

Minutes of a Meeting of the Planning Policy Committee held at the Hub, Mareham Road, Horncastle, Lincolnshire LN9 6PH on Thursday, 12th September, 2024 at 6.00 pm.

PRESENT

Councillor Tom Ashton (Chairman)
Councillor Terry Aldridge (Vice-Chairman)

Councillors Roger Dawson, David Hall, Travis Hesketh, Neil Jones, Daniel Simpson and Terry Taylor.

Councillors Ruchira Yarsley, Andrew Leonard and Jill Makinson-Sanders attended the Meeting as Observers.

OFFICERS IN ATTENDANCE:

Paul Jackson	- SHDC Executive Programme Manager
Phil Norman	- Assistant Director – Planning and Strategic Infrastructure
Pranali Parikh	- Director Economic Development
Ismail Mohammed	- Interim Planning Policy Service Manager
Elaine Speed	- Senior Democratic Services Officer and Civic Officer
Laura Allen	- Democratic Services Officer

3. APOLOGIES FOR ABSENCE:

Apologies were received from Councillors Mark Dannatt, Alex Hall and Paul Rickett.

It was noted that, in accordance with Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990, notice had been given that Councillor Neil Jones had been appointed to the Committee in place of Councillor Daniel McNally for this Meeting only.

4. DISCLOSURE OF INTERESTS (IF ANY):

At this point in the Meeting, Members were invited to declare any relevant interests. None were received.

5. MINUTES:

The Minutes of the Meeting held on 14 March 2024 and the Minutes of the Special Meeting held at the rising of the AGM on 22 May 2024 were agreed as a correct record.

6. ACTIONS:

The actions were noted as complete or in hand.

7. REVISED NATIONAL PLANNING POLICY FRAMEWORK CONSULTATION (JULY-SEPT 2024):

The Chairman welcomed Phil Norman, Assistant Director for Planning and Strategic Infrastructure, Paul Jackson, SHDC Executive Programme Manager and Pranali Parikh, Director of Economic Development to provide Members with an update.

The Assistant Director for Planning and Strategic Infrastructure presented Members with a report on the Revised National Planning Policy Framework Consultation which highlighted a summary of the proposed changes in the published consultation on the revised National Planning Policy Framework (NPPF, 2024), pages 15 to 20 of the Agenda refer.

The key considerations related to the revised National Planning Policy Framework were highlighted as follows:

- Housing Supply and Targets
- Affordable Housing
- Design
- Economic Development
- Climate Change
- Agricultural Land

Members were advised that the new housing target was currently proposed at 1091 dwellings per annum in comparison to the current Local Plan target of 558 and that questions were being raised on how East Lindsey could deliver the level of growth and provide the infrastructure to support the significant increase.

In relation to agricultural land, the Assistant Director for Planning and Strategic Infrastructure further advised Members that the removal of the inclusion in the NPPF for high grade agricultural land to be protected had been influenced by the government's increasing support of renewable energy schemes.

Members were invited to put their comments and questions forward.

- At the indulgence of the Chairman, Councillor Ruchira Yarsley queried the practicality of the changes in the NPPF and whether there was a demand and need for such high numbers of housing in the district and how this would affect farmers and rural areas in East Lindsey. In response, the Assistant Director - Planning and Strategic Growth explained to Members that the housing figure was a 150% increase and that it was essential that the Council made strong representations to the government on the proposed changes to highlight concerns on adverse impacts. The Assistant Director – Planning and Strategic Growth further assured Members it was the government's responsibility to obtain feedback through the consultation process and that the final

position may change when they examined how the proposals would work in rural areas.

