission consultation document means that it can only be afforded limited weight. Specifically, the draft NP has only recently completed its six week statutory pre-submission consultation (Regulation 14), which ran to Tuesday 13 June 2017. However, whilst the weight afforded to the draft document is reduced, the draft Plan reflects the allocation of the site in the CLLP, with the exception (via proposed policy CFA1), that it seeks the provision of land within the allocated site for expansion of the Medical Centre located adjacent to the site on the High Street. However, this request and policy recommendation can only be given limited weight given the Plan's status, especially in light of the NHS submitting no comments in relation to the planning application, and the absence of such a requirement through policy LP52 'residential allocations' of the CLLP. The CLLP, as opposed to the draft NP, therefore takes primacy. It is also pertinent that pre-application advice was sought on the proposals, with the NHS raising no objection at that time, nor was the provision of expansion land required as part of that consultation response.

As a general comment, the NP seeks through various policies to secure investment in health facilities. The desire and wish to improve health facilities is understood. However, the general strategy of the NHS locally is focused on the consolidation and reduction of the burden of the health estate and is not geared towards expansion. In response to the recent residential planning applications for the Waterside site (CL4721) and Lafford School, it is noteworthy that the NHS has not asked for funding which indicates that capacity exists within the health service provision locally for the scale of development being proposed.

6. Is the requirement in policy TT2 that there must be a minimum of 2 spaces per new dwelling in accordance with current parking standards?

The CLLP does not impose parking standards.

7. I realise that there are no European Sites (SPA/SAC) within the neighbourhood area but can you send me info regarding the closest sites. I assume that these are still not close enough for development sites to have a bearing but I need to be reassured.

The nearest SPA/SAC is The Wash (which is covered by both designations) which is located beyond Boston to the south west of Billingham. This is approximately 15 miles away. The sustainability appraisal for housing sites in Billingham that were allocated in the Local Plan is in the [Integrated Impact Assessment \(IIA\)](#)

8. Because the assessment against sustainability is limited - essentially limited to a short section of the basic conditions statement - could you provide me with the Sustainability Appraisal results for the main housing sites allocated in the NDP carried out in association with the CCLP namely: CL2091, CL4721 and CL1101 / CL1110 / CL3018 /CL3031

Again I want to be reassured about the SA outcomes on these and that it is appropriate to say that these were included based on satisfactory performance against SA as part of the CCLP.

As per the response to 7. above, the IIA contains the site assessments and these can be found in [Integrated Impact Assessment Part 2. Appendices April 2017](#). Appendix 4 contains the assessment of sites and the Billingham sites are assessed from page 521-524. Further assessment of the sites is available in the [LP48-LP54 Residential Allocations Evidence Report](#). In this evidence report, the details of the assessment approach are contained in the opening sections and the assessment of Billingham sites (including rejected sites) are provided on pages 528-557.

The site allocations and SA (as part of the IIA) were assessed at examination and the Inspectors were satisfied about their sustainability.

BPC Questions

1. What is intent in last paragraph of policy ENV4 – is it supposed to relate to waste water and surface water drainage?

It was the intention of the policy to refer to waste water. Of course surface water would also need to be managed.

2. As EEG2, through the explanatory text, relates/refers to sites in figs 33 and 34 is it the intention that policy relates to these sites only or a wider range of sites on Mill Lane and east of the A153?

It is those sites 32 and 33 only.

3. Do parish own or otherwise have control of the site proposed for allotments on Sprite Lane? If not does the owner consent to the proposed use?

The proposed site is privately owned and as, at this stage, it is just a proposal specific consent has not been obtained, however the owner was consulted during the public consultation and Regulation 16. Other sites were considered but were not appropriate for a variety of reasons.

4. Has BPC had any discussions with owner of garage site on West Street given objection from the owner at Reg 16 stage just completed?

The original wording said 'should provide' and the wording was amended in response to the objection to 'could provide' but no formal discussions were carried out.

We feel that the objection was not regarding the use of the site but the fact the he was not directly consulted. As we held a number of public consultations and updates were provided in the village newsletter bi monthly we felt that he would have been aware of it.

5. Has BPC had discussions with developers and or owners in respect of proposals for West Street (main site), Waterside and Lafford Road former school site about the possibility of incorporating NDP aspirations into reserved matters applications?

Lindum Construction attended our meetings with regards West Street.

The owner (who has recently passed away) of Waterside attended a number of meetings when the site was discussed and he was aware at each stage of the process.

Lincolnshire County Council are owners of the former Lafford site. We contacted them on a great number of occasions and invited them to meetings. At the time they applied for outline planning permission we requested further meetings to discuss incorporating our plans into their plans and wanted to work together. We attended the planning application meeting and raised our issues by way of objections due to the lack of dialogue with them. From the point of the school being demolished they had discussions with the Parish Council and requested input from the village on the site. We contacted them to progress but to no avail. On the day we made the draft plan public the outline planning was submitted to the District. Furthermore we had contacted them to discuss the use of the site

temporarily for school, nursery, Children`s centre and swimming pool parking. Another group in the village applied for it to be an asset of community value. As a fence had been erected around the site it was turned down because the site had not been used in recent times (as a result of the fence) by the community.

6. If intention is to see part of the Waterside site used to extend the medical centre and provide additional parking what are the medical facilities proposed as a possibility on the Lafford Fen Road site?

Due to the importance of a medical site we felt that we needed to provide 2 sites as a possibility. The medical centre have already turned down 200 patients due to a lack of space. There is also demand for other facilities falling under `medical` i.e. dentist, minor surgeries centre, physiotherapist etc. By including a further site this would provide a site for these community facilities as well as expansion of the further site.

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