

SOUTH EAST LINCOLNSHIRE JOINT STRATEGIC PLANNING COMMITTEE

Report of: The South East Lincolnshire Joint Policy Unit Manager

To: South East Lincolnshire Joint Strategic Planning Committee –
25 November 2013

Author: Gary Alexander, Joint Policy Unit Manager

Subject: Public consultation on the Combined Preferred Options and
Sustainability Appraisal Report: consideration of representations

Purpose: To seek approval of the recommended action in response to each
representation

It is recommended that Members:

- a) Consider the contents of this report and the associated Appendix A setting out the public consultation comments and the officer responses and recommendations; and
- b) Agree to approve or revise each recommendation for the purpose of informing future work on the preparation of the Strategy and Policies Development Plan Document (DPD).

1.0 INTRODUCTION

- 1.1 Members will recall that, at its meeting on 5 April 2013, the South East Lincolnshire Joint Strategic Planning Committee (the Joint Committee) resolved to approve the contents of the **Combined Preferred Options and Sustainability Appraisal Report** (Committee Version [April 2013]) for the purpose of public consultation subject to making a small number of amendments. At the same meeting, the Joint Committee also approved a Consultation Strategy for guiding the public consultation exercise on the Combined Preferred Options and Sustainability Appraisal Report (the Preferred Options document).
- 1.2 The public consultation period commenced on Friday, 3 May 2013 and ran until Friday, 28 June. The nature of this public consultation exercise and a summary of the main issues arising from it and how they have been taken into account will inform the preparation of a 'Statement of Public Participation'. This will form part of the suite of documents that will eventually be submitted to the Secretary of State in relation to the independent examination of the Strategy and Policies Development Plan Document (DPD).

- 1.3 At its Annual Meeting on 2 August 2013, the Joint Committee considered an information report setting out some initial results of the public consultation exercise. In brief, this report revealed that the public consultation exercise had resulted in 155 individuals and organisations submitting a total of 1,409 separate representations. Together, these representations covered a wide variety of matters featured in the Preferred Options document.
- 1.4 At its meeting on 27 September 2013, the Joint Committee considered a report which addressed all those representations dealing with matters in the Preferred Options document categorised under the following headings:
- Whole document;
 - Introduction;
 - Spatial Portrait;
 - Vision and Strategic Priorities;
 - Economy;
 - Environment;
 - Community, Health and Well-being;
 - Transport;
 - Delivery;
 - Key Diagram;
 - Glossary of Terms; and
 - Appendices.
- 1.5 The purpose of this report is to address all the outstanding representations which deal with matters categorised under the following headings:
- Housing Growth and Flood Risk;
 - Sustainable Development and Spatial Strategy; and
 - Housing (including promotion of housing sites).

2.0 CONSIDERATION OF THE REPRESENTATIONS

- 2.1 **Appendix A** to this report sets out in full the representations received from various individuals and organisations which have been categorised under the above-mentioned headings in paragraph 1.5. These representations include comments in support of the contents of the Preferred Options document and other observations as well as objections. In total, Appendix A lists over 860 individual representations. NB: the representations relating to the promotion of housing sites will be included in the ongoing preparation of the Strategic Housing Land Availability Assessment (SHLAA).

2.2 For each representation, Appendix A includes:

- the 'Response Number' and 'Respondents Number';
- the name of the person/organisation submitting the representation;
- where applicable, the name of the person/organisation on whose behalf the representation has been submitted;
- the 'Officer Response' to the representation; and
- the 'Officer Recommendation' to the Joint Committee in respect of what action should be taken in view of the Officer Response.

2.3 Members are asked to consider each representation and the accompanying Officer Response and Officer Recommendation in response to it. At the Joint Committee meeting, Members will be asked to either approve or revise each Officer Recommendation.

2.4 Members will note that a number of the representations contain a significant amount of content. In order to make the process of considering such cases more manageable, officers have approached the preparation of their responses with a view to addressing the 'essence' of the representation rather than necessarily focussing on every detailed point.

2.5 As with the consideration of representations at the previous Joint Committee meeting, a number of standard phrases have been used in the Officer Responses with a view to lending more consistency to the process of considering the representations and to creating flexibility in dealing with a wide variety of potentially-conflicting issues. These, in turn, have been used to aid the identification of what course of action should be recommended to the Joint Committee.

2.6 Subsequently, the recommendations to the Joint Committee have been categorised under the following headings:

- Support – no change to the approach is required;
- Representations beyond the remit of the Local Plan or to be addressed in the preparation of the Site Allocations DPD;
- Objection – further work required which could result in a change to the approach;
- Objection – a minor change to the approach may be required (e.g. detailed policy wording/SA scoring); and
- Objection – no change to the approach is required.

