

**Matter 4**

**Hearing Statement in relation to land to the Rear of 295 – 297 Newark Road,  
Lincoln  
Peel Land & Property (“Peel”)**

**Examination of the Central Lincolnshire Local Plan,**

**Matter 4: Site Allocations Process and Methodology**

**Issue 1 – Site Allocation Methodology**

Q1 The *Central Lincolnshire Policies S76-S82: Sustainable Urban Extensions and Housing Allocations Evidence Report* includes a summary of the site allocation process. As part of the initial sift, how were sites discounted by location? If a site was beyond the edge of a built-up area, was it discounted without further assessment?

1. N/A

Q2 What was the justification for not considering sites in Hamlets

2. N/A

Q3 How was the settlement hierarchy and distribution of development used to inform decisions on which sites to allocate? For example, how did the Committee ensure that, when taking into account commitments, the levels of growth in each location would reflect the overall strategy?

3. N/A

Q4 Where allocations from the current Central Lincolnshire Local Plan had not been completed, what process did the Committee take? Were they automatically carried forward into the Local Plan Review, or, were they subject to the same analysis as proposed new sites? In answering this question it would be useful for the Committee to provide a list of the existing Local Plan allocations carried forward and include an update on their delivery.

4. Peel’s site to the rear of 295 – 297 Newark Road (Central Lincolnshire Local Plan (2017) Allocation CL704) was originally carried forward into the Local Plan Review, being allocated for residential development as part of the Regulation 18 consultation (site allocation ref: COL/PAR/024). However, following this consultation, the site was deallocated as part of the Regulation 19 Local Plan.
5. The Newark Road site was included as an allocation as part of the Regulation 18 Local Plan based on it being an existing allocation, that occupies a sustainable location and otherwise unconstrained to accommodate residential development in the order of 150 dwellings. It also reflected an extant planning permission for the site’s development for residential uses.
6. In the intervening period, between Regulation 18 and Regulation 19, the Committee removed the site from allocation solely based on the claim that the deliverability of this site lacked clarity and certainty in regard to the landowner’s intention.
7. The Local Plan is intended to be underpinned by a spatial strategy based on concentrating growth within the main urban areas of Lincoln, Gainsborough and Sleaford, with the City of Lincoln accommodating 64% of new homes within the context of this strategy. This reflects an ‘urban first’

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approach to delivering the Local Plan’s development needs in the interest of achieving a sustainable co-location of homes and employment and associated services.

8. The housing land supply relied upon to deliver the plan does not reflect such a strategy however in excluding land within the urban area of the City of Lincoln for allocation despite its availability and suitability. This includes Peel’s landholdings to the rear of 295 to 297 Newark Road, Lincoln.
9. This site:
  - Received outline planning permission for its development for 150 apartments in 2017 on the basis of its sustainable location within the defined urban area and comprising brownfield land;
  - Was allocated for residential development in the Central Lincolnshire Local Plan (2017);
  - Was proposed for allocation in the Regulation 18 version of the Local Plan based on its historic planning permission;
  - Is now no longer proposed for allocation solely on the basis of suggested uncertainty in respect of the land-owner’s intentions regarding the site and its development. The Council’s reasoning raises no questions over the suitability or viability of the site<sup>1</sup>
10. The current landowner has remained so since the submission of the aforementioned planning application and there are no legal impediments to its delivery. Peel is now in advanced discussed with a developer partner to deliver the site in accordance with its historic permission. The Committee is aware of this via pre-application discussions held with the City of Lincoln Council by the prospective developer and Peel, most recently in September 2021. There is therefore no ‘uncertainty’ regarding the land owner’s intention with respect to the site.
11. The site is therefore available and, contrary to the Committee’s conclusion, there is no uncertainty as to whether the site will come forward for development. Further it should be noted that the site:
  - Occupies an accessible location in relation Bracebridge and Central Lincoln close to the A1414 Newark Road
  - Is not within a Conservation Area and not located close to any listed buildings
  - Can be satisfactorily accessed without reliance on third party land
  - Is not affected by any known ground contamination issues
12. In the circumstances, the site has been discounted as an allocation by the Committee in error. As such, the urban land supply identified and relied upon to deliver the Local Plan has been underestimated and should be increased alongside the allocation of Peel’s land to the rear of 295 – 297 for residential development.

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<sup>1</sup> See submission document HOU002a (Site COL/PAR/024)

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Q5 Where concerns were raised regarding a technical aspect of a site, such as drainage or visibility splays and access, how were these issues resolved as part of the site allocation process? Was further information requested and if so from whom and when?

13. No. Despite a live dialogue between the City of Lincoln Council and Peel regarding the development of the site, no further request for information was forthcoming in relation to the technical delivery of the site.
14. The Committee omitted the site at Newark Road on reasons of deliverability (specifically availability), with no request for information from the landowner. The Newark Road site had been deemed suitable, available and deliverable through the Regulation 18 Local Plan, allocating the site for residential development to deliver 150 dwellings.
15. This was decision was made despite the Committee being aware of the landowner’s intentions of the site and that the original planning permission (LPA Ref: 2011/0389/O) having lapsed at the time of the Regulation 18 Local Plan and the developer being in live pre-application discussions with the City of Lincoln Council regarding its proposal for the site.

Q6 How did the Committee consider minerals safeguarding areas as part of the site allocation process? Where sites are allocated for development within mineral safeguarding areas, what implications, if any, does this have for the deliverability of housing?

16. N/A

Q7 Was the site selection process robust? Was an appropriate selection of potential sites assessed, and were appropriate criteria taken into account?

17. No.
18. The site selection process has failed to consider sites that the Committee have previously considered as sustainable, in a central location within the main urban area of Lincoln. Policy S1 of the Regulation 19 Local Plan seeks to *“significantly strengthen the role of Lincoln... and to meet Lincolns growth objectives and regeneration needs, the Lincoln urban area and the sites allocated in this Local Plan on the edge of Lincoln urban area will be the principal focus for development”*
19. The Committee have therefore allocated a number of edge-of-Lincoln sites, without first exhausting all suitable sites within the defined urban area of plan area. This is at odds with the intended spatial strategy of the Local Plan.

## **Issue 2 – General Development Requirements**

Q1 Is it clear to decision-makers, developers and local communities what is required where allocations have no specific development requirements?

20. N/A

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Q2 What are the reasons for some site allocations including a specific requirement for drainage details, but not others?

21. N/A

Q3 Is it clear to decision-makers, developers and local communities what is required to mitigate the impacts of development on drainage and surface water flooding on necessary sites? Is it clear from the development requirements what are the issues and how they need to be resolved?

22. N/A

Q4 Where a site allocation is in an area of Biodiversity Opportunity, is it clear what is required of applications for planning permission?

23. Yes.

24. Policy S61 confirms that development can occur within areas of Biodiversity Opportunity ('BO'), subject to such development not impacting upon the connectivity of the ecological network. Policy S61 provides that the detailed layouts of a site should ensure the BO remains to function, but importantly does not prevent development.

25. The allocation of Land to the Rear of 295 to 297 Newark Rd therefore, remains available as a suitable site for development. In the context of this development, the Biodiversity Opportunity can be protected, enhanced and conserved through the detailed layout of the site, by maintaining an area of separation alongside the River Witham.