



**Prosperous Communities  
Committee**

**Tuesday 03<sup>rd</sup> May 2022**

**Subject: Regulation 19 - Central Lincolnshire Local Plan Consultation  
Response**

Report by:	Assistant Director of Planning and Regeneration
Contact Officer:	Rachael Hughes Head of Policy & Strategy  rachael.hughes@west-lindsey.gov.uk
Purpose / Summary:	To agree the formal response by West Lindsey District Council to the Central Lincolnshire Local Plan Review Consultation

**RECOMMENDATION(S):**

**Members agree and endorse the proposed consultation submission in relation to the Reg.19 Public Participation stage as identified within the indicative timetable contained with the Local Development scheme (September 2020).**

**Members delegate authority to the Assistant Director for Planning and Regeneration (in consultation with the Chairman of the Prosperous Communities Committee) to submit the final version of West Lindsey District Council's formal response to the Central Lincolnshire Local Plan Reg. 19 Draft Local Plan Consultation incorporating any additional comments expressed and agreed throughout the debate.**

## IMPLICATIONS

**Legal:** Any legal matters arising from the Review of the Central Lincolnshire Local Plan will be addressed by the Central Lincolnshire Local Plan Team and appointed legal representatives

**(N.B.)** Where there are legal implications the report **MUST** be seen by the MO

### **Financial: FIN/16/23/MT**

There are no direct financial implications associated with this report. Any future financial implications arising from the local plan will be assessed through the annual budget setting process and built into the MTFP accordingly.

**(N.B.)** All committee reports **MUST** have a Fin Ref

### **Staffing :N/A**

**(N.B.)** Where there are staffing implications the report **MUST** have a HR Ref

### **Equality and Diversity including Human Rights :**

The revised Local Plan will be supported by an equality analysis as part of the formal Local Plan process which will address any equality or human rights issues which may arise from the policies in the Local Plan

### **Data Protection Implications :N/A**

### **Climate Related Risks and Opportunities:**

The Local Plan as drafted has a number of policies which are designed to support Central Lincolnshire and the individual Districts to promote zero net carbon development across the area. It is considered that these policies support and further promote the objectives detailed within the with the Council's adopted Sustainability, Climate Change and Environment Strategy and associated Action Plan. <https://www.west-lindsey.gov.uk/my-services/my-community/sustainability-climate-change-and-environment/sustainability-climate-change-and-environment-strategy/>

### **Section 17 Crime and Disorder Considerations N/A:**

**Health Implications:**

Whilst policy references have been updated within the draft Local Plan, the key elements of the Local Plan Policy which deal with Health and Wellbeing remain the same and are contained within new policy reference S54.

**Title and Location of any Background Papers used in the preparation of this report:**

Central Lincolnshire Joint Strategic Planning Committee Paper with resolution to begin the review

- <https://democracy.n-kesteven.gov.uk/mgAi.aspx?ID=66522>

Local Development Scheme (Sept 2020)

- <https://www.n-kesteven.gov.uk/central-lincolnshire/about-central-lincolnshire/>

Central Lincolnshire Local Plan Consultation Documents (30/06/21 – 24/08/21)

- [Local Plan consultation](#)

Prosperous Communities Committee – West Lindsey District Council formal response to Reg. 18 Consultation Issues and Options (2019)

- <https://democracy.west-lindsey.gov.uk/ieListDocuments.aspx?CId=176&MId=2349&Ver=4>

Prosperous Communities Committee – West Lindsey District Council formal response to Reg. 18 Draft Local Plan (2021)

- <https://democracy.west-lindsey.gov.uk/documents/g3110/Public%20reports%20pack%2029th-Jul-2021%2018.30%20Prosperous%20Communities%20Committee.pdf?T=10>

Central Lincolnshire Local Plan Consultation Documents (16/03/22 - 09/03/22)

- <https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan-review/>

**Risk Assessment :**

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**Call in and Urgency:**

**Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?**

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

**Yes**

**No**

**X**

**Key Decision:**

A matter which affects two or more wards, or has significant financial implications

**Yes**

**X**

**No**

## **Executive Summary**

**The preparation of the new Central Lincolnshire Local Plan continues to make good progress reaching a very important stage of the process, the Regulation 19 Proposed Submission Consultation.**

**West Lindsey District Council is a partner in the Central Lincolnshire Local Plan Team and currently chairs the Central Lincolnshire Joint Strategic Planning Committee (CLJSPC) and as such has played a key role in the development of the Proposed Submission Draft Local Plan to date.**

