
Examination of the Central Lincolnshire Local Plan 2019 - 2040

Examination in Public Hearings – November - December 2022
Matter 3 – Spatial Strategy and Distribution of Development

Hearing Statement prepared by Savills on behalf of Obsidian
Strategic Asset Management Ltd

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Executive Summary

This Hearing Statement has been prepared by Savills (UK) Limited on behalf of Obsidian Strategic Asset Management 'Obsidian' who are acting as promoter for the Land to the north of Saxilby and west of B1241, Saxilby (WL/SAXI/015).

We consider there are deficiencies in the approach taken by Central Lincolnshire in determining the settlement hierarchy, which has resulted in an unsustainable approach to distributing growth around Lincolnshire. This statement sets out how the approach progressed by the Committee is unjustifiable with the potential to have a significant negative impact on the delivery of housing in the District. The approach taken does not conform with national or adopted local policies. This Statement sets out in detail where these deficiencies lie.

This statement then sets out the modifications which we feel are required to meet the requirements of the National Planning Policy Framework to ensure that the Plan is positively prepared, justified, effective and can therefore be considered sound, before being adopted.

1. Introduction

- 1.1. This Hearing Statement has been prepared by Savills (UK) Ltd on behalf of Obsidian Strategic Asset Management 'Obsidian' who act as land promoter on behalf of the landowner of the Land west of Sturton Road, Saxilby. A site location plan is contained at **Appendix 1** of this Statement.
- 1.2. This Statement should be read in conjunction with the representations submitted on behalf of Obsidian Strategic Asset Management at previous stages of consultation.

Approach to the Examination in Public

- 1.3. This Statement is directed at specific matters, issues and questions raised for the Central Lincolnshire Local Plan Review Examination. Broadly, this Statement is directed at Central Lincolnshire's approach and methodology for the spatial strategy and distribution of growth as outlined in Matter 3 of the Inspectors MIQ document.

Land west of Sturton Road, Saxilby

- 1.4. Land to the north of Saxilby and west of B1241, Saxilby is located in the 'Large Village' of Saxilby. Saxilby is located to the south west of West Lindsey District, circa 9 km north west of Lincoln. Saxilby is accessible off the A57 and benefits from a railway station served by the Doncaster to Lincoln Line. Saxilby has a primary school and a number of shops including a convenience store, pharmacy, Post Office, pubs, restaurants and cafes, a community centre, Village Hall and a church.
- 1.5. The Land at Sturton Road is located to the north of the village and extends to approximately 145 acres (59.68 Ha). The site is located entirely within Flood Zone 1 (Lowest Risk of Flooding) although there are areas of medium and low surface water flooding risk. There are no statutory ecological designations on or within close proximity to the site. The nearest SSSI, Doddington Clay Woods, is located approximately 5.1 km south of the site/ The site falls outside of the SSSI Impact Risk Zone for this designation.
- 1.6. There are no listed buildings on or within close proximity to the site. The Grade I Listed Church of St Botolph is located circa 350 metres to the south, intersected by existing development.
- 1.7. Two sites to the north of Saxilby are under construction currently. 'Saxilby Heights' (111 dwellings) is under development by Taylor Wimpey and is located off Church Lane. 'Ingleby View' (133 dwellings) is being developed by Lovell Homes and is located off Sturton Road. The Lovell Homes scheme was approved at appeal in 2017.
- 1.8. Obsidian Strategic Asset Managements ultimate objective with regards to the Land at Sturton Road, Saxilby is to deliver a development of circa 650 residential dwellings (Use Class C3), a School (Use Class F1(a)) and some employment or commercial floorspace as appropriate (Use Classes B2/B8 or E). The site is deliverable and developable. The site capacity of 650 residential dwellings is put forward as a maximum. Obsidian would also progress on the basis of a smaller site size or an allocation for delivery on a phased basis, across the entire plan period (and possibly beyond).

2. Matter 3 – Spatial Strategy and Distribution of Development

Issue 1 – Settlement Hierarchy – Policy S1

Q1. The Settlement Hierarchy Methodology Report states that the categorisation of settlements is a continuation of the hierarchy in the existing Central Lincolnshire Local Plan (2017). Is this appropriate and justified? If not, what changes are necessary to rectify any issues of soundness?

