




**Committee:** Central Lincolnshire Joint Strategic Planning Committee

**Report Title:** Proposals for the Review of the Central Lincolnshire Local Plan

**Meeting date:** 14 January 2019

Decision information	
Does the report contain information which has been identified as confidential or exempt?	No
Report Authorisation	
Report authorised by Secretariat of the Local Plan Partnership	

**A. Purpose of Report**

This report provides information on a number of national policy changes and challenges being faced in Central Lincolnshire, which form the background to a recommendation that the Central Lincolnshire Local Plan be reviewed and that the Local Development Scheme, which sets out the timetable for reviewing the local plan, be approved for publication by the Committee.

**B. Recommendations**

That the Central Lincolnshire Joint Strategic Planning Committee: -

1. Notes the content of this report and approves the proposed review of the Local Plan;
2. Agrees to a number of principles that will guide the review of the Local Plan; and
3. Approves the Local Development Scheme (provided in Appendix 1) for publication.

**C. Financial and risk implications**

Costs associated with the review will be met from existing CLJSPC budgets funded through partner contributions. A reserve is maintained to smooth these contributions and avoid fluctuations year on year dependant on the level of activity.

*Principal Accountant 20/12/18*

#### **D. Human Resources Comments**

No HR implications.

*H R Manager 28/12/18*

#### **E. Legal implications**

The review of the Local Plan will be conducted within the existing legal and planning policy framework.

#### **F. Consultation and communications**

This report has not been the subject of any formal consultation. The Local Plan review, if approved, would include two formal stages of consultation and other informal consultation with the development industry, other partners, the public, officers, and Councillors.

#### **G. Report details**

##### **1. Current Local Plan**

- 1.1. The Central Lincolnshire Local Plan was adopted by the Central Lincolnshire Joint Strategic Planning Committee in April 2017 following three years of work on the plan. This was the first Local Plan adopted for Central Lincolnshire by the Committee.
- 1.2. The development of the Local Plan involved joint working from members and officers at each of the Central Lincolnshire districts and Lincolnshire County Council, co-ordinated by the Local Plan Team, involving management, professional and technical support from Peterborough City Council through a service level agreement.
- 1.3. The Local Plan 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. Some key elements of the Local Plan include:
  - a) A housing need of 1,540 dwellings per year and a total housing requirement of 36,690 dwellings between 2012-2036;
  - b) A large number of site allocations from 25 dwellings up to 6,000 dwellings in size;
  - c) A settlement hierarchy for Central Lincolnshire to help manage housing and employment growth; and
  - d) Many other policies relating to development and land use intended to ensure that Central Lincolnshire grows sustainably and that it remains an attractive place to live, work and visit.

- 1.4. These policies have been in operation across Central Lincolnshire since the plan was adopted.

## **2. National Context**

- 2.1. In July 2018 the National Planning Policy Framework (NPPF) was updated. This is the most significant change in national policy since it was first published in 2012.
- 2.2. Much of the change to the NPPF relates to enhancing clarity and reordering sections, however, there are some fairly significant changes with implications for Central Lincolnshire. In summary, these are:
  - Local Plans must be reviewed to consider whether they need to be updated within five years of being adopted;
  - A new standard method for calculating local housing need, which will act as a minimum for housing requirement figures in local plans;
  - A requirement to stipulate the different needs for housing, including, but not limited to, affordable housing, family housing, older persons accommodation, students, people with disabilities, people wishing to rent their homes;
  - An obligation to include housing requirements for designated neighbourhood areas;
  - A new Housing Delivery Test has been introduced which can impact on the effectiveness of local plan policies;
  - A requirement for local plans to include 10% of the housing requirement to be allocated on sites of 1 hectare or smaller;
  - An allowance for 'entry-level exception sites' to be delivered at the edge of existing settlements on sites of up to 1 hectare or smaller or less than 5% of the size of the existing settlement; and
  - An advanced requirement to include the infrastructure needs for the area and a more robust viability assessment of the local plan in order to reduce viability assessments needed in support of planning applications.
- 2.3. The adopted Central Lincolnshire Local Plan does not incorporate a number of these elements which has the result of ageing the plan somewhat and potentially making it less robust in making decisions and defending them at appeal.
- 2.4. Furthermore, the published 'local housing need' figures for Central Lincolnshire using the current methodology, which may be subject to change, stands at 1,153 dwellings per year – substantially lower than the adopted housing requirement figure in the adopted Local Plan (1,540 dwellings per year). Whilst the 1,153 dwellings per year figure should only be used as a guide at this stage, it is likely that an updated local plan will provide a more realistic and robust position in relation to land supply.
- 2.5. Another further change in the national context for housing supply is a major update to the Planning Practice Guidance (PPG). There is now far

more detail in the PPG about what information is required in order for sites to be included in the 'five year land supply' calculation, and this is generally welcomed. However, the bar has been raised with far greater onus on local authorities needing to provide the evidence for why a site is deliverable within the five year period. This creates a challenge on some sites where there has been difficulty engaging with site owners and developers.