**West Lindsey District Council, does however also have a role of consultee to provide comments on the Proposed Submission Draft Local Plan. In this round of consultation however it is important to understand that the representations made, are not subsequently considered by officers or CLJSPC but are instead consider by an independent Inspector.**

**It is also important to understand that any objections at this stage must be based on one of the ‘tests of soundness’ as set down by legislation. (A full definition of what this means can be found in appendix 3). In summary however, this means that it is not an open-ended consultation process, but rather an objector must state why the plan is ‘unsound’ and what needs to be done to address the matter.**

**This is the last consultation on the Local Plan review before the final draft to be submitted for public, independent examination by the Planning Inspectorate on behalf of the Secretary of State.**

**The Chair and Vice Chairs of Prosperous Communities Committee; Cllr. Bierley, Cllr. J McNeill and Cllr, Coulson were invited to a briefing in April. During the briefing an overview of the Proposed Submission Draft Local Plan was provided including highlighting areas where previous comments had been made by members and what changes had been made as a result.**

**A consultation response has been drafted as a result of this briefing and observations made by officers on behalf of West Lindsey District Council, which considers the strategic aims of the Local Plan and policies against those strategic aims of the Council as an organisation. This response can be found in appendix 1 for the Committee to agree and endorse for submission.**

**It is important for members to note that whilst West Lindsey District Council will submit a single formal response, all interested parties, including Councillors and Parish and Town Councils are able to submit their own consultation responses throughout the duration of this consultation period and indeed register a wish to speak at the Examination in Public hearing also.**

## **1 Introduction**

- 1.1 As members are aware West Lindsey's statutory local plan function is delivered by a separate local planning authority known as Central Lincolnshire Joint Strategic Planning Committee (CLJSPC). Members currently serving on this committee for West Lindsey are; Cllr. Bierley (Chair), Cllr. Fleetwood, Cllr. Cotton and reserve member Cllr. Waller.
- 1.2 The CLJSPC committee's role is to oversee the production and review of the local plan through to adoption and make decisions on new planning policy requirements. That means the approval and adoption and subsequent review of the local plan lies with the CLJSPC.
- 1.3 The current Local Plan adopted in April 2017 was developed in accordance with legislation and national policy in the National Planning Policy Framework (2012) and includes a detailed policy framework for Central Lincolnshire.
- 1.4 Following a resolution by CLJSPC on 14<sup>th</sup> January 2019 to review the Local Plan to align with current national policy, work has been undertaken to review policy and the associated evidence base, carry out a call for sites and undertake a process of consultation.
- 1.5 A reminder of the key stages of the process and decisions made by the CLJSPC are summarised as follows:
  - January 2019 – Committee approve the review of the Local Plan primarily in light of the significant changes in National Policy;
  - May 2019 – the Government formally declares a climate emergency, which is followed by City of Lincoln and North Kesteven Districts declaring climate emergencies in July 2019, Lincolnshire County Council commits to working in partnership with District Councils in Lincolnshire (and other organisations) with the aim of making Lincolnshire carbon neutral by 2050, and West Lindsey similarly formally recognising the challenge and the importance of addressing it locally;
  - June-July 2019 – Consultation on Local Plan Issues and Options which tested a number of potential issues for the new Local Plan to address and potential approaches it should take, and this was also joined by a call for sites;
  - September 2019 – The Committee receives a report of the findings of the Issues and Options Consultation and a series of proposals for the next steps to be taken to progress the plan;
  - March 2020 – Committee endorses the approach proposed by officers to investigate how the Local Plan might address reducing carbon emissions in Central Lincolnshire;
  - March 2021 – Committee receives a report detailing the direction of travel in relation to a number of matters in the plan including housing requirement, distribution of growth, settlement hierarchy, RAF Scampton, car parking standards, and biodiversity net gain. This report also included a revised vision and set of objectives for

the plan. The Committee also agreed to consult on a Local Plan which, when taken as a whole, will demonstrably assist in Central Lincolnshire becoming a net zero sub-region, including a suite of policies which includes a framework that facilitates commercial scale solar and wind turbine infrastructure including mapping of broad areas where wind turbines may be suitable;

- June 2021 – The Committee approves the Regulation 18 Consultation Draft Local Plan for public consultation;
- June-August 2021 – Consultation on the Draft Local Plan is undertaken. This is the first publication of the revised plan in full and this attracts a good response both in support of and in opposition to the policies in the draft plan; and
- October 2021 and January 2022 – The Committee receives reports detailing the findings of the consultation on the Draft Local Plan, the key issues being raised and the proposed approach to addressing issues being raised.
- February 2022 - The Committee approves the Regulation 19 Proposed Submission Local Plan for public consultation.

