



**CENTRAL LINCOLNSHIRE LOCAL PLAN**  
**SCHEDULE OF POST-SUBMISSION SUGGESTED MODIFICATIONS**

**Version 1 (as published)**

**15 Aug 2016**



# CENTRAL LINCOLNSHIRE LOCAL PLAN

## SCHEDULE OF POST-SUBMISSION SUGGESTED MODIFICATIONS

### Introduction

In simple terms, before a Local Plan can be adopted, The Town and Country Planning (Local Planning) (England) Regulations 2012 requires a local planning authority to 'submit' its Local Plan for examination, and that 'submitted' document must be the same one as was consulted upon prior to its submission (i.e. the 'Proposed Submission' Local Plan). In other words, the local planning authority is not permitted to make changes to the Local Plan, from the Proposed Submission version to the Submitted version.

However, the Planning and Compulsory Purchase Act 2004 (as amended, inter alia, by the Localism Act 2011), sections 20 and 23, make provision for 'modifications' to be made to a Local Plan, from the Submitted Local Plan and before it adopts the Local Plan.

In legal terminology, there are two types of 'modifications': 'main' and 'additional'. The 'additional' modifications are commonly referred to as 'minor' modifications, to more clearly distinguish them from 'main' modifications.

### 'Main Modifications'

Only the Inspector can 'recommend' (though in a practical sense, if the Local Plan is to be adopted, this means 'require') 'main modifications'. These are modifications which are necessary to make the Submitted Local Plan 'sound', and therefore enable the Local Plan to be adopted. A local planning authority must ask the Inspector to recommend such main modifications (s20(7C)), and the Central Lincolnshire Joint Strategic Planning Committee (CLJSPC) has made that request.

Whilst only the Inspector can recommend 'main modifications', it is common practice for the local planning authority to **suggest** what those main modifications could be. The reasons why a local planning authority might suggest such main modifications is either:

- Because the local planning authority itself has spotted something in (or missing from) the Submitted Local Plan which appears to be 'unsound', and wishes the Inspector to recommend a modification to correct it; and/or
- Because, as part of the ongoing examination process, it appears to both the Inspector and the local planning authority that an amendment is necessary, and therefore the Inspector asks the local planning authority to make a suggestion as to what an amendment might be.

The schedule attached, therefore, shows the current list of 'main modifications' **suggested** by the CLJSPC to the Inspector for his/her consideration i.e. these are changes compared with the Local Plan which has been Submitted (which in turn, is the same Local Plan which was consulted upon as a Proposed Submission version, in April 2016).

There is absolutely no obligation on the Inspector to accept any of the CLJSPC suggested main modifications. The Inspector will consider them all, and will determine the final list of main modifications which are necessary to make the Local Plan 'sound', and therefore adoptable. The final 'main modifications' list prepared by the Inspector might exclude all or some in the suggested list attached, might amend some in the suggested list, and/or might add new main modifications not currently set out in the suggested list.

### **'Minor Modifications'**

The legislation also allows a local planning authority to prepare a schedule of 'additional (minor) modifications', and include such modifications in the final Local Plan which it adopts. These minor modifications are not considered or approved by the Inspector, and do not require consultation.

The legislation (s23(3)(b)) makes it clear what could constitute a 'minor modification': in short, the minor modifications (taken together) must not materially affect the policies that would be set out in the Local Plan if it was adopted with the main modifications but no other modifications.

It is completely at the discretion of the local planning authority to prepare a list of 'minor modifications', and to take responsibility for ensuring that such modifications are indeed 'minor' (i.e. do not materially affect the policies).

In practice, 'minor modifications' tend to be very minor indeed. They are normally one of the following:

- Correcting typographical errors
- Presentational improvements
- Updating factual text
- Minor wording changes, to make the text clearer

There are usually very few 'minor modifications' which apply to policies themselves within a Local Plan. They normally only apply to the supporting text. Where they do apply to policies, particular care needs to be taken that they are indeed 'minor'.

### **The schedule**

Attached is the current 'live' version of the modifications being suggested by the CLJSPC. It will continually be updated throughout the examination period, and a later version is likely to be consulted upon (though this is a matter for the Inspector to decide). This current version is not currently subject to consultation.

The schedule has two parts – 'main modifications' and 'minor modifications'

The first column in each is the reference number of the suggested modification.

The second column shows the chapter/paragraph/policy to which the suggested modification applies. The modifications are listed in numerical order, and hence do not necessarily appear in the order that they would appear in the Local Plan. Some suggested modifications may be deleted in future versions of this schedule. As those earlier modifications are no longer relevant, they will be removed from the list, and this explains why some SC reference numbers may appear to be missing.

The third and fourth columns show the suggested modification and the reason for it.

The final column shows whether further sustainability appraisal (SA) is or is not required, in the opinion of the CLJSPC.

In many instances, modifications to policies and text will require consequential policy/paragraph renumbering and alterations to cross-references, but these are not itemised in this schedule.

## Schedule of Suggested 'Main Modifications' (as at the date on the front cover of this document)

REF No.	SECTION/ PARA/ POLICY	SUGGESTED MAIN MODIFICATION	REASON FOR CHANGE	FURTHER SA NEEDED (Yes/No)?
Main/SC/1	3.4.7	<p>Amend the paragraph, and split into four separate paragraphs, to read:</p> <p>"There are <del>two</del> <b>three</b> exceptions to the above approach, these being for Hemswell Cliff, <u>Lea</u> and <del>for</del> Canwick, <b><u>for the following reasoning.</u></b></p> <p>Hemswell Cliff village is identified for a greater level of growth than would otherwise be the case if the above approach is followed. The reasoning for this exceptional approach is due to the adjacent Hemswell Cliff Business Park area being identified as a national Food Enterprise Zone, which will lead to significant investment and job creation. As such, this Local Plan makes specific allocations for dwellings in Hemswell Cliff (see Policy LP53), to complement the employment and other growth associated with the Enterprise Zone, rather than a more general, no allocation, percentage increase approach.</p> <p><b><u>Lea, whilst being a settlement in its own right, is physically connected to the urban area of Gainsborough, and the same is the case for Morton. As such, Lea and Morton were considered for allocations to help meet Gainsborough's growth needs. No sites have been allocated in Morton, but one site has been allocated in Lea (see policy LP50, site CL3044). This site is taken into account for the 'Remaining Growth' level for Lea as shown in column (g) of Appendix B.</u></b></p> <p>Canwick is adjacent to the South East Quadrant Sustainable Urban Extension (SUE), and it also satisfies two of the</p>	<p>In response to a representation.</p> <p>The modification will ensure that allocated site CL3044 is properly taken into account in relation to planned growth levels for Lea.</p>	No