- 2.1. The Settlement Hierarchy Methodology Report¹ sets out the proposed methodology for assessing the baseline dwelling numbers for each settlement, which takes into account dwelling numbers.
- 2.2. Whilst Obsidian Strategic Asset Management largely agree with this approach as a starting point, it is considered that in order to be considered sound and in line with the NPPF², other factors, such as services, facilities and public transport provision should also be taken into account. The reasons for this are set out in full below.

Q2. Is the continued use of settlement size (by dwelling numbers) a reasonable and appropriate way of categorising settlements? How were other factors such as services, facilities and public transport provision considered?

- 2.3. No, the continued use of settlement size (by dwelling numbers) is not an appropriate way of categorising settlements. Whilst this approach provides a good starting point in determining the settlement hierarchy, fundamental factors such as services, facilities and public transport provision have been given no regard in determining a settlements position in the hierarchy and therefore in determining the level of growth distributed to the settlement.
- 2.4. Whilst the progressed approach at Policy S1 of the emerging Local Plan seeks to deliver 'sustainable growth' for Central Lincolnshire, that 'enables a larger number of people to access jobs, services and facilities locally' the essential element of sustainable travel links and access to facilities seems to have been entirely disregarded in the Settlement Hierarchy Methodology Report¹.
- 2.5. The NPPF includes 'accessible services' within its key objectives of sustainable development and requires plans to be prepared with the objective of contributing to the achievement of sustainable development³.

¹ Document STA006

² NPPF (2021) Paragraph 8

³ NPPF (2021) Paragraph 8(b)

- 2.6. Further, the NPPF suggests that the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as... significant extensions to existing villages... provided they are well located and... supported by the necessary infrastructure and facilities (including a genuine range of transport modes⁴
- 2.7. Clearly the NPPF considers growth in Villages to be sound, where they are well served by existing facilities and transportation. The approach taken by Central Lincolnshire does not take this into account in determining their settlement hierarchy or associated distribution of growth. Nor does it take into account their own Policy wording at draft Policy S1 or the preferred growth option⁵.
- 2.8. This is specifically impactful in the identification of Larger Villages and the associated distribution of growth afforded to these settlements. Notably, Saxilby is one of the larger 'Large Villages' and with 2,095 dwellings, is larger than the 'Market Town' of Caistor and is only 500 dwellings smaller than Market Rasen.
- 2.9. In addition, the approach progressed with regards to the settlement hierarchy expressed in Policy P1 does not fully reflect the spatial growth intentions of the Preferred Growth Option that is set out in Document STA011. Therefore, the categorisation of settlements in the settlement hierarchy does not fully meet the tests of soundness in being positively prepared, fully justified or will be effective, particularly in achieving its Preferred Growth Option.
- 2.10. Of the five growth options discussed in that Growth Options Paper, Option 5 is identified as the Preferred Growth Option that combines Option 1: "Urban focus" with Option 2: "Small site focus" and Option 3: "Transport / infrastructure corridor focus". Option 5 is described as: focusing development towards Lincoln Urban Area, then the Main Towns and Market Towns and then smaller settlements along transport corridors and in settlements with a good range of facilities and services. Option 5 has also been considered to perform best against the sustainability objectives in the accompanying Sustainability Appraisal⁶.
- 2.11. Whilst supportive of the Preferred Growth Option, Obsidian's concern relates to its translation into the relevant policies of the Plan, which is entirely in line with the NPPF⁷. The Preferred Growth Option is not considered to be adequately reflected in Policy S1: Spatial Strategy and Settlement Hierarchy nor fundamentally is it carried through into and expressed clearly in Policy S2: Growth Levels and Distribution and related policies, including Policy S4: Housing Development adjacent to Villages, or the site allocations in Chapter 13, particularly those for the Large Villages (Policy S80), Medium Villages (Policy S81) and Small Villages (Policy S82).
- 2.12. Once again, the impact of this deficiency is most keenly felt in Large Villages, such as Saxilby. The policy fails to differentiate between those Large Villages that are better connected with Market Towns, Main Towns and the Lincoln Urban Area and others – becoming acutely evident where the proposed strategy is simply "to maintain and enhance their role as large villages which provide housing, employment, retail, and key services and facilities for the local area" before merely listing all Large Villages regardless of location

⁴ NPPF (2021) Paragraph 73

⁵ Document STA011

⁶ Document STA004.1B and appendices

⁷ NPPF (2021) Paragraph 73

- 2.13. It is important that the settlement hierarchy methodology is amended to better reflect the preferred growth option and to give due consideration to services, facilities and transport provision before it can be considered sound given the associated distribution of growth to different tiers. In its current form, the Council are restricting sustainable development in contrast with the NPPF and national growth agenda and disregarding the preferred growth strategy identified through consultation and the Sustainability Appraisal.

