

# Central Lincolnshire Local Plan

## Schedule of Post-Submission Additional ‘Minor’ Modifications

Consultation Version  
January 2023



Central Lincolnshire  
**LOCAL PLAN**

Contents

Introduction ..... 3  
    About ‘Minor Modifications’ ..... 3  
About the Schedule..... 4  
Schedule of Additional ‘Minor Modifications’ ..... 5

## 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, makes provision for 'modifications' to be made to a Local Plan, from the Submitted Local Plan and before it is adopted.

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.

This schedule sets out these 'minor modifications' and there are separate schedules for the 'main modifications' and associated 'policies map modifications' which are published alongside this schedule.

## About 'Minor Modifications'

The legislation 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 Inspectors, and do not require consultation. These are only being provided as part of the consultation for completeness and comments on the minor modifications will not be passed to the inspectors.

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'.

## About the Schedule

This schedule contains the recommended additional 'Minor' Modifications to the plan and is accompanied by separate schedules containing 'main modifications' and 'map modifications' which are published alongside this schedule.

The first column in the schedule 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 plan order.

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

Text shown in **bold and underlined** is proposed new text, text shown ~~with a strikethrough~~ is proposed to be removed.

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 Additional ‘Minor Modifications’<sup>1</sup>

Ref No.	Section/ para/ policy	Suggested Main Modification	Reason for Change
Minor1	Para 1.2.11	Amend the third sentence of paragraph 1.2.11. to read:  “Across Central Lincolnshire there are a range of natural habitats, including wetland, woodland, calcareous grassland and remnants of heathland and fen which together provide <b>and contribute to</b> ecological networks and nodes <b>which, with enhancement, have the potential</b> <del>potentially of sufficient scale</del> to support wildlife adaptation and environmental resilience to climate change.”	This will help avoid any misunderstanding that enhancement is in fact required to achieve wildlife adaptation and resilience to climate change.
Minor2	Para 1.2.15	Amend paragraph 1.2.15. to read:  “Central Lincolnshire faces a range of challenges, notably the need to improve social and economic conditions, including health, housing, jobs and the range and quality of facilities whilst at the same time ensuring that the environment is improved, that <b>commitments</b> <del>efforts are made</del> to make the region net zero carbon <b>are met</b> and to ensure that growth does not erode, <b>but enhances</b> the area’s environmental and heritage assets <b>and does not</b> <del>or exacerbate</del> pressure on natural resources.”	This change better reflects the commitments made by Central Lincolnshire to address the climate emergency and will help ensure effectiveness.
Minor3	Strategic Priorities	Amend the Strategic Priority for The Historic, Built and Natural Environment to read:  “To conserve and <del>where possible</del> enhance the natural, built and historic environment through high quality design that is responsive to its surroundings creating distinctive communities that people are proud to be part of.”	This change will enhance consistency with national policy.
Minor4	Policy S1	Under the sub heading “8. Countryside”, amend the 4 <sup>th</sup> bullet point under b) to read:	To correct a typo

<sup>1</sup> Legally known as ‘Additional Modifications’

Central Lincolnshire Local Plan – Schedule of Post-Submission Recommended Modifications

		to minerals or waste development in accordance with separate Minerals and Waste Local Development Documents.	
Minor5	Paragraph 3.2.7	Amend sentence in the middle of the paragraph to:  “However, the FHS is only proposed to take effect from 2025 (with an uplift in Building Regulations as a step towards FHS <del>proposed for</del> <b>having taken place in 2022</b> ), and there is no legal guarantee of even that date being met.”	Factual update.
Minor6	Paragraph 3.2.22	There are two paragraphs 3.2.22 on page 35 of the plan, this will require the adjustment to the second of these paragraph numbers and subsequent paragraphs in this chapter.  The reference to Policy S9 in the second of these paragraph 3.2.22 should instead reference Policy S10. This would then read:  “Policy <b>S10</b> <del>S9</del> aims to...”	These changes will assist clarity and accuracy in the plan.
Minor7	Paragraph 3.2.37	Amend paragraph 3.2.37 as follows:  In the context of all of the above, the following policy aims to assist in improving the energy efficiency of existing buildings, complementing the wider policies of this Plan which are primarily aimed at new buildings. <b><u>Further advice on energy efficiency measures that may be appropriate in historic buildings and regarding the avoidance of maladaptation can be found in Historic England published advice, such as at <a href="https://historicengland.org.uk/advice/technical-advice/energy-efficiency-and-historic-buildings/">https://historicengland.org.uk/advice/technical-advice/energy-efficiency-and-historic-buildings/</a>.</u></b>	To provide further information and assist users of the Plan.
Minor8	Policy S14	In the first paragraph under ‘Additional matters for wind based energy proposals’, amend as follows:  “....supported throughout Central Lincolnshire (i.e. the whole of Central Lincolnshire is identified as a broad area potentially suitable for <del>a</del> such a single turbine), subject to ....”	Removal of surplus ‘a’ in the sentence.
Minor9	Paragraph 3.4.2	Amend paragraph 3.4.2 to read:	This change will make the wording more aligned to national policy.

