

Examination of the Central Lincolnshire Local Plan Review

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Dear Mr Hylton,

Response to Matters Arising from the Examination Hearing Sessions

1. As you will recall, throughout the examination hearing sessions at the end of last year we discussed several 'Main Modifications' that are necessary to make the Central Lincolnshire Local Plan Review 'sound'. The purpose of this letter is to provide recommendations on the way forward for any outstanding matters arising from the hearings.

Land at Eastfield Lane, Welton

2. For the benefit of those following the examination, it is worth recapping and clarifying the current position regarding proposed housing sites at Welton. As you know, the submitted Plan allocates land for development across 5 sites at Welton, which is defined as a 'Large Village'. This is the starting point for the examination.
3. In September 2022, the Committee put forward some 'suggested' Main Modifications to the Plan.¹ Amongst other things, they requested the deletion of site WL/WELT/008A for 109 dwellings at Eastfield Lane. The main reason for suggesting deletion of the site was due to concerns regarding access. In summary, it was considered that the necessary widening of Eastfield Lane would not be deliverable due to the requirement for third party land, and, that access from the site currently under construction to the west would be undeliverable. These points were expanded upon in the Committee's Matter 7 Hearing Statement.

¹ Examination Document EX011

4. After the hearing session on Thursday 24 November 2022, the Committee clarified their position through a mid-examination update. This states that after further discussions with Lincolnshire County Council, and reviewing information provided for the hearings, the site does not need to be deleted on highways grounds. In the interests of fairness, the note and the transport statement submitted by the site promoter have been made available for interested parties to respond to. We have now reviewed all the comments and provide the following recommendation.
5. The main reason for seeking to delete the site was due to uncertainty following a planning application submitted earlier in 2022.² But the planning application was not refused on highways grounds. Instead, the County Council's highways officer confirmed that the access point was acceptable. Whilst noting that road widening, a new footpath and relocation of road signage would be needed, there was nothing to suggest that these issues are insurmountable. This point has been further confirmed by the County Council in Examination Document EX027.
6. We therefore agree with the Committee that the allocation is not unsound for reasons of highway safety. The previously suggested Main Modifications to delete the site are unnecessary.
7. That being the case, it is now clear that if a new access from Eastfield Lane is created (rather than taking access through the adjacent development site) then road widening and an extension of the footpath will be required. As such, this should be made clear to users of the Plan by amending Policy S80. The change is needed for effectiveness and can be incorporated into the schedule of Main Modifications already in preparation.
8. Another issue which has been raised through the examination is the phasing restriction in Policy S80, which prevents the site coming forward until after other allocations in the village, namely WL/WELT/001a and WL/WELT/007. We fully appreciate the rationale behind this requirement and recognise that Welton has several sites allocated for development. However, insufficient information has been provided to justify why the allocation at Eastfield Lane has to be delayed, but not others in the same village, or elsewhere. We are unaware of any requests from statutory consultees for specific infrastructure requirements which need to be in place first. In response to the Regulation 19 consultation, West Lindsey District Council also highlighted that the phasing requirement was incorrect (if phased, it should be linked to the delivery of site WL/WELT/003, but only on the assumption that a vehicular access through the adjacent allocation was needed).
9. We also have concerns about the effectiveness of the policy. As submitted, the Plan states that the site is 'phased back'. But it is not sufficiently clear how a decision-maker would react to a development proposal. For example, when could a planning application be submitted and determined - only upon completion and occupation of the other allocations? What if they stalled or were only partially implemented? What if only one site was delivered?

² Planning Application Reference 144526

10. Furthermore, if there is a reason why the allocation must only be developed later in the plan period (such as due to the need for prior improvements to certain types of infrastructure) then the planning application process could provide appropriate safeguards. For example, Policy S45 states that planning permission will only be granted if it can be demonstrated that there is, or will be, sufficient infrastructure capacity to support all the necessary requirements arising from new developments.
11. In summary therefore, based on the evidence provided, we do not believe that the requirement is justified or effective. As such, our recommendation would be to delete the first bullet point from Policy S80, although we invite the Committee to put forward any alternative suggestions to making the Plan sound as required.

Land East of Prebend Lane, Welton

12. Policy LP52 of the existing Central Lincolnshire Local Plan allocates land at Prebend Lane for 350 dwellings (CL1491). The site is also allocated for residential development in the submitted Local Plan Review (WL/WELT/011).
13. The allocation in the existing Local Plan reflected an outline planning permission for 278 dwellings and 72 retirement units (350 units in total). Following adoption of the Plan in 2017, reserved matters approval was granted for the new homes (which are now under construction). Permission for the specialist retirement units lapsed, but a new scheme is currently before West Lindsey District Council.
14. As part of the approved scheme, not all the allocation is taken up by new housing. An area of unused land remains within the site and is shown on the approved layout plan as 'safeguarded for additional housing'. The developers state that the submitted Plan is unsound because it fails to recognise that additional housing could come forward on this part of the site. Throughout the hearings it was argued that it could accommodate a further 100 dwellings. The other concern is that, without modifying the policy, any future planning application would be limited to 10 dwellings by Policy S4.
15. There is clearly agreement on both sides that the principle of residential development on the remaining parcel of land is acceptable. However, the amount of additional housing has not yet been properly tested having regard to material planning considerations such as highways capacity, the impact on local services or design matters. Nor has it been subject to any public consultation with the local community. We therefore agree with the Committee's latest position (as set out in Examination Document EX028) that there is no justification for increasing the site capacity by a further 100 dwellings at this stage.
16. Another way of making the Plan sound might be to modify Policy S80 to state that additional residential development on the area earmarked as the 'safeguarded land' would be acceptable in principle, but without giving a precise figure. Because the Plan is read as a whole, other policies would continue to apply and would provide appropriate safeguards against

unsuitable forms of development. This would be a more appropriate way forward than seeking to prescribe a figure at this stage when the precise details are unknown and untested. The necessary addition could also be incorporated into the schedule of Main Modifications in preparation.

The Housing Requirement – Policy S2

17. In response to our Matters, Issues and Questions, the Committee accepted that expressing the housing requirement as a range could lead to confusion, and thus, a Main Modification was needed for effectiveness. We agree. The suggested wording in the Committee's Matter 2 Hearing Statement should therefore also be incorporated in the schedule of Main Modifications. It clarifies that the housing requirement over the plan period is 24,244 dwellings (or 1,102 dwellings per year) as calculated using the standard method in national planning guidance and the latest available data.

Conclusion and Next Steps

18. We trust that the matters identified above are sufficiently clear to enable the Committee to finalise the schedule of Main Modifications ready for public consultation. However, if this is not the case, or if you do have any further queries, please contact us through the Programme Officer so that we can advise on the most appropriate way forward for the examination.

19. The Committee and participants should be aware that the above comments do not represent our full findings on these matters, which shall be set out in final report having considered any representations made during consultation on the Main Modifications. We will also consider whether the changes should be recommended for soundness after the public consultation exercise.

20. We have asked the Programme Officer to upload a copy of this letter to the examination website for those following the examination, but we are not seeking any further comments from participants at this stage.

Yours Sincerely,

Matthew Birkinshaw and Clive Coyne

Inspectors