Issue 2 – Levels of Growth – Policy S2

Q1. What is the Lincoln ‘Strategy Area’ based on and does it remain an appropriate geographical area for future growth?

- 2.14. The Lincoln Strategy Area is based upon travel to work patterns and seems to be included as a policy area as an attempt to reflect the NPPF objectives for sustainability. Clearly Lincoln provides a significant proportion of the Districts employment and services and benefits from plentiful sustainable transport links, both to locations within the District and nationally.
- 2.15. Whilst we do not disagree that the Lincoln Strategy Area is a sustainable approach and housing and employment growth within the Strategy Area should be encouraged, the inclusion of the Strategy area within Policy S2 contradicts other elements of the same policy and indeed other policies within the Emerging Plan (S1 in particular).
- 2.16. Policy S2 seeks to support the greatest quantum of development (64%) to the Lincoln Strategy Area, through identifying allocated sites and supporting proposals within settlements which serve and which are serviced by Lincoln. The interaction between this and Policy S1 is unclear, given a number of settlements located within the Lincoln Strategy area (identified at Map 1 of the Emerging Local Plan) are also identified as villages of varying sizes and are therefore afforded limited growth. This appears contradictory and as such the policy should be clarified to ensure that all settlements within Lincoln Strategy Area are afforded significant growth, given that they are the most sustainable locations for growth and will ultimately assist the council in realising their growth agenda.
- 2.17. To be clear, we consider that allocations should be made across the Lincoln Strategy Area to accommodate significant growth, irrespective of the settlements position in the Settlement hierarchy. Settlements such as Saxilby which is identified in Policy S1 as a Large Village (afforded ‘appropriate growth’ in S2), whilst also being located within the Lincoln Strategy Area (directed 64% of the Districts Growth) will be most impacted by this uncertainty.
- 2.18. To proceed with the current approach will ultimately result in growth being stifled in the most sustainable locations, restricting both housing and employment growth in and around Lincoln.

Recommendation – Remove Saxilby from the ‘Large Villages’ tier and afford an appropriate proportion of the Lincoln Strategy Areas identified growth to this sustainable settlement or amend emerging Policy S3 to reflect the Lincoln Strategy Area as opposed to the Lincoln Urban Area

Reason – For consistency and to encourage sustainable development in line with Paragraph 73 of the NPPF

Q4. If the Lincoln Strategy Area is not an appropriate or justified area to direct the majority of new growth towards, what alternatives should be used instead?

- 2.19. To be clear, Obsidian consider the continued direction of new growth to the Lincoln Strategy Area to be a justified and appropriate approach, however the associated site allocations within this area should be well considered to ensure that sustainable settlements, such as Saxilby, which serve and which are served by Lincoln, are able to contribute to the delivery of 64% of the Districts growth.
- 2.20. This will also ensure that appropriate growth can be delivered to sustain Lincoln and encourage economic growth, whilst continuing to locate development on suitable sites which are relatively free from constraints. Also recognition that Lincoln is largely constrained to the south and west by areas of flood risk and to the north and east by the A15 which forms a defensible barrier to growth. This is reinforced by the obligation in the NPPF that strategic policies are sufficiently forward looking in line with the NPPF⁸.

Issue 3 – Distribution of Development – Policies S2 and S28

Q1. Does the distribution of development from allocations, commitments and completions since the start of the plan period reflect the strategy in Policy S2?

- 2.21. To a certain degree, yes. The Evidence Paper for Policy S2⁹ identifies that since 2017 (adoption of the Local Plan), the Lincoln Strategy Area has delivered no less than 66.9% of the districts houses annually, in line with the Policy in S2.
- 2.22. The location of the most significant percentage of the Districts Growth to the Lincoln Strategy Area has been demonstrated to be achievable and the continuation of this approach is encouraged. However in line with our comments at paragraph 2.16, we would support a larger distribution of growth being located in Sustainably located Large Villages which benefit from plentiful services can be supported.

Q4. How was the amount of growth determined between settlements in the same tier, for example between Large Villages?

