

Central Lincolnshire Joint Strategic Planning Committee Hearing Statement

November 2022

[MATTER 17: Transport and Infrastructure](#)



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Issue 1 – Strategic Infrastructure Requirements – Policy S45

Q1 – Is the Local Plan consistent with paragraph 34 of the Framework, which states that plans should set out the contributions that are expected from development, including infrastructure for, amongst other things, education, health and transport?

Yes, it is.

Para 34 is broad ranging yet high level in its requirements, emphasising the need for Plans to “include setting out the levels and types of affordable housing provision required”, but then somewhat vaguer about “other infrastructure”.

For affordable housing, then clearly Policy S22 addresses this requirement.

For “other infrastructure” the Plan varies how it makes reference to contributions that are expected from development, but nevertheless, at the very least, is clear where a contribution is required. For example:

S7 / S8 – financial contribution, if the Clause 1 option is taking by the applicant

S45 – commences with the overall requirement for infrastructure capacity to support development and “Conditions or planning obligations, as part of a package or combination of infrastructure delivery measures, are likely to be required for many proposals to ensure that new development meets this principle”.

S45 – more specifically covers:

- health: “Planning obligations are likely to require contributions to primary healthcare provision where there is a demonstrated shortfall in capacity.” and
- Education “Conditions or planning obligations are likely to require education provision where there is a demonstrated shortfall in capacity.”

S45 – also has a headline section on ‘development contributions’

S47 – makes specific reference to transport related developer contributions

S50 - makes specific reference to community facilities related developer contributions

S51 - makes specific reference to open space and pitches related developer contributions

S54 - makes further specific reference to health related developer contributions

S59 - makes specific reference to Green/Blue infrastructure related developer contributions

S66 - makes specific reference to tree planting maintenance developer contributions

As can be seen, the Plan is very comprehensive at identifying those areas where developer contributions might be required.

This has also informed the work on the Infrastructure Delivery Plan (IDP) (**INF001a**) which has also informed the work on the Whole Plan Viability Report (WPV) (**INF002a**).

The IDP was produced with input from key stakeholders to identify the specific infrastructure needed to support the growth envisaged in the plan, including timeframe, estimated cost, lead agency and a priority scoring for each piece of infrastructure. Through the WPV, these costs have been tested to ensure that development will remain viable.

The plan reflects the outputs from this evidence and is consistent with paragraph 34 of the framework.

Q2 – Is Policy S45 positively prepared, justified, effective and consistent with national policy, in particular paragraphs 20 and 22 of the Framework?

Yes. Policy S45 makes provision for the infrastructure needed in the plan period to 2040. This policy will work alongside CIL and will be supported by guidance in the Developer Contributions Supplementary Planning Document to ensure that the infrastructure will be delivered. It has been positively prepared with significant input from infrastructure providers and the requirement for the infrastructure types listed is supported in the Infrastructure Delivery Plan (**INF003**) and justified in the policy evidence report (**EVR045**).

The Central Lincolnshire districts will continue to work with infrastructure providers to ensure the timely delivery of infrastructure and services – an approach that continues to work well.

Issue 2 – Safeguarded Land - Policy S46

Q1 – What is the latest position regarding the funding necessary to deliver the North Hykeham Relief Road? Will it be delivered within the plan period?

The delivery of the North Hykeham Relief Road (NHRR) remains a key transport objective for Lincolnshire County Council as Highways Authority. Whilst there are, in common with large-scale infrastructure projects, a number of variables, the project is currently on track having completed its first pre-planning information events in September 2022 and with the Environmental Impact Assessment Scoping Opinion currently subject to consultation. The ambition remains for a planning application to be made in Autumn 2023 and construction on a 3-year build programme to commence in 2025.

In terms of funding, in November 2020 the Department for Transport allocated £110m to the project and this remains in place. The County Council has committed funding and will also seek funding from developer contributions, which will be based on evidence from relevant transport assessments in terms of the impact on local junctions and upon the operation of the NHRR.

Issue 3 – Accessibility and Transport – Policies S47 and S48

Q1 – Has the preparation of the Local Plan been consistent with paragraph 102 of the Framework, which states that transport issues should be considered at the earliest stages of plan-making?

Yes, the preparation of the Local Plan has been consistent with paragraph 104 of the Framework. Lincolnshire County Council, who are the Highway Authority for the Central Lincolnshire area are members of the Committee and have been central to developing the policies in the plan. National Highways, responsible for the A46 have been consulted throughout the plan making process including through work on ensuring that the transport model is up to date.

Policies S47 and S48 have been drafted to ensure that transport issues are considered at the earliest stages of development proposals and formation of site layout and design for the benefit of site occupiers and the wider area.

Q2 – For Policy S47, what is the justification for requiring all development proposals to be accompanied by a travel plan, transport assessment or transport statement?