- The Chairman commented on the challenges that would result from a significant increase in housing numbers including the impact from the lack of demand, lack of skilled workers or from shortages in building materials. The Chairman further commented on concerns with meeting the proposed housing targets and the removal of taking agricultural land used for food production into account.
- A Member queried the possible penalties for not achieving the government's targets and commented on whether more focus was needed on building renewable energy on flood risk areas rather than on high quality agricultural land. In response, the Chairman advised Members that further discussion on the Local Plan would be undertaken during the following Agenda item and that the availability and allocation of land for market housing was significantly constrained in East Lindsey by the Area of Outstanding Natural Beauty (AONB) and inland and coastal flood risk areas.
- A Member referred to an example in Stickney where 205 applications had been approved and had not been built out which suggested there was a lack of demand in certain rural areas in East Lindsey. In response, the Chairman informed Members that ELDC had exceeded its build out targets and commented that the proposed increase was disappointing when the Council had already achieved more than had been asked.
- A Member made reference to provisions in the NPPF for identifying preferred sites for renewable energy and queried whether policy could be developed to identify areas which could be allocated to mitigate concerns.
- Members expressed further concerns with the implications from increased housing targets and the potential increases in housing density.
- A Member queried whether settlement proposals were fit for purpose. In response, the Interim Planning Policy Service Manager advised Members that the Committee had previously reviewed the settlement proposals and that further revision was not currently necessary. Members were further advised that following the Regulation 18 consultation, approximately 800 sites had been identified on the strategic housing land availability assessment and that East Lindsey district was not short on sites for development. The Interim Planning Policy Service Manager concluded that the 800 sites previously identified would form as a consideration in the emerging Local Plan and it was to be determined which of those sites were suitable and sustainable for delivering the housing that was needed.

The Assistant Director – Planning and Strategic Infrastructure further explained to Members that considerations on what areas needed reassessment could change and that the challenges from revisions to the NPPF were being experienced nationally and that East Lindsey was not the only district in the country to have been presented with high housing targets.

- A Member queried the timeframe which had been given for completion of the review of the Local Plan to ensure that the Council was fully prepared. In response, the Assistant Director – Planning and Strategic Infrastructure advised Members that an exact date could not be provided and that the next stage was to update the local development scheme. The Assistant Director – Planning and Strategic Infrastructure further advised Members that the government had outlined a schedule for transition arrangements which was subject to change and that the Council were committed to ensuring its work fed into the governments timetable.
- The Chairman further assured Members that the Council was in a stronger position for reviewing the Local Plan than it had been in 2016 and that the current Local Plan was relatively up to date pending revision.
- The Chairman highlighted concerns with proposals to increase annual housing targets to 1091 from the current 558 per year and commented that ELDC would be unable to deliver and meet the 5-year supply of deliverable housing sites in those circumstances, page 18 of the Agenda refers.
- At the indulgence of the Chairman, Councillor Ruchira Yarsley queried the process and timeline for providing feedback to the government. In response, the Assistant Director – Planning and Strategic Infrastructure advised Members that the deadline for consultation responses was before the end of September 2024 and that the response would be a Partnership effort which would be reviewed by each of the Partnership's portfolio holders and would include points relevant to each district. The Assistant Director – Strategic Planning and Infrastructure further advised Members that the government had indicated that a new NPPF could be published by the end of 2024.
- At the indulgence of the Chairman, Councillor Ruchira Yarsley queried whether the government was required to take the consultation responses into account. In response, the Assistant Director – Planning and Strategic Infrastructure advised Members that the government was duty bound to undertake consultations.
- A Member requested an estimate of when the housing target was likely to become mandatory. In response, the Assistant Director – Planning and Strategic Infrastructure advised Members that a new NPPF was expected by the end of 2024 and commented that the government's

intention to motivate Local Plan development was counterproductive when its targets were extremely difficult to achieve.