Central Lincolnshire Local Plan – Schedule of Post-Submission Recommended Modifications

		<p>“In Central Lincolnshire, existing peatland is classed as fen peat which has been identified and mapped and can be mainly found in low lying areas adjacent to waterways including near Gainsborough, Lincoln, North Kelsey and Sleaford. Although they make up a relatively small area of Central Lincolnshire they should be protected, <del>and preserved</del> <b>and enhanced</b> wherever possible to ensure they continue to store carbon. The extent of peat soils in Central Lincolnshire, identified from geology and soils mapping by the British Geological Survey and Cranfield Soil and Agrifood Institute, can be seen in the maps in the Central Lincolnshire Local Plan: Climate Change Evidence Base Task L – Peat Soil Mapping (documents CLC011 and CLC012 in the local plan evidence base).”</p>	
Minor10	Paragraph 3.6.3	Remove paragraph 3.6.3	This amendment is required to avoid duplication with paragraph 3.6.4.
Minor11	Paragraph 3.6.5	<p>Update text, as follows:</p> <p>“3.6.5. Overheating is also an area of growing concern. Government published alongside the Future Homes Standard consultation in October 2019 research on home overheating which demonstrated that during warm years, overheating will occur in most new homes in most locations in England, particularly in London. The research also showed that mitigation techniques, such as solar shading and increased ventilation, are highly effective at reducing indoor temperatures, which in turn reduces the risk of mortality and the impact on productivity associated with sleep loss.</p> <p><b><u>Subsequently, Government has published a new Building Regulation ‘Part O: Overheating Mitigation’, which came into effect from June 2022. It applies only to residential development, but has the overall requirement that ‘reasonable provision must be made... to (a) limit unwanted solar gains in summer; and (b) provide an adequate means to remove heat from the indoor environment’. In practice, therefore, a residential proposal which meets Part O would likely be deemed to be compliant with Criterion 1 in Policy S20 below, though the applicant may want to helpfully explain how, in meeting Part O, the design solution is not to the detriment of achieving solar gain outside of the warmest months of the year. No such building regulations currently apply to non-residential proposals, but they may come forward in the</u></b></p>	For clarification regarding the new Part O ‘Overheating’ Building Regulations which came into effect from June 2022.

Central Lincolnshire Local Plan – Schedule of Post-Submission Recommended Modifications

		<del>future. Accordingly, Government is presently considering, via its Future Buildings Standard programme, the introduction of new Building Regulations “to introduce a new regulatory requirement for overheating mitigation, alongside new statutory guidance, with the aim of reducing overheating risk in new-build residential buildings.” Any such new Regulations should be read in conjunction with the policy requirements under ‘heat resilience’ set out below.”</del>	
Minor12	Paragraph 3.7.2	Amend the last sentence of paragraph 3.7.2 to read:  “In allocating sites within this Local Plan, <del>an</del> <b>addenda to the</b> an SFRA Level 1 and Level 2 has been undertaken <b>and published</b> , as appropriate, to inform the process.”	To reflect changes to wording suggested by the Environment Agency, this paragraph would benefit from some rewording to reflect the evidence base.
Minor13	Paragraph 3.7.14	Add the following sentence to the end of paragraph 3.7.14:  <b><u>“Adequate mains foul water treatment and disposal should be evidenced through liaison with the Water/ Sewerage Company. The outcome of those discussions, the implications for the development and, where appropriate, a phasing plan should be provided in support of applications.”</u></b>	Aligned to the suggestion by the Environment Agency this would help clarify how development proposals should demonstrate that adequate mains foul water treatment and disposal already exists or can be provided in time to serve the development.
Minor14	Paragraph 4.1.5	Amend paragraph 4.1.5 to read:  “Some parishes within North Kesteven District <b>and West Lindsey District</b> are designated as a rural area under section 157(1) of the Housing Act 1985 as amended <del>and in West Lindsey an application has been made to secure a similar designation</del> . In these areas it is possible to seek affordable housing from sites of 5 or more dwellings rather than the generally applied threshold of 10 or more dwellings.”  Also amend footnote 11 to read:  “The North Kesteven District Council designation can be viewed at <a href="https://www.n-kesteven.gov.uk/resources/assets/attachment/full/0/68170.pdf">https://www.n-kesteven.gov.uk/resources/assets/attachment/full/0/68170.pdf</a> and its policy showing the areas designated is available at <a href="https://www.n-kesteven.gov.uk/resources/assets/attachment/full/0/68170.pdf">https://www.n-</a>	This change will update the situation in relation to the designation in West Lindsey. For clarity it is not intended to extend the application of part b) of the policy to West Lindsey, but other policy relating to First Homes in Policy S4 will be applied, consistent with Annex 2 of the NPPF.