⁸ NPPF (2021) Paragraph 22

⁹ EVR002

2.23. Document EVR002 does not appear to provide justification for the amount of growth between settlements in the same tier. Document STA006 clearly demonstrates that there is significant deviation in settlement size particularly within the Large Villages tier, with settlements identified as large villages ranging from 882 dwellings to 2,646 dwellings. There is also significant deviation between the connectivity and services and facilities within these settlements.

2.24. Table 1 below outlines the clear differences in allocations made in Large Villages within the Lincoln Strategy Area.

Large Village	Number of Dwellings	Dwellings delivered through allocations	% growth in settlement	% of Lincoln Strategy Area Growth (18,656)
Braceby Heath	2,623	3,641	139%	20%
Branston	2,091	132	6%	1%
Cherry Willingham	1,628	585	36%	3%
Dunholme	822	278	34%	1%
Welton	1,935	747	39%	4%
Heighington	1,324	0	0%	0%
Washingborough	1,742	230	13%	1%
Metheringham	1,599	329	21%	2%
Navenby	1,105	42	4%	0%
Nettleham	1,717	680	40%	4%
Saxilby	2,095	306	15%	2%
Skellingthorpe	1,582	472	30%	3%
Waddington	932	648	70%	3%
Witham St Hughs	1,354	1,250	92%	7%
		9,340		50%

- 2.25. A review of Document STA008 in conjunction with the above table demonstrates that there is no clear methodology which justifies a higher level of growth in some Large Villages than others, with growth therefore being directed to less sustainable settlements.
- 2.26. For example, Saxilby is identified to accommodate only 2% of the Lincoln Strategy Areas growth, despite being a sustainable, large village with a range of services and facilities (Primary Schools, Convenience stores, a doctors surgery, churches, a Village Hall, local employment area, a library, a pharmacy and a post office) and notably also being served by a half hourly bus service and a railway station. In contrast, Nettleham has been identified 4% of the Lincoln Strategy Areas growth, despite being smaller in size, having a less frequent bus service and no railway station.
- 2.27. Similarly, Witham St Hughs (7% of the Strategy Areas growth) Skellingthorpe (3% of the Strategy Areas Growth), Waddington (3%) and Cherry Willingham (3%) have all been allocated more than Saxilbys 2% contribution, despite having significantly fewer services and limited sustainable transport options. This is not clearly justified.
- 2.28. This approach does not reflect the Preferred Growth Option in Document STA011, which reads:
- ‘The Preferred Growth Option is clear in focusing development towards the Lincoln Urban Area, then the Main Towns and Market Towns and then smaller settlements along transport corridors and in settlements with a good range of facilities and services (our emphasis)’

Q5. Is the distribution of growth consistent with paragraph 105 of the Framework, which states that significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes?

- 2.29. No. As outlined above, the distribution of growth within Policy S2, does not take into account the available sustainable transport options in a settlement, particularly when considering the distribution of growth within the same tier. This is a clear deviation from the preferred growth option.
- 2.30. The Lincoln Strategy area is identified as the most sustainable area for growth in the District, yet Large Villages such as Saxilby, which benefits from a railway station and regular (half hourly) bus services are afforded less growth than settlements with no railway station and less frequent existing bus services.

Issue 5 – Housing Development in or Adjacent to Villages – Policy S4

Q2. Is the restriction of residential development to schemes of no more than 10 dwellings justified and appropriate in Medium and Large Villages?

- 2.31. No. The restriction of speculative schemes to no more than 10 dwellings in medium and large villages is not justified and does not contribute to achieving sustainable development.
- 2.32. As set out in Paragraph 2.24 above, Saxilby is a sustainable location to direct growth, being that it is in the Lincoln Strategy Area, benefits from a number of local services, facilities and employment opportunities and a range of sustainable transport options. Growth, dictated by the market, should not be restricted in this location when it would otherwise be sustainable.
- 2.33. The settlement hierarchy and the associated evidence base identifies the significant variation in settlements in the 'Medium Villages' and 'Large Villages' tiers. This variation is not only seen in terms of the settlements size, but also in terms of the facilities and transport links available to residents and in terms of the proximity of the settlements to Main Towns, Market Towns and the City of Lincoln. The blanket restriction applied by Policy S4 is not suitably responsive to a settlements local circumstances. Nor does it achieve the requirement in the NPPF¹⁰ for development to reflect the character, needs and opportunities of each area.
- 2.34. The application of the suggested restriction on developments in Medium and Large to deliver no more than 10 dwellings will also serve to further reduce the number of affordable homes that can be provided, given that the obligation to deliver affordable homes is also 10 dwellings¹¹. This limit applied to Medium and Large Villages is likely to restrict the delivery of affordable homes where there is a need.
- 2.35. Once again, the impact of this restriction will be more keenly felt in villages and contradicts the NPPF¹² which supports residential development in more rural settlements in recognition of the ability for new development to assist villages to grow and thrive.