		<p>sustainability criteria above. However, given that the SUE will be developed near to the village there are restricted opportunities for further growth. As such, no reliance on growth in Canwick is made in the Local Plan, but infill sites may still come forward.”</p> <p>In addition, amend the ‘Remaining Growth’ figure for Lea in column (g) of Appendix B to read “<b><u>0**</u></b>” and insert a footnote to Appendix B to state:</p> <p><b><u>“** for Lea, the ‘Remaining Growth’ level is identified as 0 due to the allocation of site CL3044 in Lea, which is expected to deliver around 68 dwellings (indicative figure only), an amount which would, when combined with existing completions and permissions for Lea, meet the identified growth level for the village.”</u></b></p>		
Main/SC/2	New sentence at end of 3.4.9	<p>Add new sentence to read:</p> <p><b><u>“Monitoring of dwellings completed and permitted against the target growth level for each village will be undertaken by the applicable district and published on their website and/or the Central Lincolnshire website on a regular basis (at least once a year).”</u></b></p>	In response to representations seeking clarity on the implementation and monitoring of Policy LP4. The modification provides that clarity about the process and responsibility for monitoring against the growth levels for villages in a transparent manner.	No
Main/SC/3	LP11	<p>Amend part (a) of the Policy, as follows:</p> <p>a. Affordable housing will be sought on all qualifying housing development sites of <b><u>4-11 dwellings or more, or on development sites of less than 11 units if the total floorspace of the proposed units exceeds 1,000 sqm.</u></b></p> <p>If a development scheme comes forward which is below <del>this</del> <b><u>these</u></b> thresholds and thus does not require the provision of affordable housing, but the scheme is followed by an obviously linked subsequent</p>	<p>On 19 May 2016, Government amended various elements of its national planning practice guidance (NPPG), including adding text under the heading “<i>Are there any circumstances where infrastructure contributions through planning obligations should not be sought from developers?</i>”.</p> <p>The additional text included the following:</p> <p><i>“affordable housing and tariff style planning obligations (section 106</i></p>	Possibly - TBC

		<p>development scheme at any point where the original permission remains extant, or up to 5 years following completion of the first scheme, then, if the combined total of dwellings <b>(or floorspace)</b> provided by the first scheme and the subsequent scheme/s provide 4-<b>11</b> or more dwellings <b>(or 1,000 sqm or more floorspace)</b>, then Policy LP11 as a whole will be applied, with the precise level of affordable housing to be provided being 'back dated' to include the earlier scheme(s).</p>	<p><i>planning obligations) should not be sought from small scale and self-build development"</i></p> <p>and, further, specifically stipulating that</p> <p><i>"contributions should not be sought from developments of 10-units or less".</i></p> <p>As such, the Submitted Local Plan is not compliant with this national policy (and the associated Ministerial Statement which preceded it). A number of objectors have made this point.</p> <p>The modification will bring the Local Plan into line with national policy.</p> <p>In considering whether to make this suggested modification, consideration was given to the likely negative impact on the delivery of affordable homes, but this negative aspect was outweighed by the clear and high profile position government has taken on this matter, hence the suggested modification.</p>	
Main/SC/4	LP29 and Para 7.3.2	<p>Amend LP29 criteria (a) as follows:</p> <p>"a. Protect the dominance and approach views of Lincoln Cathedral, <b><u>Lincoln Castle</u></b> and uphill Lincoln on the skyline;"</p> <p>Similarly, amend para 7.3.2 as follows:</p> <p>"... which supports spectacular views of the cathedral, <b><u>castle</u></b> and uphill Lincoln. ..."</p>	<p>In response to a representation and to recognise the importance of views of the castle.</p>	No



Main/SC/5	LP50	<p>Amend the row in the policy in respect of site CL4686 to as follows, which reduces the indicative dwellings from 450 to <b><u>245</u></b>:</p> <table border="1"> <tr> <td>CL4686</td><td>Gateway Riverside Housing Zone, Gainsborough</td><td>6.12</td><td></td><td>245</td></tr> </table> <p>Amend dwelling totals within the policy to take account of the above so that:</p> <ul style="list-style-type: none"> <li>- for 'Total Gainsborough (excluding SUEs)' it is amended from <del>2,064</del> to <b><u>1,856</u></b>.</li> <li>- for 'Total Main Towns (excluding SUEs)' it is amended from <del>3,533</del> to <b><u>3,328</u></b>.</li> <li>- for 'Total Main Towns (including SUEs) in plan period' is amended from <del>8,533</del> to <b><u>8,328</u></b>.</li> </ul>	CL4686	Gateway Riverside Housing Zone, Gainsborough	6.12		245	In July 2016, West Lindsey DC approved an LDO for the area CL4686, but with a revised dwelling figure than previously West Lindsey DC had indicated for the area. The Local Plan therefore should be updated to reflect the latest expected dwellings to come forward on the site.	No
CL4686	Gateway Riverside Housing Zone, Gainsborough	6.12		245					
Main/SC/6	LP52	<p>Add one additional site to Policy LP52, by adding a new row to Policy LP52 immediately under the row for site allocation CL1144.</p> <table border="1"> <tr> <td>CL4007</td><td>Phase Three, Manor Farm Development, Horncastle Road, Bardney</td><td>4.8</td><td>NS</td><td>170</td></tr> </table> <p>Amend dwelling totals at the end of the relevant village (Bardney) from <del>73</del> to <b><u>243</u></b> and the end of Part (A) of the policy (total for Lincoln Area Large Villages amend from <del>5,742</del> to <b><u>5,882</u></b>) to take account of the above.</p> <p>Amend the Policies Map, to reflect the above – see Appendix A</p>	CL4007	Phase Three, Manor Farm Development, Horncastle Road, Bardney	4.8	NS	170	This site was allowed at appeal in April 2016 and as such is considered suitable for allocation to ensure the plan is as up to date as possible.	No (because the site has consent)
CL4007	Phase Three, Manor Farm Development, Horncastle Road, Bardney	4.8	NS	170					