1.6 The Proposed Submission Local Plan has been produced using the existing adopted Local Plan as a starting point. A significant amount of evidence has been developed to ensure that the policies within the plan form a sound basis for managing development and making decisions in Central Lincolnshire.

1.7 This process has been underpinned by robust and ongoing joint working between officers and members at each of the Central Lincolnshire authorities and through a clear vision provided by the Committee for what the plan needs to achieve for Central Lincolnshire. The plan is a direct product of this successful partnership approach.

1.8 In summary the Proposed Submission Draft Local Plan will help to ensure aims to that Central Lincolnshire will remain a pleasant place to live, work and visit; provide adequate homes and jobs in the right locations for our growing population; protect communities from harmful development; deliver substantial and meaningful net gain in biodiversity; and help facilitate the area to become net zero carbon, as a key part of addressing the climate change emergency.

1.9 The two previous stages of consultation undertaken in 2019 and 2021 have offered the opportunity for each local authority within the partnership, the public, the development industry, and other interested parties to comment on and help shape the plan, raising a number of issues and opportunities that needed to be considered. Officers both here at West Lindsey and the Central Lincolnshire Local Plans Team have considered the contents of each of those representations when further amending the plan in preparation of the Reg.19 consultation on the Proposed Submission Local Plan.

## **2 General Key Policy Areas & Changes Climate Change**

- 2.1 Addressing climate change has arguably been the most significant challenge in the process of producing the new Local Plan. Each of the Central Lincolnshire authorities and the CLJSPC acknowledge the importance of addressing climate change within the Local Plan.
- 2.2 Since the Issues and Options Consultation took place in the summer of 2019, which also coincided with various declarations of climate emergency or other recognition of the need to act urgently, officers have sought to understand what the Local Plan can do to address climate change. This is particularly challenging within a context in which national policy both requires local authorities to actively address climate change and at the same time limits what can be done at a local level. It is also challenging as it is an area where government and industry are becoming acutely aware of the need for urgent action and, as a result, things are fast moving at a national level.
- 2.3 To assist with this work, consultancy support was obtained to develop an evidence base which would guide the Local Plan. This work identified a number of policy interventions which were considered necessary to achieve the goal of delivering a Local Plan which would be aligned to achieving a net zero carbon Central Lincolnshire, and the evidence was clear that a number of these policy interventions are required to achieve the overall goal.
- 2.4 The climate change policies are contained primarily within Chapter 3 of the Local Plan, with some additional related points linked in other policies too. Much debate has taken place between officers of the Central Lincolnshire authorities and also within the Committee itself as to how best to achieve a net zero carbon Central Lincolnshire. The Proposed Submission Local Plan currently being consulted upon, is considered the most sustainable to achieve this goal.

### **Housing Allocations**

- 2.5 The sites being allocated in the plan have been updated since the last consultation. A number of sites have either completed or are nearing completion, or have lapsed and so have been removed and some additional sites have since obtained permission and so have been added as new allocations.
- 2.6 In addition to sites being removed due to a change in their planning status, some sites have also been removed as allocations in response to new evidence coming to light bringing their deliverability or suitability into question, site specific to West Lindsey are:
- WL/CAI/009 – Land north of North Street, Caistor – not clear if site is available or developable within the plan period;
  - WL/MIDR/017 - The Close, off Gallamore Lane, Market Rasen – site expected to be developed in commercial use;
- 2.7 Furthermore, beyond the sites which achieved permission in the past year which have now been brought in as an allocation, there is one site

which is proposed to be brought in for allocation which was not included in the Consultation Draft Local Plan, specifically:

- WL/SCO/012 – Land east of North Moor Road, Scotter - allocation in the 2017 Local Plan, was proposed for removal as availability was unknown, but this has since been confirmed with a new planning application.

2.8 The sites being allocated, when combined with sites that have already delivered new homes since the start of the plan period in 2018 will combine to deliver enough homes to meet the proposed housing requirement in the plan of 1,325 dwellings per year or 29,150 dwellings between 2018 and 2040 (the upper end of the range proposed in Policy S2).

#### **Biodiversity net gain**

2.9 The Environment Act 2021 introduces a substantial amount of new requirements on new development. This will change the way biodiversity is dealt with in applications going forward.

2.10 Officers have been working closely with colleagues at Greater Lincolnshire Nature Partnership, Lincolnshire Wildlife Trust and Natural England to ensure the policies in the plan are compliant with the new requirements in the Environment Act and to ensure that they will be deliverable and achieve true benefits.