Q3. What is the justification for allowing some residential development adjacent to the Lincoln Urban Area, Main Towns and Market Towns, but not villages, especially Large Villages which benefit from a good range of services?

- 2.36. This approach is not justified. We have previously outlined that some Large Villages, such as Saxilby are larger in terms of homes than some Market Towns. We have also outlined in paragraph 2.29 that these Large Villages are sustainable on account of their range of services and sustainable transport options. There is no clear justification for restricting development adjacent to Large Villages, on sites adjacent to the built form of the settlement, which have the opportunity to further support these existing services¹³, This approach is contrary to NPPF policies 69, 70 and 73.

¹⁰ NPPF (2021) Paragraph 9

¹¹ NPPF (2021) Paragraph 64

¹² NPPF (2021) Paragraph 79

¹³ NPPF (2021) Paragraph 79

Conclusion

Q1. Are the Plan's policies relating to spatial strategy and distribution of development justified, effective, positively prepared and consistent with national planning policy? If not, what changes would be necessary to make the submitted plan sound?

2.37. Whilst Obsidian Strategic Asset Management broadly support the Settlement Hierarchy and the Distribution of Growth, we consider there to be a number of modifications required, prior to the adoption of the Local Plan Review. Namely:

- 1 Take existing facilities, services and public transport options into account when determining a settlements position in the Settlement Hierarchy

Reason – To reflect the NPPF paragraph 16(a) and 11(a)

- 2 Obsidian considers that for the Large Villages, it is necessary for the spatial strategy and settlement hierarchy to be consistent with the clear approach set out by the Preferred Growth Option. Accordingly, it is considered that the spatial strategy and settlement hierarchy should be amended to clearly differentiate and prioritise development at those Large Villages that are well connected along transport corridors.

Reason – To reflect the NPPF paragraph 16(a) and 11(a)

- 3 Revise the classification of Saxilby within the Settlement Hierarchy to reflect its size, facilities, services, employment opportunities and sustainable transport links.

Reason - To reflect the NPPF paragraph 16(a) and 11(a)

- 4 Obsidian considers that the Local Plan should make provision for contingent sites to come forward in the event that housing delivery fails to meet anticipated rates. Such contingent sites should be in locations that would spatially align with the Preferred Growth Option in that these would include those settlements on transport corridors that provide sustainable connections to Lincoln (and where relevant also connect with other main towns) and have a range of services.

Reason – To reflect the NPPF paragraphs 82, 16(a) and 11(a)

- 5 Afford sustainable Large Villages within the Lincoln Strategy Area an appropriate and increased level of growth.

Reason – To reflect the NPPF paragraph 73 and 11(a)

OR

- 6 Amend Emerging Policy S3 to refer to the Lincoln Strategy Area, rather than the Lincoln Urban Area.

Reason – To make the Lincoln Strategy Area an effective policy area, to facilitate and encourage sustainable development in line with NPPF paragraph 16(a) and 11(a).

- 7 Provide justification for the quantum of growth directed to each Large Village to clearly set out why more sustainable settlements have been afforded less growth. If there is no clear justification for this approach, the distribution of growth through housing allocations in Large Villages within the Lincoln Strategy Area should be reviewed before the Plan can progress. This should take into account available facilities, services and sustainable transport links when determining the location for growth.

Reason – To reflect the NPPF paragraph 16(a) and 11(a).

- 8 Remove the restriction on sustainable development outlined within Policy S4, allowing for proposals of over 10 dwellings adjacent to Large Villages to be given due consideration.

Reason – To promote sustainable development, to increase the number of sustainable homes delivered in the District in line with NPPF paragraph 11(a).

Appendices

Appendix 1 Site Location Plan

Land West of Sturton Road, Saxilby