Main/SC/7	LP53	Add seven additional site to Policy LP53, by adding new rows to Policy LP53 as follows:	CL4727 - This site was allowed at appeal in June 2016 and as such is considered suitable for allocation to ensure the plan is as up to date as possible.	No (because the sites have consent)																										
		New rows to be inserted into the Lincoln Strategy Area section of the policy:			CL4750 - This site was allowed at appeal in June 2016 and as such is considered suitable for allocation to ensure the plan is as up to date as possible.																									
		<table><tr><td>CL4750</td><td>Sudbrooke Farm, Sudbrooke</td><td>23.09</td><td>NS</td><td>155</td></tr><tr><td>CL4751</td><td>Site 1, Land South of Wesley Road, Cherry Willingham</td><td>0.56</td><td>NS</td><td>26</td></tr><tr><td>CL4752</td><td>Site 2, Land South of Wesley Road, Cherry Willingham</td><td>0.83</td><td>NS</td><td>33</td></tr><tr><td>CL4753</td><td>George Hotel, 15 Main Road, Langworth</td><td>2.02</td><td>NS</td><td>36</td></tr><tr><td>CL1437</td><td>Heath Road, Scothern</td><td>1.08</td><td>NS</td><td>30</td></tr></table>			CL4750	Sudbrooke Farm, Sudbrooke	23.09	NS	155	CL4751	Site 1, Land South of Wesley Road, Cherry Willingham	0.56	NS	26	CL4752	Site 2, Land South of Wesley Road, Cherry Willingham	0.83	NS	33	CL4753	George Hotel, 15 Main Road, Langworth	2.02	NS	36	CL1437	Heath Road, Scothern	1.08	NS	30	CL4086 - This site was granted permission in February 2016 and as such is considered suitable for allocation to ensure the plan is as up to date as possible.
		CL4750			Sudbrooke Farm, Sudbrooke	23.09	NS	155																						
		CL4751			Site 1, Land South of Wesley Road, Cherry Willingham	0.56	NS	26																						
		CL4752			Site 2, Land South of Wesley Road, Cherry Willingham	0.83	NS	33																						
		CL4753			George Hotel, 15 Main Road, Langworth	2.02	NS	36																						
		CL1437			Heath Road, Scothern	1.08	NS	30																						
		New rows to be inserted into the Non-Lincoln Strategy Area section of the policy:			CL4751 - This site was granted permission in May 2015 and as such is considered suitable for allocation to ensure the plan is as up to date as possible.																									
		<table><tr><td>CL4727</td><td>Lancaster Green, Hemswell Court, Hemswell Cliff</td><td>1.28</td><td>NS</td><td>40</td></tr><tr><td>CL4086</td><td>The Old Scrapyard, Stow Lane, Ingham</td><td>1.67</td><td>NS</td><td>35</td></tr></table>			CL4727	Lancaster Green, Hemswell Court, Hemswell Cliff	1.28	NS	40	CL4086	The Old Scrapyard, Stow Lane, Ingham	1.67	NS	35	CL4752 - This site was granted permission in July 2015 and as such is considered suitable for allocation to ensure the plan is as up to date as possible.															
CL4727	Lancaster Green, Hemswell Court, Hemswell Cliff	1.28	NS	40																										
CL4086	The Old Scrapyard, Stow Lane, Ingham	1.67	NS	35																										
Insert a new row within the policy, setting out the total indicative dwellings arising from LP53 for the Lincoln Strategy Area, as follows:	CL4753 - This site was granted permission in July 2015 and as such is considered suitable for allocation to ensure the plan is as up to date as possible.																													
<table><tr><td>Total for Lincoln Strategy Area</td><td>392</td></tr></table>	Total for Lincoln Strategy Area	392	CL1437 - This site was granted permission in June 2015 and as such is considered suitable for allocation to ensure the plan is as up to date as possible.																											
Total for Lincoln Strategy Area	392																													
Insert a new row within the policy, setting out the total indicative dwellings arising from LP53 for the Non-Lincoln Strategy Area, as follows:																														
<table><tr><td>Total for Non-Lincoln Strategy Area</td><td>364</td></tr></table>	Total for Non-Lincoln Strategy Area	364																												
Total for Non-Lincoln Strategy Area	364																													

		<p>Amend last row of the table in Policy LP53 (dwelling total for Medium and Small Villages) from <del>404</del> to <b><u>756</u></b> to take account of the above.</p> <p>Amend the Policies Map, to reflect all of the above – see Appendix A</p>		
Main/SC/8	10.2.2	<p>Update the table and graph on the two pages after paragraph 10.2.2 to accurately reflect the housing supply position following the addition of the above sites, the amendments to the growth level in villages and the latest published AMRs.</p> <p>The table and graph will be available by early September 2016, and will be added to this Schedule in a V2 of this document.</p>	To ensure that the table and graph accurately reflects the latest position (and assumes the above suggested modifications are agreed by the Inspector).	No

**Schedule of Suggested 'Minor Modifications' (legally known as 'Additional Modifications') (as at the date on the front cover of this document)**

REF No.	SECTION/ PARA/ POLICY	SUGGESTED MINOR MODIFICATION	REASON FOR CHANGE	FURTHER SA NEEDED (Yes/No)?
Minor/SC/1	Foreword	<p>Replace fourth and fifth paragraphs as follows:</p> <p><u>Current:</u></p> <p>“Building on your very helpful comments we received at both the preliminary and further draft stages, inside this Proposed Submission Local Plan for Central Lincolnshire are a set of revised planning policy proposals for the growth and regeneration of Central Lincolnshire over the next 20 years and beyond, together with a firmed up set of proposed sites for development and other areas designated for protection. The policies within the Local Plan will make sure that our settlements grow in the right way, ensure we have homes and employment where we need them, and ensure our new communities are sustainable, accessible and inclusive.</p> <p>The plan will enable us, working with our partners and local communities, to realise Central Lincolnshire’s true potential. This is the third and final opportunity for you to comment on the emerging plan. Any comments you make will be carefully considered, including by an independent Inspector, before the Local Plan is adopted.”</p> <p><u>Proposed:</u></p> <p>“This is the adopted Local Plan for Central Lincolnshire. It was prepared with the benefit of your very helpful comments we received at various draft stages. Inside this adopted Local Plan are policies for the growth and regeneration of Central Lincolnshire over the next 20 years and beyond, including sites allocated for development and other areas designated for</p>	To update the text to reflect its status on adoption.	No