### **3. Justification for a local plan review**

3.1. The proposal being recommended to the Committee is for the Local Plan to be reviewed commencing in this calendar year. Whilst this recommended review is sooner than would have been hoped for at the time of the first Central Lincolnshire Local Plan being adopted, there are a number of reasons for this recommendation:

- The changes to the national context are significant and could mean that a number of current local plan policies become out of date and carry less weight for decision making;
- Delivery on a number of allocated sites has been slower than anticipated and, as such, a review of the sites being allocated provides an opportunity to review the deliverability of the sites, potentially de-allocating sites on which there has been little or no progress and to identify the most suitable locations for homes to be delivered;
- The new local housing need method currently results in a lower housing requirement for Central Lincolnshire than that adopted in the Local Plan. Whilst the precise number is yet to be firmed up due to issues with the latest household projections, based the resulting figure from the originally proposed method and the revised method currently proposed by government it is likely that the housing need figure would be lower than that adopted in the Local Plan. This does not mean that a Local Plan review could not aspire for more growth than the minimum, but it would likely result in a stronger housing supply position when tested at appeals in the coming years;
- The adopted local plan includes a cut off in December 2020 for the Liverpool method to be applied in housing land supply calculations (spreading the past shortfall of housing across the plan period rather than delivering them in the first five years of the plan). When comparing the current projected rate of housing delivery against the housing requirement in the adopted Local Plan, unless more progress is made on Sustainable Urban Extensions and other allocated sites, there is a substantial risk that Central Lincolnshire will not demonstrate a five year supply after this date. This risk can only be mitigated through a Local Plan review;
- A review of the plan offers an opportunity to reflect on the policies to ensure that they are working correctly and to address any issues;
- Much of the local plan will not need revision as it is operating effectively and much of the evidence base is up to date. This should help streamline a plan review;

- A review of the plan provides an opportunity to provide greater clarity for neighbourhood planning groups about what the expectations and limitations exist for them; and
- A review of the local plan offers the opportunity to consider whether new policies or allocations are needed to reflect changing circumstances and opportunities that were not incorporated in the adopted local plan.

#### **4. Risks of reviewing the plan now**

- 4.1. Whilst there are a number of benefits and opportunities to reviewing the local plan now, it is important to note that it also comes with some risk and cost.
- 4.2. The most notable risk is that of public perception. It is likely that some members of the public may question the need for a plan review relatively soon after adoption. This may be particularly enhanced in village locations where growth levels set out in the adopted Local Plan have been reached and so it may result in concern about additional growth in these locations resulting from the review of the local plan.
- 4.3. This may also be particularly enhanced in locations where neighbourhood plans have been produced or are being produced and where there is potential that the review of the Local Plan may result in some of their policies becoming 'out of date'.
- 4.4. However, given the land supply issues highlighted, and given that there has been difficulty delivering on a number of sites, the risks of not reacting to these challenges through a plan review could mean that speculative appeals are lodged leading to unplanned growth in villages and elsewhere in Central Lincolnshire.
- 4.5. One further risk associated with housing land supply and reviewing the plan now is that, whilst there is a clear methodology for calculating the local housing need now, given the issues with the latest household projections, the government propose to review the methodology within two years. This means that plans submitted for examination before January 2021 would likely use the current proposed standard method.
- 4.6. The proposed Local Development Scheme, at Appendix 1, projects that the plan could be submitted before this date, however, there is some risk that even a slight delay to the plan-making process could mean that it is not submitted until after January 2021. Therefore there is some risk that the method for identifying housing need figures could change at a late stage of production of the local plan with unknown consequences. However, it is intended that this risk could be successfully managed, potentially including a housing range in the revised local plan (i.e. from a 'minimum' to an aspirational upper level) and it is considered unlikely that any revised method would increase the housing need level to above the current local plan level.

- 4.7. Finally, there is a risk, albeit only a slight risk, to the adopted Community Infrastructure Levy (CIL) which was adopted in 2017. The Local Plan will need to be accompanied by a detailed viability assessment and details of the infrastructure needed to support growth. This will test that the provisions of the new Local Plan will not render developments unviable. Whilst it is not envisaged that any new policies will have a significant impacts on build costs, there is some potential that if market forces change significantly viability may be impacted. This risk can be managed through the process of reviewing the plan.