Central Lincolnshire Local Plan – Schedule of Post-Submission Recommended Modifications

		<a href="https://www.n-kesteven.gov.uk/resources/assets/attachment/full/0/68174.pdf">kesteven.gov.uk/resources/assets/attachment/full/0/68174.pdf</a> . The areas where this rural designation applies are shown on the interactive policies map available at <a href="https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan-review/">https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan-review/</a> ”	
Minor15	Paragraph 4.2.8	4.2.8 – In a September 2020 Government consultation, proposals were set out to increase the required access standards for all housing through building regulations. This consultation set out a range of options for how standards can be improved and, <del>whilst at the time of writing there are no formal changes being made, making</del> <b>in response to the consultation in July 2022, the Government confirmed its intention to make</b> M4(2) standards mandatory for all housing <b>through Building Regulations</b> <del>looks to be a likely outcome.</del>	To reflect the latest position regarding the Government’s intention to make M4(2) standards mandatory for all housing through the Building Regulations.
Minor16	Policy S28	With the figure for land undeveloped at January 2022 for site E2 recommended for amendment from 5 to 7.77 hectares and the total figure at the bottom of this column also requires updating from <del>97.27</del> to <b>100.04</b> .	This change will correct an inaccuracy in the policy, but will not impact on the application of the policy.
Minor17	Paragraph 6.3.1	Amend the first sentence in paragraph 6.3.1 to read:  “Lincoln City Centre is the main centre in Central Lincolnshire providing an extensive range of facilities and services including shopping, employment, leisure, arts, tourism, public services, <b>health facilities</b> and higher education.”	This change will make it clearer that health facilities are an important use in Lincoln City Centre.
Minor18	Paragraph 11.2.7, Footnote 28	Amend footnote 28 of Policy S61 to read:  “Biodiversity Metric <del>3.0</del> <b>3.1</b> or its successor. User guidance can be found on Natural England’s website: <del>The Biodiversity Metric 3.0 – JP039 (nepubprod.appspot.com)</del> <b><a href="#">The Biodiversity Metric 3.1 (JP039)</a></b> .”	Natural England published version 3.1 of the Biodiversity Metric on 21.04.2022. The Biodiversity Metric 3.1 is an update to the previously published Biodiversity Metric 3.0.
Minor19	Paragraph 11.2.9	Amend paragraph 11.2.9 to read:  <del>A Supplementary Planning Document is currently being prepared to provide further guidance on providing biodiversity net gain through 2 development proposals.</del>	Amendment is required to reflect the most up to date position.

Central Lincolnshire Local Plan – Schedule of Post-Submission Recommended Modifications

		<p><b><u>“Recognising the need for a consistent approach to delivering Biodiversity Net Gain across Greater Lincolnshire, the Lincolnshire Wildlife Trust established a multi-agency Task and Finish Group in September 2020. The purpose of this Group is to work in partnership to produce a framework document of shared principles for Biodiversity Net Gain and to ensure Biodiversity Net Gain is delivered in an exemplary and consistent way across Greater Lincolnshire. The framework document will be available on the Central Lincolnshire website once completed.”</u></b></p>	
Minor20	Footnote 32	Amend the footnote to reference “Schedule 14” rather than “Schedule 7A”.	This is required to ensure that the correct schedule of the Environment Act is referenced.
Minor21	Policy S75	<p>Add a footnote to part f) of Policy S75 to read:</p> <p><b><u>“The RAF Scampton Historic Characterisation document produced in 2004 provides a useful starting point for this – <a href="https://historicengland.org.uk/images-books/publications/raf-scampton-historic-characterisation/">https://historicengland.org.uk/images-books/publications/raf-scampton-historic-characterisation/</a>”</u></b></p>	<p>Historic England suggested in the Regulation 19 consultation that reference to the RAF Scampton Historic Characterisation would be helpful.</p> <p>Amendment to reflect agreed wording with Historic England as set out in the Statement of Common Ground between the Committee and Historic England.</p>
Minor22	Policy S81	<p>The address for site WL/SC/004A contains a typo, it should be amended as follows:</p> <p>“Land off Jupiter <del>Jupiter</del> <b>Juniper</b> Drive, Scothern”</p>	This change will correct a minor typo.