		<p>protection. The policies within the Local Plan will make sure that our settlements grow in the right way, ensure we have homes and employment where we need them, and ensure our new communities are sustainable, accessible and inclusive.</p> <p>The plan will enable us, working with our partners and local communities, to realise Central Lincolnshire's true potential."</p>		
Minor/SC/2	Preface	Delete entire Preface	<p>The Preface was included (and regularly updated) at each of the draft stages of the Local Plan, to explain what status that draft plan had, for decision makers.</p> <p>However, Preface no longer needed on adoption, as the plan would have full status.</p>	No
Minor/SC/3	1.1	<p>Delete entire section 1.1 and replace with:</p> <p><b>"1.1 Introduction</b></p> <p><b>1.1.1</b> This is the Adopted Local Plan for Central Lincolnshire. It contains planning policies and allocations for the growth and regeneration of Central Lincolnshire over the next 20 years. It has been prepared and adopted by the Central Lincolnshire Joint Strategic Planning Committee (CLJSPC)</p> <p><b>1.1.2</b> Within this document you will find a vision for what Central Lincolnshire could be like in 2036. There are also some objectives to explain what is trying to be achieved and policies setting out what and how much development should take place.</p> <p><b>1.1.3</b> You will see that this Local Plan:</p> <ul style="list-style-type: none"> <li>• is underpinned by an aspiration for sustainable growth in homes, jobs, services and facilities;</li> <li>• is aiming to deliver many new homes between now and 2036;</li> <li>• is seeking to attract new businesses and jobs;</li> </ul>	<p>To remove text relating to consultation arrangements on the Proposed Submission Local Plan.</p> <p>To more generally factually update the text.</p>	No

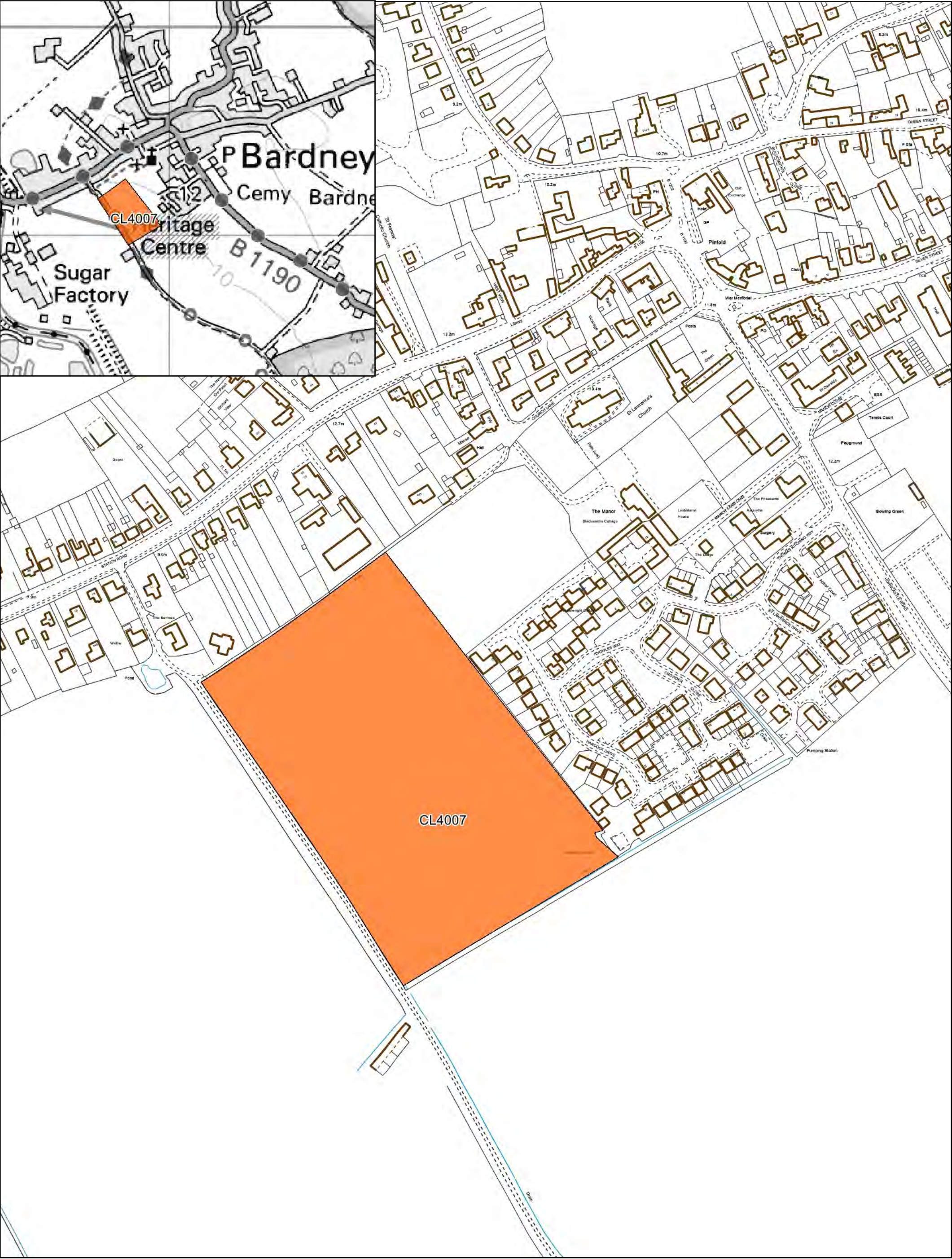
		<ul style="list-style-type: none"> <li>• sets out policies to ensure development is of high quality, sustainable and meets the needs of everyone;</li> <li>• sets out policies to ensure all the infrastructure, such as play areas, roads, new schools and upgraded sewage disposal, are provided at the same time as the new homes;</li> <li>• is complemented by a separate Policies Map, which sets out where development should take place.</li> </ul> <p><b>National Planning Policy Framework (NPPF) and the Central Lincolnshire Local Plan</b></p> <p><b>1.1.4</b> The NPPF was issued by Government in March 2012, followed by the ‘live’ National Planning Practice Guidance (NPPG) from March 2014. This Local Plan has been written to complement the NPPF and comply with the guidance in the NPPG. Should the NPPF or NPPG be revised in the future then references to the NPPF and NPPG in this document should be checked against the latest version of the NPPF and NPPG in force at that point in time. This Local Plan does not repeat policies in the NPPF; it builds on them when necessary and ensures locally specific issues are covered.</p> <p><b>Previous consultation on this Local Plan</b></p> <p><b>1.1.5</b> The preparation of this Local Plan commenced in 2014, and included three rounds of public consultation. An examination of the Local Plan was conducted during 2016 by an independent Inspector. That Inspector found the draft plan ‘sound’ subject to some modifications. Those Inspector recommended modifications, together with other minor modifications, are included in full in this adopted Local Plan. Full details of the consultation and examination stages of the Local Plan are available on the Central Lincolnshire website.”</p>		
Minor/SC/4	Para 5.4.2	Amend wording as follows:	To reflect NPPG wording, following a suggestion made by respondent	No