## **5. Proposed 'principles' for reviewing the plan**

- 5.1. If the Committee agrees with the recommendation to review the Local Plan it is also recommended that a number of principles are agreed by the Committee to ensure that the review of the plan is efficient, successful at examination and that all partners have certainty for work on the plan. These principles for undertaking this Local Plan review are based on the principles agreed by the Committee for work on the current adopted Local Plan, and seek to build on their success, as follows:

1. A single Local Plan to cover Central Lincolnshire;
2. A plan headlined by the sustainable growth of Central Lincolnshire;
3. A short, readable plan only incorporating technical details where this is necessary for the application of the policies;
4. A viable and deliverable plan;
5. A plan based on the adopted local plan, building on its success, only revising policies where necessary;
6. A lower threshold for sites to be considered for allocation, reduced to 10 dwellings from 25 dwellings, to accord with the new requirement in the NPPF for 10% of the housing requirement to be delivered on sites of less than 1 hectare; and
7. Clear, simple and effective consultation at agreed set times, as established in the Local Development Scheme.

- 5.2. These broad principles will form the building blocks for the successful delivery of the Local Plan review.

## **6. The Local Development Scheme**

- 6.1. Appended to this report is a Local Development Scheme (LDS), for which the Committee's approval is sought for publication. A LDS is a document which sets out the timetable for key milestones in the production of a Local Plan. It is a legal requirement that we have an up to date LDS which is made publicly available. This LDS will replace the existing LDS on the Central Lincolnshire website which was approved by the Committee in June 2017.

- 6.2. This LDS sets out a broad and realistic, but challenging, timetable associated with the project plan for the Local Plan review. It is worth

noting that the LDS should be optimistic about the timetable envisaged as the Local Plan process could not run ahead of the stages shown in it.

## H. Conclusion and reasons for recommendation

Given all of the above factors, it is considered that the review of the Local Plan offers the best course of action for Central Lincolnshire. Whilst there is a cost associated with the review of the plan at this time, rather than needing to seek an increase in partner contributions to cover these costs, the budget agreed in January 2017 has effectively enabled these costs to be covered without the need to increase partner contributions. Reviewing the plan now will have the benefits of maintaining a robust planning policy position, avoiding unnecessary appeals (which themselves result in resource and other costs) and offering greater certainty for residents, developers and businesses.

Given the timescales for reviewing a local plan, by reviewing the plan now it means that we will be in a stronger housing supply position when the Liverpool method can no longer be applied. Delaying the process would result in a far greater risk of speculative applications and appeals at that time.

Given the success of producing the adopted Local Plan, work should be more streamlined than in the process of developing that plan, as there is a sound plan to form the basis of this review and a recent evidence base which should only need to be partially updated.

It is therefore recommended that the CLJSPC decide to review the plan in accordance with the proposed seven principles and approve the Local Development Scheme provided at Appendix 1 for publication.

## I. Other options considered and reasons rejected

### Options for reviewing the plan

- **Start review of the plan now** – this option is as proposed in this document. It takes account of the current situation with land supply and national policy changes and offers the most appropriate course of action for maintaining an up-to-date policy position for Central Lincolnshire. It provides the opportunity to review the strategy and site allocations to ensure that Central Lincolnshire grows sustainably – **RECOMMENDED**
- **Do not consider reviewing the plan until December 2020** – this option uses the cut-off for using the Liverpool method of calculating housing land supply as the trigger for reviewing the plan. This has been rejected on the grounds that it introduces substantial risk in relation to the housing supply if work on reviewing the plan does not commence until that date and the associated risk of planning by appeal – **NOT RECOMMENDED**

- **Do not consider reviewing the plan until April 2022** – technically the decision to review the local plan could be delayed until five years after adoption. However, this decision has been rejected as, given the changes to national policy, the plan may become increasingly out of date and its effectiveness reduce substantially before this decision were to be made. It would also introduce substantial risk in relation to housing land supply – **NOT RECOMMENDED**