- A Member queried whether ELDC's responses to the NPPF consultation could be shared with all Members of the Council. In response, the Chairman confirmed that the responses would be shared with Members.
- In reference to Paragraph 2.4, a Member queried whether the entirety of the emerging plan was open to change or only in relation to housing targets. In response, the Assistant Director – Planning and Strategic Infrastructure explained to Members that it was uncertain until the final transition arrangements had been agreed.
- A Member further queried whether the Council had the opportunity to make changes to the Local Plan until the deadline of December 2026. In response, the Assistant Director – Planning and Strategic Infrastructure advised Members that no further clarity could be provided, and that current legislation and regulations would continue to apply up until that date.
- At the indulgence of the Chairman, Councillor Jill Makinson-Sanders queried whether the revision of the Local Plan could include provisions to limit the spread of caravans on the coast. In response, the Chairman advised Members that queries related to the Local Plan could be addressed in the upcoming Agenda item and examined as part of the Committee's wider work programme.
- A Member emphasised the importance of Planning Policy Committee Meetings continuing to take place. In response, the Chairman provided assurance that meetings would continue as scheduled and that opportunities would be available to examine the current meeting format and that further avenues for informal debate would be explored.
- A Member further queried whether the Planning and Planning Policy teams had capacity to undertake the anticipated workload for revising the Local Plan. In response, the Assistant Director – Planning and Strategic Infrastructure advised Members that in agreement with new Director of Economic Development, capacity would be assessed across the Partnership over a period of time before any conclusions were made.
- Pranali Parikh, Director of Economic Development assured Members that four new team members had been assigned to working on the task and that capacity within the team was being assessed across the Partnership, and that there was a commitment from Executive Members and the Leaders to drive forward resources and to recruit to bring wider improvements.

- At the indulgence of the Chairman, Councillor Ruchira Yarsley queried whether planning applications would be considered under the current Local Plan until December 2024. In response, the Assistant Director – Planning and Strategic Infrastructure confirmed this was correct.
- A Member queried whether the settlement figures could be revised. In response, the Chairman advised Members that the settlement scoreboard had been comprehensively reviewed following consultation and that for consistency more support had been given to smaller villages. The Chairman further advised Members that the figures were not intended to change and that background papers highlighting how those figures were agreed could be circulated to Members.
- A Member commented on the disadvantages of diverted focus across three authorities when ELDC were primarily concerned with only what occurred in East Lindsey. In response, the Director of Economic Development assured Members on the validity of concerns on the focus of each district and supported the separate understanding of each District and the sharing of resources from across the Partnership to assist East Lindsey.
- A Member further queried whether the Committee could be provided with further information on the distribution of settlement hierarchies and other policies which were due to be reviewed. In response, the Chairman advised Members that settlement hierarchies would not be revisited and that consideration for which policies needed revising could be considered as a future Agenda item, together with a policy tracker which could to be circulated Members.
- At the indulgence of the Chairman, Councillor Jill Makinson-Sanders queried whether the Planning Policy Committee could undertake a review of market towns, particularly in the circumstances where housing numbers were to significantly increase. In response, the Chairman recognised Members' concerns to protect rural areas and market towns and acknowledged that the proposed target of 1090 houses was not achievable.

The Chairman thanked everyone for their comments.

Following which, it was

RESOLVED:

That the Revised National Planning Policy Framework Consultation (July-Sept 2024) report be noted.

8. EAST LINDSEY LOCAL PLAN UPDATE:

The Chairman welcomed Ismail Mohammed, Interim Planning Policy and Research Manager to provide Members with an update.

The Interim Planning Policy and Research Manager presented Members with a report that advised Members on the current progress with the Local Plan review and to consider the next steps, pages 21 to 28 of the Agenda refer.

Members were advised that the preparation of the revised Local Plan had been delayed due to on-going work on the Strategic Flood Risk Assessment (SFRA) and was unlikely to be progressed to the 'Regulation 19' Pre-Submission consultation by the end of this year, with the Phase 1 report expected to be completed by mid-September 2024.

The Interim Planning Policy and Research Manager advised Members on concerns with the proposed housing targets being unachievable and that the Council had not previously come close to achieving housing figures as high as 1091 in several years. Members were informed that the current Local Plan remained fit for purpose and that a further report would return to the Committee once the 800 sites in the strategic housing land availability assessment had been reviewed and assessed for their suitability for housing. The Interim Planning Policy and Research Manager assured Members that processes were underway to meet the government target of December 2026.