		“....local planning authorities <del>can</del> <b>should</b> only approve...”		
Minor/SC/5	Para 5.2.1	Amend wording as follows:  “....Local Plans have identified some additional Areas of <b><u>Great</u></b> Landscape Value.”	For accuracy / clarity	No
Minor/SC/6	7.2.2	First line, replace “(2015)” with “(2016)”	Provide correct date for the Lincoln Strategy Area Study	No
Minor/SC/7	LP29	In criteria (b), replace “(see Policy LP21)” with “(see Policy LP22)”	To provide the correct cross-reference	No
Minor/SC/8	9 Sleaford Key Diagram	Replace “Grammer” with “Grammar”	To correct a typing error	No
Minor/SC/9	9.2.1	Replace “Castlefield” with “Castle Field”	To correct a typing error	No
Minor/SC/10	9.4.2	Amend second sentence as follows:  “...The main objectives of the partnership are to deliver a viable mixed use development comprising, retail, leisure, commercial and residential uses, to successfully regenerate the Grade II listed 17 Market Place building and site to the rear of 47/49 <b><u>17, 18 and 19</u></b> Market Place <b><u>and 25b Southgate</u></b> , and to deliver a pedestrian link from Money’s Yard to the Market Place via a footbridge over the River Slea.”	Provide correct building numbering	No
Minor/SC/11	LP52	Amend the Address of site CL1307 in Keelby to “Land south of Stallingborough Road, Keelby”.	To clarify the exact location of the site.	No
Minor/SC/12	Inset Map 20	Show site CL1356 on the Policies Map – see Appendix A	To reflect the allocation of the site in Policy LP51	No
Minor/SC/13	Appendix B, Pg 134	Amend figures for Bishop Norton to column a - “108”, column c – “11”, and column g – “11”.	To accurately reflect the position in terms of dwelling numbers for Bishop Norton in the Local Plan.	No

## **Appendix A**

The following maps identifying all of the sites which will be added to the Policies Map, should the suggested modifications set out in this document (specifically suggested modifications Main/SC/6, Main/SC/7, Minor/SC/12) be subsequently endorsed by the Inspector in his Inspector's Report