#### **RAF Scampton**

2.11 This policy received substantial comments in the consultation in summer 2021 and additional investigations have taken place to understand the current situation at the base.

2.12 This has resulted in some changes being made to the policy to provide greater protection to the valuable airspace above the site, which is protected by statute, to ensure its value is fully understood and that no development would harm this unless it can be demonstrated that the airspace is no longer needed. It has also been expanded to consider whether this protected airspace could offer additional unique opportunities that this site might offer and to better ensure that the heritage of the site is considered and protected.

2.13 These changes need not mean that development of the site will be precluded, but they do help ensure that the assets on and above the site will be fully considered before any scheme is drawn up.

### **3 Specific Comments & Issues raised by Prosperous Communities Committee in June 2021**

#### **Housing Allocations in villages**

3.1 Following an address to committee by Cllr. Evans of Nettleham Parish Council on allocations in the Lincoln fringe, there was support amongst Committee Members on the comments made, with particularly protecting the character of the villages and focussing on quality development.

- 3.2 Protecting the character and supporting quality development remains at the heart of the Central Lincolnshire Local Plan and is supported by a number of policies, including the inclusion of the suite of Climate Change, Design and Amenity and Built and Natural Environment policies.
- 3.3 In 2017 the Sustainable Urban Extensions were allocated in Gainsborough and across the Central Lincolnshire Local Plan area to ensure that the plan meets the requirements to support housing growth. This strategy is coming to fruition and the SUEs are now in delivery.
- 3.4 As such the spatial strategy for the allocation for growth within the Local Plan has not changed as part of this review of the Local Plan. Equally the use of the settlement hierarchy remains the same as that adopted in the current Central Lincolnshire Local Plan in 2017 and has been found to be a sound approach by the Planning Inspectorate.
- 3.5 In terms of the location of sites proposed in the consultation draft and a perceived inconsistency, land allocations can only be made where land has been put forward by the land owner for allocation.

**Context for Caistor & Market Rasen**

- 3.6 There was support from members for recognition of the contribution made by both Caistor and Market Rasen in Central Lincolnshire in the Draft Local Plan, however a request was made that greater specific context was given in support of each of the market towns. This has now been added for both Caistor and Market Rasen in the supporting text relating to policy S39. Clearly demonstrating the important function of the towns to the surrounding rural community both in the past and for the future.

**Allocation numbers across Parishes**

- 3.7 A specific concern was raised by Vice-Chairman J. McNeill, who noted a lack of clarity regarding the allocations across Market Rasen town and Middle Rasen parish.
- 3.8 This issue has now been resolved and Appendix 1 of the Local Plan has been updated to provide the most up to date position on housing requirements for parish and other neighbourhood areas as required by national policy. This has been extended to include more detail about what makes up this requirement for each location, in an effort to help avoid confusion.

***Map 2: Map of area suitable in principle, subject to detailed assessment, for the development of medium to large wind turbines***

- 3.9 There was discussion regarding the site map in relation to potential locations for the placement of wind turbines. Specifically, confusion in interpretation of the map. Generally, the approach to wind turbines in the policy is two-part process – the first part rules out areas known to be unsuitable for wind turbines due to their proximity to constraints (these can be identified on Map 2 in the Local Plan).

- 3.10 The second is a criteria-based approach where detailed characteristics and constraints would be considered should an application come forward. Policy S14 will ensure that all impacts are fully considered and wind turbines will only be allowed where they are truly suitable. Specifically, in relation interpretation of Map 2 in the Proposed Submission Local Plan has been reversed so that the areas deemed suitable for wind turbines as part of step 1 of the assessment criteria are coloured purple with the broader Central Lincolnshire area shown as grey. It is considered that this has resolved this issue.

#### **Policy S74: RAF Scampton**

- 3.11 Members of the Committee voiced their concerns regarding the development of the Scampton airfield and the significance of maintaining links with West Lindsey, specifically in relation to Local Plan policy development.
- 3.12 As can be seen in paragraph 2.12 – 2.14 the comments raised by members were echoed by the public and as such resulted in changes being made to the policy, which gives increased emphasis to heritage and also acknowledges the value of the protected airspace (R313).
- 3.13 To ensure its value is fully understood and that no development would harm this unless it can be demonstrated that the airspace is no longer needed. It has also been expanded to consider whether this protected airspace could offer additional unique opportunities that this site might offer and to better ensure that the heritage of the site is considered and protected. The policy by no means precludes development but seeks to ensure feature development is fully cognisant of the uniqueness of the RAF Scampton and is positioned to maximise the special nature of the site and community.