This element of the policy is intended to be applied proportionately, in order that any potential issues and mitigation measures are taken into account from the outset whilst not being a burden on developers. Paragraph 8.2.11 of the supporting text sets out more detail around the level of detail that would be expected for different size developments.

This is carried forward from the adopted Local Plan and has been effective in ensuring that transport impacts are addressed in applications.

Q3 – Are policies S47 and S48 positively prepared, justified, effective and consistent with national policy, in particular paragraphs 20 and 22 of the Framework?

Yes. The Committee considers policies S47 and S48 to be positively prepared, justified, effective and consistent with national policy, in particular paragraphs 20 and 22 of the Framework. They provide a coherent strategy to ensure that sufficient provision will be made for transport infrastructure as part of development across Central Lincolnshire.

The background to the development of policies S47 and S48 is primarily contained within the policy evidence reports (**EVR047** and **EVR048**). These evidence reports demonstrate that these policies are the most appropriate strategy when considered against the reasonable alternatives (as set out in the evidence report and appraised through the SA (**STA004.1b**, **STA004.1g**) and is based on robust and credible evidence.

Q4 – What is the justification for suggested modification MMSC10? Is it necessary for soundness?

The suggested modification MMSC10 has been put forward in response to a representation received during the Regulation 19 consultation.

This modification has been suggested by the Committee as it will include another important element of enhancing connectivity for communities which will help ensure the effectiveness of this policy in delivering sustainable outcomes.

The modification will also help ensure the meeting of plan objectives, specifically Objective 13 Accessibility and Transport, and indirectly Objective 2 Health and Wellbeing.

Issue 4 – Parking Provision – Policy S49

Q1 – Paragraph 107 of the Framework states that if setting local parking standards, policies should take into account;

- **The accessibility of the development;**
- **The type, mix and use of development;**
- **The availability of and opportunities for public transport;**
- **Local car ownership levels; and**
- **The need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.**

How have these factors been taken into account in setting the residential parking standards in Policy S49? Are they justified?

Yes, they are justified. Policy S49 is positively prepared, justified, effective and consistent with national policy, in particular paragraph 107 of the Framework.

The background to the development of Policy S49 is primarily contained within the policy evidence report (**EVR049**). The evidence report demonstrates that this policy is the most appropriate strategy when considered against the reasonable alternatives (as set out in the evidence report and appraised through the SA (**STA004.1b**, **STA004.1g**) and is based on robust and credible evidence.

The policy evidence report is supported by the Residential Parking Standards Evidence Paper (**TRA005**) which sets out the methodology used to formulate the parking standards and approach set out in Policy S49 which included a benchmarking exercise, an assessment of sites in Central Lincolnshire and a review of car ownership and other evidence to inform the approach.

Using the evidence and benchmarking findings the policy identifies standards to be applied in two different geographic areas with the approach in Lincoln City Centre being for negotiation on a case-by-case basis, given the high accessibility levels in this location and high density often achieved.

The standards are fully justified by the evidence, and being informed by the individual elements of Paragraph 107 of the NPPF.

Issue 5 – Community Facilities – Policy S50

Q1 – Is Policy S50 consistent with paragraph 93 of the Framework which, amongst other things, requires planning policies to guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs?

Yes. Policy S50 is consistent with paragraph 93 of the Framework. The policy clearly states that the loss of community facilities will not be supported, with the exception of stated exceptions which are considered appropriate to ensure the policy is aligned to paragraph 93 of the NPPF. The policy is generally carried forward from Policy LP15 in the adopted Local Plan which has been operating effectively since the plan was adopted.

The background to the development of Policy S50 is primarily contained within the policy evidence report (**EVR050**).

Q2 – Is it clear to decision-makers, developers and local communities what types of use constitute 'community facilities', particularly in relation to commercial operations?

Yes. It is clear to decision-makers, developers and local communities what types of use constitute 'community facilities'. Paragraph 8.5.1 of the supporting text sets out the role and value of community facilities. The policy itself sets out a non-exhaustive list of examples of community facilities that include commercial, social and other facilities. The details of the role of community facilities in paragraph 8.5.1 will allow consideration of whether a commercial enterprise is considered to be a 'community facility'.

Taken as a whole, this provides adequate clarity over the uses included.

Issue 6 – New Open Space, Sports and Leisure Facilities – Policy S51

Q1 – What is the current status of the Developer Contributions Supplementary Planning Document and how has it influenced the formulation of Policy S51?

An update to the Developer Contributions SPD has been drafted and the Committee/Central Lincolnshire Districts aim to undertake consultation on the document and adopt it in line with the Local Plan timetable for adoption.

Supplementary Planning Documents (SPDs) cannot introduce new planning policies into development plans but provide more detailed advice or guidance on policies set out in adopted Local Plans. Therefore, the Developer Contributions SPD has not influenced the formulation of policy S51. The SPD will provide guidance to help deliver the policy and is based on the evidence in the Infrastructure Delivery Plan (IDP) (INF001a).