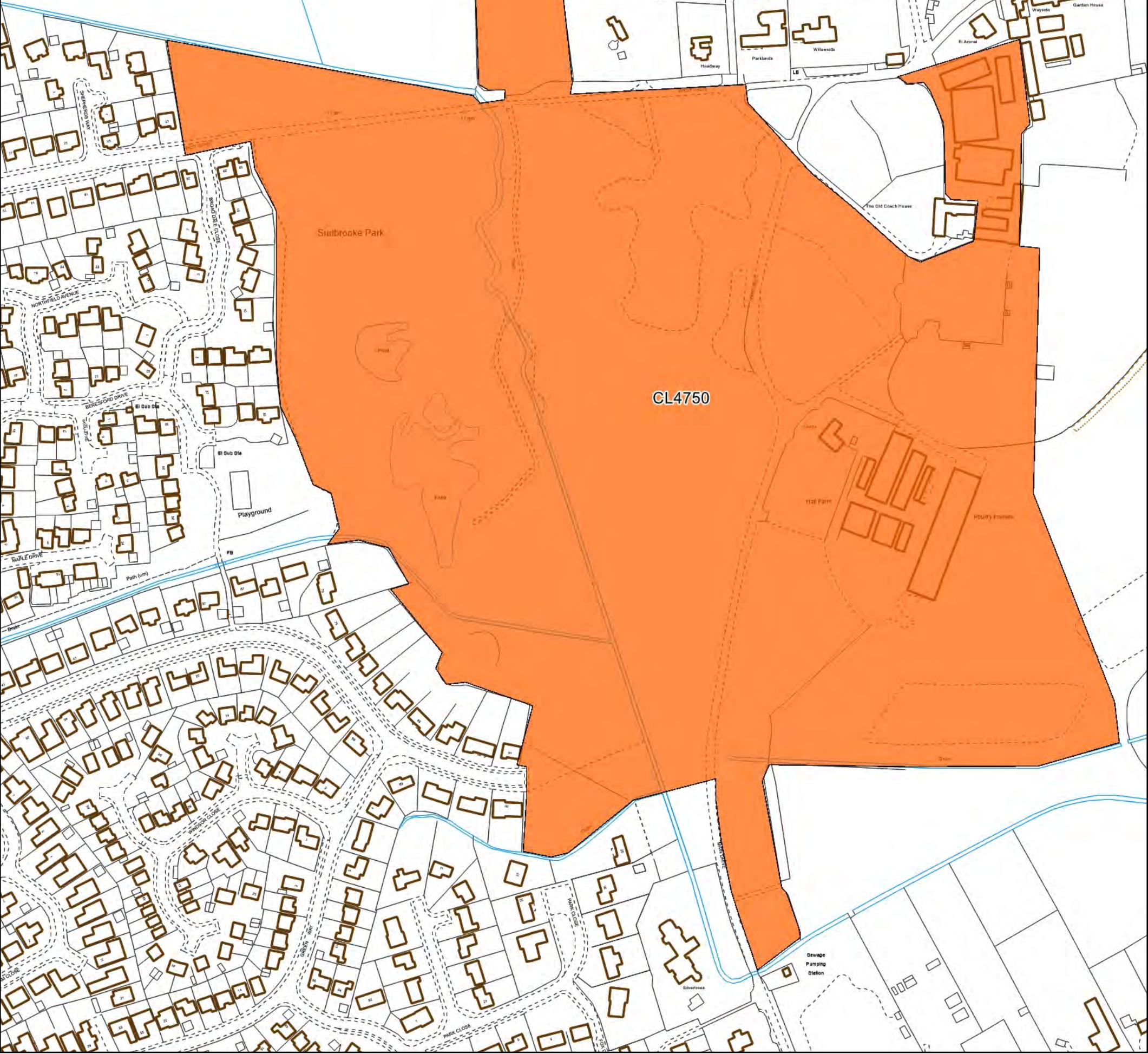




Site CL4007 - Inset 5 for Bardney



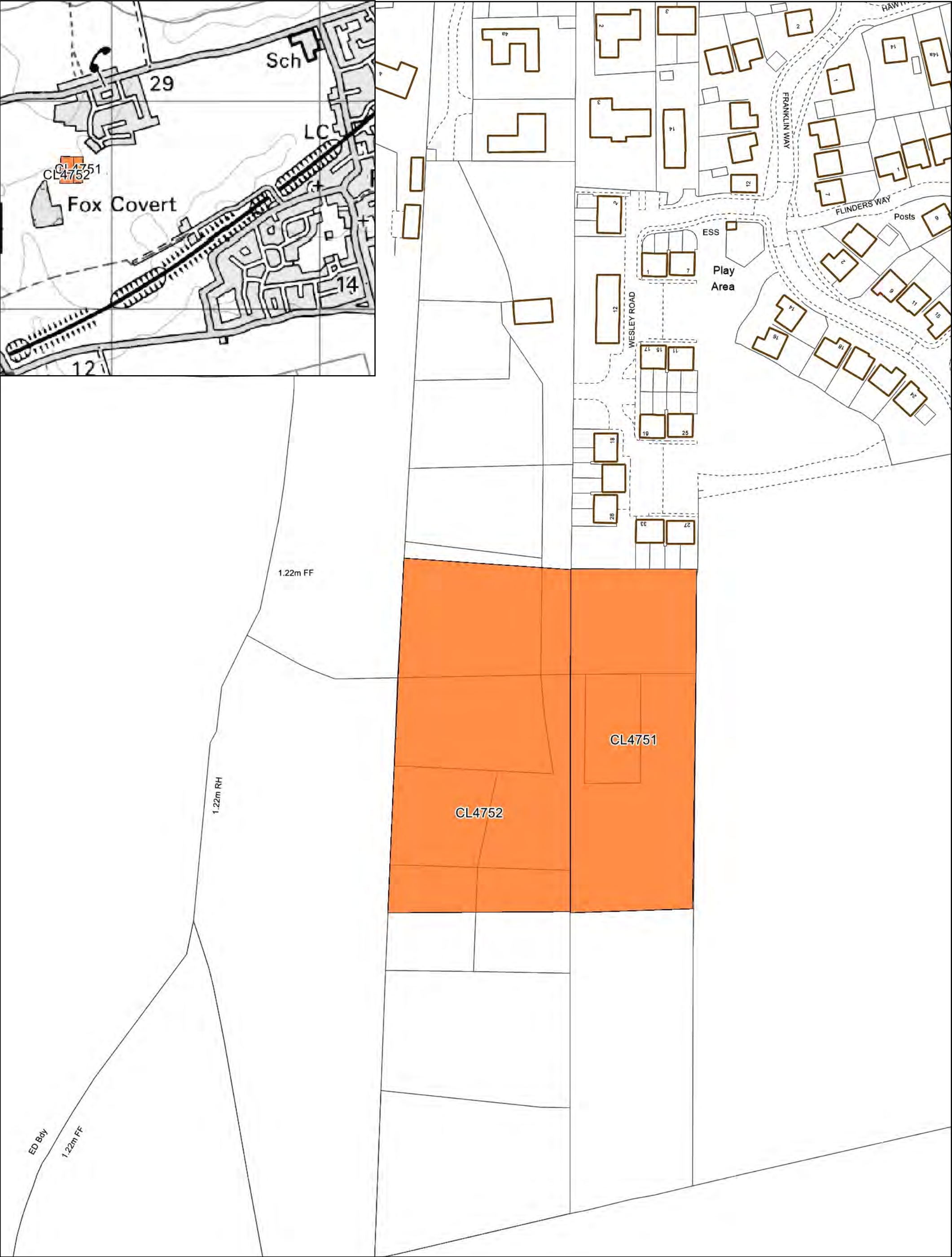




Site CL4750 - New inset for Sudbrooke







Sites CL4751 and CL4752 - Inset 12 for Cherry Willingham to be expanded to include this area to the west