- 2.7 It should be noted that the word ‘approach’ in the above-mentioned categories has been used to describe a variety of contents in the Preferred Options document (for example, individual chapters, paragraphs, options, tables, preferred policy approaches etc.). Therefore, its meaning in respect of an individual recommendation should be interpreted in the context of the representation to which it relates.
- 2.8 **Owing to the close relationship between the contents of the sections titled Housing Growth and Flood Risk, Sustainable Development and Spatial Strategy, and Housing, and having regard to the comments made by Members at the previous meeting of the Joint Committee, the final presentation of the information contained in Appendix A differs from that adopted in the report considered on the 27 September.**
- 2.9 Accordingly, Appendix A is separated into the following parts:
- **Part 1:** This sets out the 303 representations with a proposed officer recommendation of *Support – no change to the approach is required*. These are set out in the order of the following sections:
 - Housing Growth and Flood Risk;
 - Sustainable Development and Spatial Strategy; and
 - Housing.
 - **Part 2:** This sets out the 107 representations with a proposed officer recommendation of *Representations beyond the remit of the Local Plan or to be addressed in the preparation of the Site Allocations DPD*. These are ordered in the same way as Part 1.
 - **Part 3:** This sets out the 50 representations with a proposed officer recommendation of *Objection – a minor change to the approach may be required (e.g. detailed policy wording/SA scoring)*. These are ordered in the same way as Part 1.
 - **Part 4:** This sets out the 90 representations with a proposed officer recommendation of *Objection – no change to the approach is required, but excluding* those representations relating to objections to the ‘cap’ on housing development in the Red, Orange and Yellow [ROY] flood-hazard zones (which are addressed in Part 5 below) . These are ordered in the same way as Part 1.
 - **Part 5:** This sets out the 318 representations with a proposed officer recommendation of either:
 - (1) *Objection – no change to the approach is required*. Such representations relate to the cap on housing development in the ROY flood-hazard zones (relocated from Part 4 above); or
 - (2) *Objection – further work required which could result in a change to the approach*.

Together (1) and (2) are ordered under the following headings:

- A. Cap on housing development in the ROY flood–hazard zones
 - B. Objectively-assessed need for market and affordable housing
 - C. Main Service Centres
 - D. Service Villages and development in the Countryside
 - E. Broad locations for housing growth in Boston
 - F. Broad locations for housing growth in Spalding
 - G. Affordable Housing
 - H. Infrastructure/Delivery
 - I. Additional policy matters
 - J. Cross-boundary housing provision
 - K. Phasing of housing delivery/5-year housing land supply
- NB:** Representations under these headings are, in turn, ordered in the same way as Part 1.

2.10 Officers will take members through each of the five parts listed in paragraph 2.9 above. Each of the matters covered by the headings A.-K. in **Part 5** will be the subject of specific officer-led discussions with a view to informing members' consideration of the representations to which they relate.

3.0 THE NEXT STEPS

3.1 Following the Joint Committee's consideration of all the representations covered by the headings in paragraphs 1.4 and 1.5 above, officers will need to determine the 'issues' arising from:

- those representations generating either a possible minor change to the approach or further work which could result in a change to the approach (**see bullet points 3 and 4 in paragraph 2.6 above**);
- any new evidence (e.g. the outcomes from current work on the South East Lincolnshire Town Centre and Retail Capacity Study and the update of the Peterborough Partial Strategic Housing Market Assessment);
- key outstanding areas of work (e.g. the South East Lincolnshire Strategic Housing Land Availability Assessment and the South East Lincolnshire Whole Plan Viability); and
- a detailed examination of the emerging plan and policies with regard to the use of consistent terms, assessment that the policy objectives are both consistent and unambiguous and that outcomes are set that can be monitored.

3.2 This 'interim stage' and its consequences for the further stages of plan preparation will be explained to Members in more detail at the meeting.

4.0 VIEWS OF THE HEAD OF BUILT ENVIRONMENT AND DEVELOPMENT, BOSTON BOROUGH COUNCIL AND THE PLANNING MANAGER, BRECKLAND AND SOUTH HOLLAND COUNCILS

- 4.1 The Head of Built Environment and Development at Boston Borough Council and the Planning Manager for Breckland and South Holland Councils have been consulted and have provided the joint response set out below.
- 4.2 'Whilst we would both have appreciated much more time within which to frame our response we appreciate that an enormous amount of work has gone into producing the documentation supporting the Joint Policy Unit Manager's report. It remains our conjoined view that we would benefit greatly from seeing this material at least a week in advance of the deadline for publication of the report.
- 4.3 Nevertheless, we remain satisfied that thorough consideration has been and is being given to the representations received and understand and acknowledge the need for these views to be formally reported and considered by Members. That said, and given the volume of consultation responses received, the reporting process at Committee needs to be undertaken in a manner which enables proper debate. In this context, the separation of the reporting process into five broad sections (1-5) is clearly well thought out and presents Members with the opportunity to consider over-arching topic areas in a manner which clearly identifies broad areas of support (where no changes are required); broad areas of concern outwith the remit of the current process; areas where minor changes are concerned; areas where no change is required; and, finally, areas where additional work is necessary in order to demonstrate both a soundness of approach and where consideration needs to be given to areas where a change of approach may be required. In this sense, we welcome as eminently sensible a reporting process which will begin with officers outlining the salient considerations that need to be taken into account in relation to those matters highlighted in the report under headings A-K at Part 5. It is essential to our view that officers engage fully with Members at this stage in order to highlight those areas where there will be a need to undertake further work. It will be equally important to this debate to explore and identify key issues which may have implications on, for example, new policy directions or indeed more fundamental issues affecting soundness.
- 4.4 In light of the above, there appear to be a number of potentially significant issues arising which would benefit from further exploration. Examples would include further consideration of the overall level of objectively-assessed need (based on ONS and LCC demographic projections) when set against the question of reasonable and unreasonable options. The potential for under-delivery needs exploring as does the issue of cross-boundary discussions, particularly in light of past performance. Back-loading the phasing of housing growth will warrant careful justification in light of the need to identify a five (or indeed 6) year land supply as this issue can become a somewhat 'circular' one; and this is all the more important with a strategy based on large urban extensions which may only yield significant numbers in their later stages. There is therefore a need to address whether or not service villages or other villages can support delivery in the shorter term. It does, however, need to be