### Options for the Local Plan production and timeframe

- **Have two Regulation 18 consultation stages** – this option is as is recommended in the LDS. It proposes an initial stage of consultation in summer 2019, primarily revolving around a call for sites, the proposed scope of the Local Plan review, the proposed scope of a Strategic Housing Market Assessment, and the proposed assessment methodology for site allocations. This would then be followed by a consultation on the draft plan in early 2020, before the plan is finalised by the end of 2020. This proposed approach will allow the development industry and the public to provide an early input on the scope of the plan and on some key pieces of evidence to help ensure that issues are highlighted at the earliest opportunity, but it still allows for the plan to be developed without unnecessary delay – **RECOMMENDED**
- **Have fewer consultation stages** – this option would exclude an early consultation with only a call for sites being undertaken in summer 2019. Whilst this would reduce the workload and resource need for early-mid 2019, it could mean that there are far more issues raised at the only Regulation 18 consultation after substantially more work is completed. This option would risk not allowing for issues to be addressed through the plan – **NOT RECOMMENDED**
- **Have a longer period for either option above** – the timeframe in the LDS is challenging, however, it promotes the efficient review of the Local Plan. The timescales could be elongated to allow more time for the plan to be developed, but this then would introduce potential for land supply issues. It is worth noting that the production of the plan can be delayed from the timescales in the LDS, but it cannot proceed in advance of this. The proposed timeframe offers the most appropriate route and it is not considered that a longer period should be allowed for in the LDS at this time – **NOT RECOMMENDED**

J. Document Information	
<b>APPENDIX NO.</b>	<b>TITLE</b>
1	Local Development Scheme
BACKGROUND PAPERS	
<b>Title</b>	<b>Location of Background Papers</b>



Central Lincolnshire Local Plan	<a href="https://www.n-kesteven.gov.uk/EasySiteWeb/GatewayLink.aspx?allid=54815">https://www.n-kesteven.gov.uk/EasySiteWeb/GatewayLink.aspx?allid=54815</a>
National Planning Policy Framework (NPPF)	<a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/740441/National_Planning_Policy_Framework_web_accessible_version.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/740441/National_Planning_Policy_Framework_web_accessible_version.pdf</a>
Planning Practice Guidance (PPG)	<a href="https://www.gov.uk/government/collections/planning-practice-guidance">https://www.gov.uk/government/collections/planning-practice-guidance</a>
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## **Central Lincolnshire Joint Strategic Planning Committee**

### **Central Lincolnshire Local Development Scheme 2019**

**January 2019**

This Central Lincolnshire Local Development Scheme (LDS) was approved by the Central Lincolnshire Joint Strategic Planning Committee at a committee meeting of 14 January 2019 and came into effect immediately. It replaces the previous LDS, dated June 2017.

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## Preface

This Central Lincolnshire Local Development Scheme (LDS) was approved by the Central Lincolnshire Joint Strategic Planning Committee at a committee meeting of 14 January 2019 and came into effect immediately, replacing the previous LDS, dated June 2017.

If you require any further information regarding the Scheme, please contact a planning policy officer on 01529 414155 or by email to [talkplanning@central-lincs.org.uk](mailto:talkplanning@central-lincs.org.uk).

A 'live' update is published on our website at regular intervals. This sets out the current and next stages of preparation, with dates, of each of the documents included in this LDS.

This LDS is produced under section 15 of the Planning and Compulsory Purchase Act 2004, as amended.

## Central Lincolnshire Local Development Scheme 2019 to 2022

### 1. Introduction

- 1.1 The Local Development Scheme (LDS) is a timetable which sets out the Development Plan Documents (DPDs) that a local planning authority intends to produce over the next few years. Such DPDs are also known as the Local Plans for an area.
- 1.2 This Central Lincolnshire LDS sets out the timetable for any DPDs to be prepared in the period 2019 to 2022. It explains when the Central Lincolnshire Joint Strategic Planning Committee intends to reach key stages in the preparation of a new Local Plan. This LDS replaces the Central Lincolnshire LDS which was adopted in June 2017.

#### The Local Plan and Supporting Documents

- 1.3 Responsibility for DPD and LDS preparation for the districts of West Lindsey, City of Lincoln and North Kesteven has been passed to the Central Lincolnshire Joint Strategic Planning Committee (the Joint Committee).
- 1.4 In summary, the framework of strategic planning in Central Lincolnshire is:
  - **Development Plan Documents (DPDs):** These are documents (often referred to as 'Local Plans') that form part of the statutory development plan for the area and are subject to independent examination by a planning inspector appointed by the Secretary of State. For Central Lincolnshire, as at June 2017, they comprise:
    - **The Central Lincolnshire Local Plan –**  
Adopted on 24 April 2017, it provides land use planning policies, allocates sites for development and identifies other areas designated for protection that will shape the growth and regeneration of the Central Lincolnshire area over the next 20 years and beyond. It covers the administrative areas of North Kesteven District, the City of Lincoln and West Lindsey District and replaces all previously adopted DPDs for those districts; plus
    - **Minerals and Waste Local Plans –**  
Lincolnshire County Council Minerals and Waste Local Plans comprise the Core Strategy and Development Management Policies Local Plan (adopted on 1 June 2016) and the Minerals and Waste Site Locations Document (adopted on 15 December 2017). The Minerals and Waste Local Plans covers the county of Lincolnshire (See the Lincolnshire County Council website for details); plus
  - **Neighbourhood Plans:** Local communities, including Parish and Town Councils, can prepare Neighbourhood Plans (NPs) putting in place policies to guide the future development of the area. Any NP must be in general conformity with 'strategic policies' in DPDs (Local Plans) and with national policy. NPs are not able to propose lower levels of development than those set out in up to date Local Plans but could propose higher levels, or offer other detailed policy proposals. It is up to local communities to decide if they want to produce a Neighbourhood Plan and so it is not appropriate for this LDS to specify when or where they will be produced. Any NP that has been made (brought into legal force) becomes part of the statutory development plan. A number of Neighbourhood Plans have been made across Central Lincolnshire, and many more are under preparation.