On reflection, and as was similarly raised in Matter 16, Issue 1, Q2, if the Inspectors are uncertain with the phrase ‘in compliance with the latest Developer Contributions SPD’ in Part A New Open Space of Policy S51, because it is felt it delegates too much status to a non-development plan document, then the following phrase would be acceptable to the Committee (though it is not presently proposed as a suggested modification, as the current wording is not considered fundamentally unsound):

“...and **informed by the guidance set out in** ~~in compliance with~~ the latest Central Lincolnshire Developer Contributions SPD...”

Similarly, in Part A Off-Site Provision, the following would not be objected to by the Committee if felt necessary:

“In certain circumstances, as directed by Appendix 3, **and informed by** the criteria set out in the Central Lincolnshire Developer Contributions SPD...”

Q2 – Is Policy S51 positively prepared, justified, effective and consistent with national policy, in particular paragraphs 20, 84, 92, 93, 99 and 187 of the Framework?

Yes. The background to the development of Policy S51 is primarily contained within the policy evidence report (**ENV051**). The policy evidence report demonstrates that this policy is justified. It is the most appropriate strategy when considered against the reasonable alternatives (as set out in the evidence report and through the SA) and is based on robust and credible evidence, as well as a thorough consideration of the comments received at the various stages of Local Plan consultation.

The implementation of Policy S51 is key to delivering the vision of the Local Plan and the strategic objectives:

“To reduce health inequalities, promote healthy lifestyles and maximise health and wellbeing”

And

“To protect, enhance and create and improve high quality green and blue spaces that are multifunctional; for sport, recreation, play and ecosystem services, and which form part of and are connected to the green infrastructure network, improving landscape connectivity for people and wildlife.”

Policy S51 is an important policy that will assist in mitigating the impact of new development in a way which benefits local communities through the delivery of new and enhanced high quality,

publicly accessible open spaces. This is consistent with paragraph 84 d) of the NPPF and the need to retain and develop accessible local services and facilities, such as open space. The policy is consistent with paragraph 98, which states planning policies:

“...should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative and qualitative deficits and surpluses) and opportunities for new provision.”

The main evidence base documents that informed the development of Policy S51 and the standards set out in Appendix 3 are: Open Space Audit Update, June 2021 (**SOS003a**) and Public Open Space Supply, June 2021 (**SOS003b**).

SOS003a and SOS003b update and replace the open space provision work prepared to inform the adopted 2017 Local Plan. The Open Space Audit provides updated information on the quantity and accessibility of open space across Central Lincolnshire. It identifies those geographical areas deficit of certain types of open space when compared to the nationally derived open space standards and adopted Central Lincolnshire standards, using up-to-date population statistics. All publicly accessible open space sites were included in the audit. Private outdoor sports facilities sites, education playing fields and natural and semi-natural greenspace sites not publicly accessible were also included, to present a complete picture of the different types of open space across Central Lincolnshire, but these types of open space were not assigned standards. The open spaces included in the audit and can be viewed using the interactive map on the Central Lincolnshire website under additional information/supporting information.

The Open Space Supply Report compares provision of publicly accessible open space against the proposed open space standards for Central Lincolnshire as set out in the 2021 Audit. The purpose of the report is to help decision makers and developers to identify whether there is a shortfall in publicly accessible open space in a local area within Central Lincolnshire. It is a snapshot in time and will be reviewed and published every two years on the Central Lincolnshire website.

Further information on these reports can be read under Section 3 of ENV051. These evidence documents are consistent with the requirements of paragraph 98 of the NPPF and are considered to provide a robust and up to date evidence base which justifies the policy and the standards in the Local Plan.

In terms of sports facilities and playing pitches, the Central Lincolnshire authorities commissioned consultants to undertake, for each district area, an assessment of existing provision of grass pitches, artificial turf pitches, and ancillary sports facilities based on Sport England guidance. A separate report was prepared for each district (**SOS006**, **SOS006a**, **SOS007**, **SOS007a**, **SOS008** and **SOS008a**). The Committee recognise that these documents do not satisfy all of Sport England's requirements to be considered a Playing Pitch Strategy. Sport England have confirmed that their preference is to have an up to date Playing Pitch Strategy that fully accords with the Sport England guidance in place to support the plan, but they have confirmed that the list of sites and quantity assessment undertaken matches their records. In discussion with Sport England, it has been agreed that a full Playing Pitch Strategy will be progressed, working in partnership with Sport England in advance of the next review of the submitted Local Plan. On this basis, Sport England have raised no objections to the proposed wording of policy S51.¹

For the reasons stated above, the Committee considers Policy S51 to be positively prepared, justified, effective and consistent with national policy.

¹ Rep ID 1102215