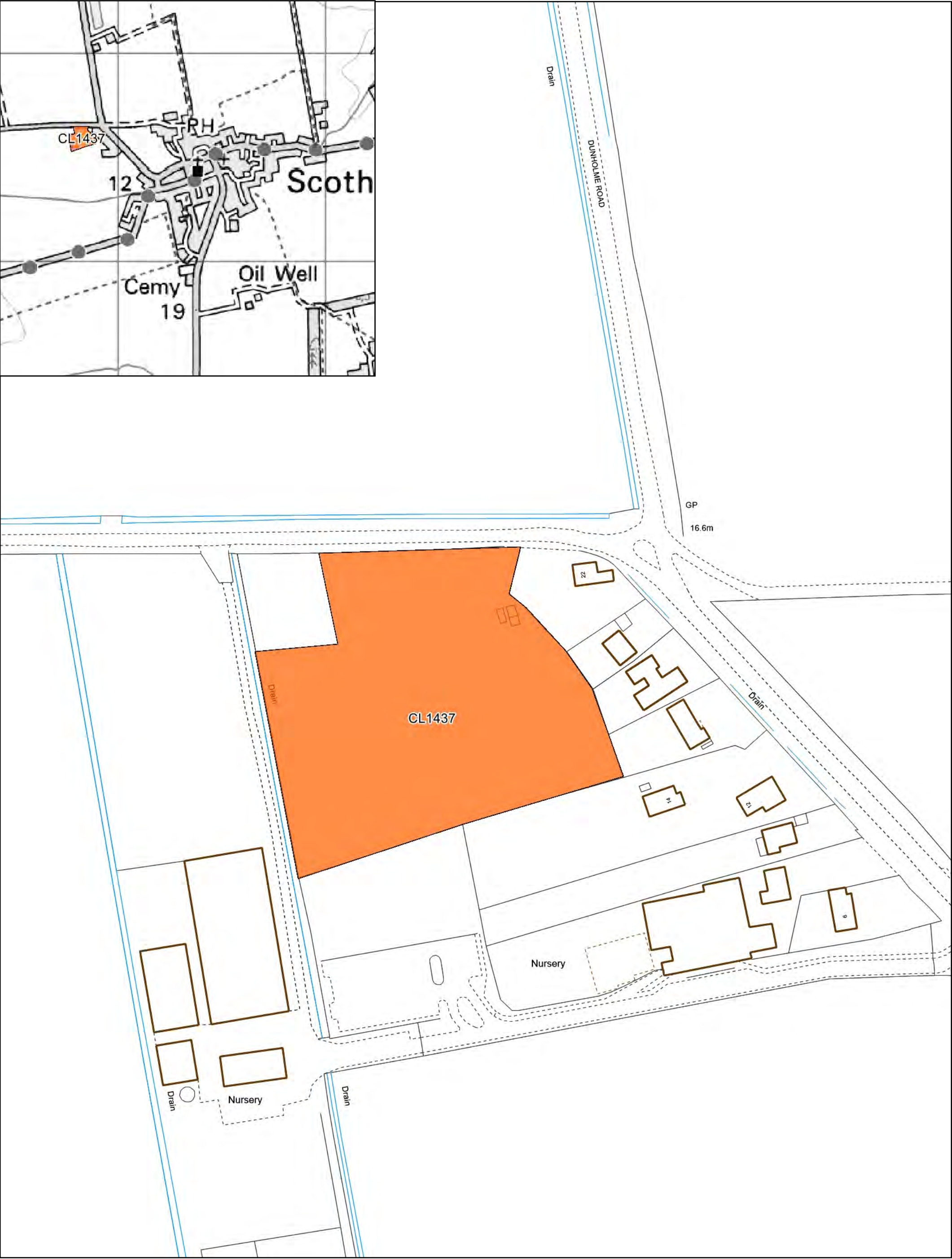
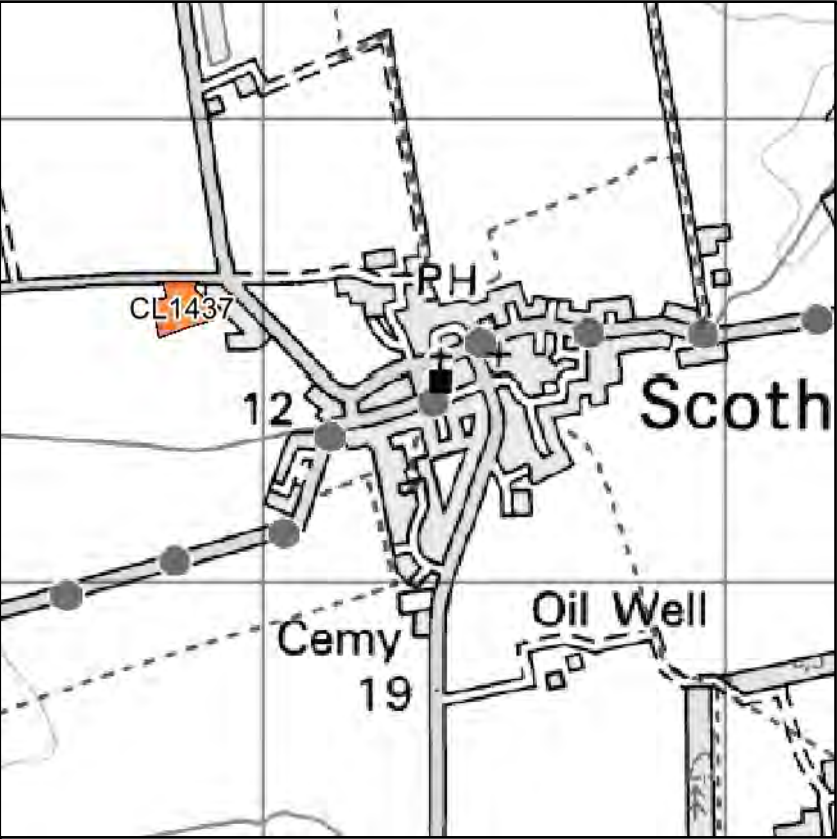