- **Policies Map:** This is a map on an Ordnance Survey base for the whole of a local planning authority's area which shows where policies in DPDs apply. The Central Lincolnshire Policies Map includes inset maps for some areas to show information at a larger scale. The Policies Map is updated each time that a DPD or Neighbourhood Plan is adopted/ made.
- **Supplementary Planning Documents (SPDs):** These can cover a wide range of issues on which the planning authority wishes to provide guidance to supplement the policies and proposals in its DPDs (Local Plan). They do not form part of the statutory development plan and are not subject to independent examination. The Joint Committee or the individual districts can decide to produce an SPD on any appropriate subject whenever the need arises. There is no requirement for this LDS to set out a timetable for the production of any SPDs, but for completeness and clarity they will be listed on the Central Lincolnshire web site.
- **Statement of Community Involvement (SCI):** This is a document that explains how the local planning authority will engage the community in the preparation, alteration and review of planning documents, and in development control decisions. It is required to specify how and at what stages people will have the opportunity to be involved in planning for their area. The latest Central Lincolnshire SCI was adopted in January 2018.
- **Authority's Monitoring Report (AMR):** This is a report which must be produced by the local planning authority (on an annual basis) to explain how the local development scheme is being implemented and the extent to which policies in the Local Plan are being achieved. AMRs are produced by North Kesteven District, the City of Lincoln and West Lindsey District and will be published on the Central Lincolnshire web site.

### **Joint Working Arrangements and Joint Local Plans**

- 1.5 The Central Lincolnshire Local Plan is prepared through a formal Joint Committee (set up under section 29 of the Planning and Compulsory Purchase Act 2004), as confirmed by the Order coming into force on 12 October 2009. The Joint Committee will fulfil its responsibilities under the duty to co-operate requirements of s33A of the Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011.

## **2. Local Plan Timetable**

- 2.1 Through monitoring of the Local Plan and as a result of changes to National Planning Policy, the Central Lincolnshire Joint Strategic Planning Committee decided to review the Central Lincolnshire Local Plan at its meeting on 14 January 2019.
- 2.2 There are a number of stages involved in the preparation of a DPD (Local Plan). This process allows for opportunities for the public to be involved, early resolution of conflicts and objections, and an Independent Examination. The stages in producing a Local Plan, and the intended timescales of those stages for the review of the Central Lincolnshire Local Plan, are set out in Table 1.

**Table 1: Timetable for Production of Development Plan Document**

	2019									2020									2021												
	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
Central Lincolnshire Local Plan		1								1							2		3									4	5		

No.	Stage	Description	Dates stage will/ is proposed to take place
1	Public Participation (Regulation 18)	Opportunities for interested parties and statutory consultees to consider the options for the plan before the final document is produced. This stage can involve one or more public consultation rounds. We intend two rounds for the Central Lincolnshire Local Plan.	June-July 2019 & February-March 2020
2	Pre-submission Publication (Regulation 19)	The Joint Committee publishes the Local Plan which is followed with a 6 week period when formal representations can be made on the Local Plan.	October – November 2020
3	Submission (Regulation 22) and Independent Examination Hearing	The Joint Committee submits the Local Plan to the Secretary of State together with the representations received at Regulation 19 stage. This is followed by an Independent Examination by a Planning Inspector into objections raised at the Regulation 19 stage on the Local Plan.	December 2020 onwards
4	Inspector's Report Issued	This will report whether if the Plan is 'Sound' or 'Not Sound'. The Inspector may make recommendations to make the plan 'sound'	August 2021 (estimate)
5	Adoption of DPD (Local Plan)	Final stage, the Council will formally need to adopt the Local Plan and it will then be used in making planning decisions.	September 2021 (dependent on timescales for examination)