#### **Energy Efficiency in buildings**

- 3.14 Members were keen for energy efficiency to be championed, both for new developments and retro-fitting of existing buildings. The Submission Draft Local Plan already goes as far it possible within the remit of planning policy to encourage the reduction in energy consumption in existing building, policy S13. The reduction in energy consumption in new buildings has been further bolstered by the inclusion of policy S6 Design Principles for Efficient Buildings, which has brought in policy previously supporting narrative. It is considered that this provides a robust policy position for all applications to be assessed against and wholly supports West Lindsey members aspirations on this subject area.

### **4 Current Position**

- 4.1 As detailed in the Member Bulletin 18<sup>th</sup> March this reg. 19 consultation began on 16 March and runs to 09<sup>th</sup> May 2022, a total of 8 weeks. Those that have viewed the Consultation Hub on the Central Lincolnshire Local Plan website <https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan-review/> will have noticed that the approach to consultation, specifically the process and the questions being asked are different from that in the two previous Regulation 18 consultations.

- 4.2 In simple terms, the consultation is open to everybody (including those who have not made any representations to date), but the crucial aspect to understand is that all representations received are not subsequently considered by officers or the CLJSPC, but instead are considered by an independent Inspector. It is also important to understand that any objections at this stage must be based on one of the 'tests of soundness' as set down by legislation. This means that it is not a completely open-ended consultation process, but rather an objector must state why the plan is 'unsound' and what needs to be done to address the matter.
- 4.3 It is also important to emphasise that, as set down by legislation, any objections made at earlier consultation stages are not carried forward to the next stage in the process; and as such, if a representor remains unsatisfied with the Local Plan, that representor must repeat their objection at the forthcoming consultation stage, if the representor wants it to be considered.
- 4.4 It is fair to say that many members of the public do not, understandably, always comprehend this process at this stage, and are often surprised to find out that officers / Committee has no opportunity to amend the Local Plan as a result of the consultation. As such, we as officers and members need to make sure the message is as clear as possible, and explain that we are following legislative requirements.
- 4.5 Second, after the close of the consultation, on 09<sup>th</sup> May 2022, officers will thereafter upload all representations on to the Central Lincolnshire Local Plan website (the consultation portal), summarise the key issues raised, make sure all evidence base material remains published and 'submit' the Local Plan and associated material to the secretary of state (or, in practice, to the Planning Inspectorate). It is anticipated that submission will take place by late June or early July 2022.
- 4.6 Third, as soon as the Local Plan is 'submitted', the plan is, in effect, taken out of the hands of the CLJSPC and officers, and is entirely in the hands of an Inspector appointed to examine the Local Plan.
- 4.7 Fourth, that Inspector will consider all representations received, and will hold a 'Hearing' session as part of the examination, whereby those who wish to verbally raise their objections with the Inspector will get their chance to do so. Officers will sit at all days of the 'Hearing', to defend the contents of the Local Plan.
- 4.8 Fifth, ultimately, the Inspector will prepare an Inspector's Report, which will contain a list of 'main modifications'. These are binding on the CLJSPC, if it wants to adopt the Local Plan.
- 4.9 Notwithstanding the above, Cllr. Bierley, Cllr. McNeill & Cllr. Coulson as Chair and Vice Chairs of Prosperous Communities Committee with the support of Officers have provided an initial consultation response on behalf of West Lindsey District Council. Key messages in relation to the consultation are that it is considered the approach of the CLLP

reflects the overall vision and objectives of West Lindsey, there is clear synergy between the plan and the corporate plan themes and other key policies and strategies. The Central Lincolnshire Local Plan strikes a positive balance between enabling growth and economic prosperity, whilst recognising the special characteristics of the district and the need to respond to both urban and rural communities, as well as providing protection for those unique and valuable features both in terms of landscape and heritage.

- 4.10 It is important for members to note that whilst West Lindsey District Council will submit a single formal response all interested parties, including Councillors and Parish and Town Councils are able to submit their own consultation responses throughout the duration of this consultation period and indeed register a wish to speak at the Examination in Public hearing also.

## **5 Next Steps**

- 5.1 The final formal submission by West Lindsey District Council will be made on or just before 09<sup>th</sup> May 2022, with agreement from the Chair of Prosperous Communities Committee.
- 5.2 Following the closure of the Regulation 19 consultation on 09<sup>th</sup> May 2022, updates on the Local Plan consultation will be provided in the Member Bulletin, following the close of the consultation and also tracking the course of the Local Plan once it has been submitted to the Planning Inspectorate and beyond to the Examination in Public.