understood that whilst delivery within the villages and service villages may be easier to achieve this needs setting against their overall sustainability and flood risk considerations. Admittedly, a fine line to tread but one which may need further positive policy support.

- 4.5 Overall, there remain a number of key pieces of work which are, in many ways, dependant upon each other; these relating to viability, deliverable levels of affordable housing and, potentially, house construction standards. These areas need drawing out in order to fully appreciate how competing demands may be reconciled within the plan.'

5.0 VIEWS OF OTHER CONSULTTEES

- 5.1 The Strategic Planning Manager, Lincolnshire County Council, has been consulted and any comments received will be reported at the meeting.
- 5.2 The Monitoring Officer representative for Boston Borough Council has been consulted and any comments received will be reported at the meeting.
- 5.3 The Monitoring Officer representative for Lincolnshire County Council has been consulted and any comments received will be reported at the meeting.
- 5.4 The Monitoring Officer for South Holland District Council has been consulted and any comments received will be reported at the meeting.
- 5.5 The s151 Officer for Boston Borough Council has been consulted and any comments received will be reported at the meeting.
- 5.6 The s151 Officer for Lincolnshire County Council has been consulted and any comments received will be reported at the meeting.
- 5.7 The s151 Officer for Breckland and South Holland District Councils has been consulted and any comments received will be reported at the meeting.

6.0 OPTIONS

- 6.1 Members can accept the officers' recommendations or require amendments to them.

7.0 REASONS FOR RECOMMENDATIONS

- 7.1 There is a current statutory requirement for the Joint Committee to prepare one or more development plan documents that will form the South East Lincolnshire Local Plan. The Preferred Options stage of the preparation of the Strategy and Policies DPD is identified in the Joint Committee's Local Development Scheme (LDS).

8.0 EXPECTED BENEFITS AND TIMELINES

8.1 This report deals with a particular stage in the preparation of the Strategy and Policies DPD (under the Planning and Compulsory Purchase Act 2004, as amended) which will form part of the South East Lincolnshire Local Plan. The completion of the Local Plan will enable planning decisions to be made in accordance with up-to-date planning policies and proposals. The timelines for the preparation of the Local Plan are set in the Joint Committee's LDS. This will need to be revised in the light of the considerations featured in paragraph 3.1 of this report.

9.0 IMPLICATIONS

9.1 Carbon Footprint & Environmental Issues

9.1.1 The preparation of the Local Plan will help to create sustainable development across South East Lincolnshire.

9.2 Constitution & Legal

9.2.1 See para 7.1.

9.3 Contracts

9.3.1 There are no relevant contractual implications of this report.

9.4 Crime and Disorder

9.4.1 There are no crime and disorder implications of this report.

9.5 Equality and Diversity & Human Rights

9.5.1 The Local Plan is being prepared in accordance with the Joint Committee's Statement of Community Involvement. This requires us to seek to cater for, and engage with, all sections of the community in preparing our plans, in particular those groups which have been underrepresented in previous consultation exercises (the so-called 'hard-to-reach' groups).

9.6 Financial

9.6.1 There are no direct financial implications arising from the consideration of this report.

9.7 Risk Management

9.7.1 Without up-to-date local planning policies for South East Lincolnshire, future planning decisions would have to rely upon the provisions of the National Planning Policy Framework. This could result in decisions being made that did not properly reflect how the Government's presumption in favour of sustainable development should be applied locally.

9.8 Staffing

9.8.1 There are no staffing implications arising from the consideration of this report.

9.9 Stakeholders / Consultation

9.9.1 This report deals with the comments received in response to undertaking a full public consultation exercise on the Combined Preferred Options and Sustainability Appraisal Report.

10.0 WARDS/COMMUNITIES AFFECTED

10.1 The implications of the proposed new Local Plan documents affect all wards/communities.

Background papers:- None

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Key Decision: Yes

Exempt Decision: No

Appendices accompanying this report:

Appendix A: South East Lincolnshire Preferred Options Consultation Report 25 November 2013:

Part 1 – Agenda Item 4

Part 2 – Agenda Item 5

Part 3 – Agenda Item 6

Part 4 – Agenda Item 7

Part 5 – Agenda Item 8