Members were invited to put their comments and questions forward.

- At the indulgence of the Chairman, Councillor Ruchira Yarsley queried whether most of 800 sites included in the strategic land assessment was in flood risk or nearby areas. In response, the Interim Planning Policy and Research Manager confirmed to Members that a number of sites within the strategic housing land assessment were in flood risk areas.
- Councillor Ruchira Yarsley further queried whether a solution could be achieved by siting renewable energy in flood risk areas instead of affecting good quality agricultural land.
- In reference to the 61 representations received in the Issues and Options Consultation in Spring 2021, Councillor Ruchira Yarley queried whether it was possible to obtain a list of the parish councils which had responded, page 23 of the Agenda refers. In response, the Interim Planning Policy and Research confirmed that an examination of the data would be undertaken.
- A Member queried whether caravans could be considered as residential for the purpose of housing numbers and commented on the differences between East Lindsey and Boston Borough who were able to build in flood risk areas. In response, Paul Jackson, SHDC Executive Programme Manager advised Members on the background that led to South Holland and Boston Councils building on flood risk locations and encouraged that East Lindsey required resilience and

commitment to work with the numbers and strengthen relationships with the Environment Agency to achieve solutions.

- A Member requested examples of extra resilience that East Lindsey could undertake. In response, the SHDC Executive Programme Manager explained to Members that resilience involved three approaches which included a defence approach through working with the Environment Agency to upgrade and maintain flood defences, mitigation measures such as raised floor levels and upstairs accommodation and to work in partnership with the County Council which was the lead flood risk authority.
- In relation to the Strategic Flood Risk Assessment, a Member provided an example of unsuitable land for housing that was flooded in Horncastle which had been granted permission on appeal by the Planning Inspectorate and queried whether there were any alternatives when decisions by the Council could be overruled by the Planning Inspectorate, page 23 of the Agenda refers. In response, the Assistant Director - Planning and Strategic Infrastructure advised Members that the Council had the opportunity to appeal decisions made by the Planning Inspectorate and there could be wide variation in the individual judgements and decisions by the Planning Inspectorate.
- A Member further commented that the public were likely to lay the blame on the Council for the decisions of the Planning Inspectorate. In response, the Chairman advised Members that this was not always correct and that members of the public were aware that the housing was granted by Planning Inspectorate on appeal in the example in Horncastle.
- At the indulgence of the Chairman, Councillor Jill Makinson-Sanders commented that areas along the North Sea Coast and in Holland and Germany had been successful in building on areas that were prone to flooding and queried whether their expertise could be shared with East Lindsey. In response, the Chairman explained to Members that the entirety of the Netherlands coastline was protecting the majority of its economy including its businesses and financial services in the major cities, whereas Lincolnshire did not have that availability of money or economy that required protection and added that Britain's coastline was very long and diverse. In conclusion the Chairman emphasised the importance of working with the Environment Agency and the County Council to protect the coast and identify ways to build safely in flood risk areas.
- Councillor Jill Makinson-Sanders further queried whether the majority of flooding in East Lindsey had been from the rivers rather than from the sea. In response, the Chairman confirmed this was correct and that flooding from rivers was occurring on a more frequent basis.

- A Member queried the commencement date for reviewing Local Plan Policies and whether new policies could be introduced, particularly in relation to caravans and those that were being used in the curtilage of dwellings and also policies to protect the night skies from the negative effects of domestic lighting. In response, the Chairman reminded Members that not everything could be achieved through Planning Policy and that further considerations would be made to ensure that the Council had sound policies.
- A Member expressed disappointment with the lack of progression in housing design and build quality and commented that modern designs fit for the current time period were much needed.
- A Member requested clarification on the opportunity to revise existing strategic policies or for the creation of new ones. In response, the Chairman advised Members that a list of policies that was coming forward for review could be made available to the Committee for consideration without necessitating a full review. The Assistant Director – Planning and Strategic Infrastructure further supported the benefits of refreshing on the way in which policies had been developed without the need for a full review and welcomed the opportunity to obtain Members' views.
- A Member further queried whether the Interim Planning Policy and Research Manager could elaborate on the implications of the Council having a Local Plan that was outdated. In response, the Interim Planning Policy and Research Manager confirmed that the current Local Plan was out of date in the sense that it was 6 years old. The Interim Planning Policy and Research Manager assured Members that the Local Plan was still compliant with the current requirements in the NPPF and that the Council's policies were robust and met present requirements.