Site CL4753 - New inset for Langworth



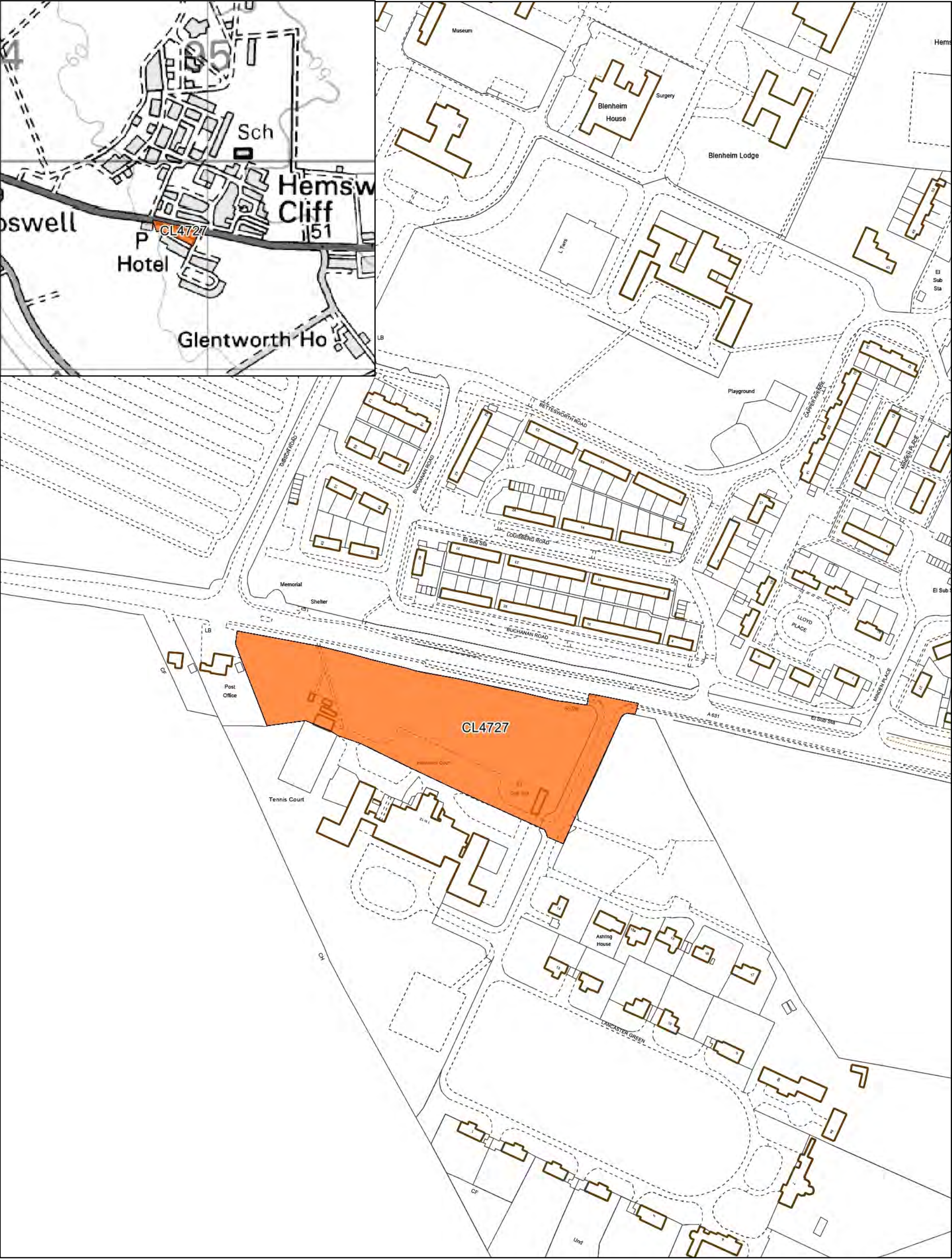




Site CL1437 - New Inset for Scothern



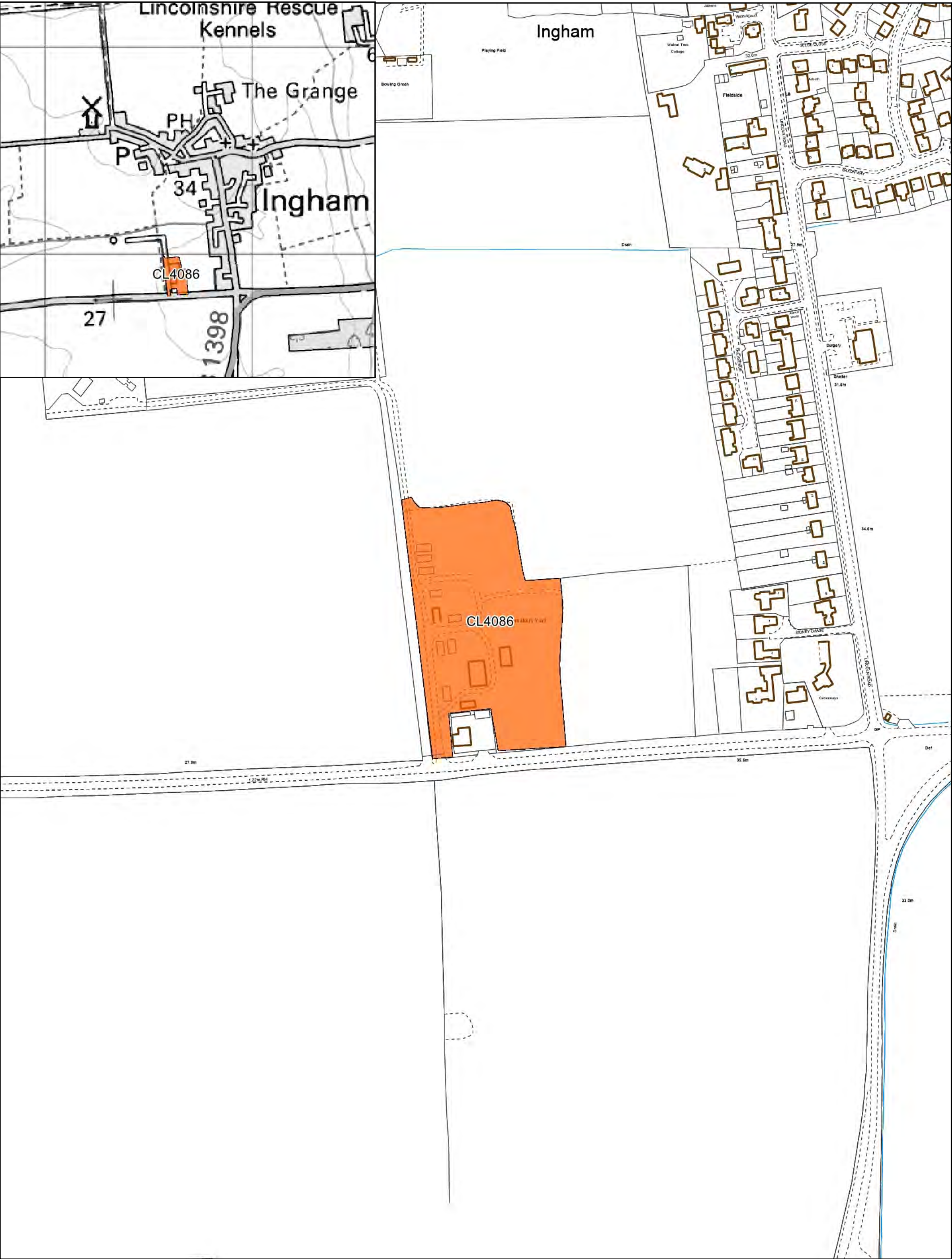




Site CL4727 - Addition to Inset 18 for Hemswell Cliff







Site CL4086 - New inset for Ingham