The Interim Planning Policy and Research Manager further clarified to Members that the policies were governed by the National Planning Policy Guidance (NPPG) which was criteria set by the government for development management and that the Local Plan was not required to provide more detailed development management policies except where provisions did not meet national requirements.

- At the indulgence of the Chairman, Councillor Jill Makinson-Sanders queried whether policies could be developed to be more ambitious and robust and to encourage improved landscaping and housing design to leave a legacy for the future. In response, the Chairman supported high standards of design and recognised the detrimental effect of increased challenges from highly revised housing targets being imposed by the government.

- Councillor Jill Makinson-Sanders further commented that biodiversity was an important consideration. In response, the Chairman stated his commitment to ensuring that all opportunities were explored to support better and more sustainable places to live.
- A Member commented in support of Councillors undertaking more informal meetings to explore ideas and discuss concerns.
- A Member further expressed concern with the outdated infrastructure in East Lindsey, particularly in relation to water and further commented that the Council should insist in the revised Local Plan that all new developments should have solar panels installed. In response, the Chairman advised Members that the Central Lincolnshire Local Plan had been ambitious in making similar requirements which had not been detrimental to build out rates and that further examination of such an example may assist East Lindsey in making a decision on whether to adopt similar requirements.

The Assistant Director – Strategic Planning and Infrastructure further advised Members that relationships were being strengthened with other organisations including Anglian Water who were actively seeking to improve their relationship with Councils, planning departments and planning committees.

- At the indulgence of the Chairman, Councillor Andrew Leonard queried the amount of land that was being allocated to social housing, whether a ratio was set by the government and what the consequences were for not meeting the government's deadlines. In response, the Assistant Director – Planning and Strategic Infrastructure advised Members that the allocation was dependent on local need for affordable housing and that ELDC was the decision makers on the percentage of land through an evidence-based approach. In relation to the consequences of not meeting deadlines, the Assistant Director – Planning and Strategic Infrastructure advised Members that the backstop measure was the Council's ability to meet the five-year housing supply, and that the ultimate penalty would be the government implementing a Local Plan on the Council's behalf.

N.B Councillor Neil Jones left the Meeting at 7.55pm.

- A Member commented that the Council needed to be more proactive in determining which properties were required to have solar panels. In response, the Chairman advised Members that he was committed to further discussion as a Committee, or as a working group to examine the issues through an evidence-based approach whilst being mindful of the approaching deadlines.
- A Member spoke in further support of ensuring that solar panels were installed on every new build rather than on agricultural land.

- At the indulgence of the Chairman, Councillor Ruchira Yarsley queried whether a working group could consist of non-Committee Members. In response, the Chairman advised Members that discussion was being undertaken with Monitoring Officer on what was Constitutionally permitted.
- At the indulgence of the Chairman, Councillor Jill-Makinson Sanders encouraged that all Members were entitled to attend Meetings and shape the Local Plan but could not vote unless they were Members of the Committee.

The Chairman thanked everyone for their comments.

Following which, it was

RESOLVED:

- That Members noted the current position on the preparation of the draft emerging Local Plan and potential changes to national planning policy.
- That Members agreed that Officers take stock of the current situation and prepare a revised Local Development Scheme (LDS) setting out a programme for preparation of the Local Plan review.

9. DATE OF NEXT MEETING:

The date of the next Meeting was confirmed as Thursday 17 October 2024 commencing at 6.00pm.

The meeting closed at 8.00 pm.