

The public and press are welcome to attend.

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If you would like any further information or have any special requirements in respect of this Meeting, please contact Elaine Speed, Senior Democratic Services Officer on 01507 613423

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Date: Tuesday, 3 September 2024

Dear Councillor,

Planning Policy Committee

You are invited to attend a Meeting of the **Planning Policy Committee** to be held at **the Hub, Mareham Road, Horncastle, Lincolnshire LN9 6PH** on **Thursday, 12th September, 2024** at **6.00 pm**, for the transaction of the business set out in the attached Agenda.

The public and the press may access the meeting via the following link <https://bit.ly/ELDCYT> where a livestream and subsequent recording of the meeting will be available or by attending the Meeting.

Yours sincerely



Robert Barlow
Chief Executive

Conservative

Councillors Tom Ashton (Chairman), Alex Hall, Daniel McNally, Paul Rickett and Terry Taylor

Independent Group

Councillors Terry Aldridge (Vice-Chairman), Travis Hesketh and Daniel Simpson

Labour

Councillors Roger Dawson and David Hall

Skegness Urban District Society (SUDS)

Councillor Mark Dannatt

PLANNING POLICY COMMITTEE AGENDA

Thursday, 12 September 2024

Item	Subject	Page No.
1.	<u>APOLOGIES FOR ABSENCE:</u>	
2.	<u>DISCLOSURE OF INTERESTS (IF ANY):</u>	
3.	<u>MINUTES:</u> To confirm 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	1 - 12
4.	<u>ACTIONS:</u> Actions from the previous Meeting(s).	13 - 14
5.	<u>REVISED NATIONAL PLANNING POLICY FRAMEWORK CONSULTATION (JULY-SEPT 2024):</u> To receive a report.	15 - 20
6.	<u>EAST LINDSEY LOCAL PLAN UPDATE:</u> To receive a report.	21 - 28
7.	<u>DATE OF NEXT MEETING:</u> The programmed date for the next Meeting of this Committee will be Thursday 17 October 2024 at 6.00pm.	

Minutes of a Meeting of the Planning Policy Committee held in the Hub, Mareham Road, Horncastle, Lincolnshire LN9 6PH on Thursday, 14th March, 2024 at 6.00 pm.

PRESENT

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

Councillors Mark Dannatt, Roger Dawson, Daniel McNally and Daniel Simpson.

Councillors Neil Jones and David Hall attended the Meeting as Substitutes.

OFFICERS IN ATTENDANCE:

Andrew Booth	- Development Management Lead Officer
Simon Milson	- Planning Policy and Research Service Manager
Laura Allen	- Democratic Services Officer
Lynda Eastwood	- Democratic Services Officer

40. APOLOGIES FOR ABSENCE:

Apologies were received from Councillors Travis Hesketh, Paul Rickett and Sid Dennis.

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 Alex Hall and Councillor David Hall had been appointed to the Committee in place of Councillor Graham Cullen for this Meeting only.

41. DISCLOSURE OF INTERESTS (IF ANY):

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

42. MINUTES:

The Minutes of the Meeting held on 1st February 2024 were agreed as a correct record.

43. ACTIONS:

The actions were noted as complete or in hand.

Action No. 38 from the Meeting held on 1 February 2024.

The Planning Policy and Research Service Manager informed Members that instructions had been made to Legal Services Lincolnshire to secure legal advice as to the status of emerging evidence relating to settlement scoring and the settlement pattern and a response was expected in due course.

A Member queried if the legal advice expected had any weight on current applications. In response, the Planning Policy and Research Service Manager confirmed this was correct.

No further questions were received.

44. ENERGY INFRASTRUCTURE PROVISION:

The Chairman welcomed Simon Milson, Planning Policy and Research Service Manager and the Development Management Lead, Andrew Booth to provide Members with an update on Energy Infrastructure Provision.

The Planning Policy and Research Service Manager presented Members with a report on Energy Infrastructure Provision which highlighted the policy context and the potential for all wards to be affected, pages 27 to 40 of the Agenda refer.

The key considerations related to the current national and local planning policy context were highlighted as follows:

- Nationally Strategic Infrastructure Projects (NSIP)
- The National Planning Policy Framework (NPPF)
- The East Lindsey Local Plan (2018)
- Strategic Policy 27 – Renewable and Low Carbon Energy (SP27)
- Strategic Policy 28 – Infrastructure and S106 Obligations (SP28)

Members were invited to put their comments and questions forward.

- A Member requested clarification whether the Local Plan required any changes and met with current requirements. In response, the Planning Policy and Research Service Manager advised that it had been agreed at previous meetings to review all policies to varying degrees and the Local Plan was still currently aligned with what the NPPF was trying to achieve in relation to renewable energy.
- Referencing that the NPPF suggested that Local Planning Authorities could identify areas where they would prefer renewable energy to be located, a Member highlighted the issues with renewable energy projects continuing to consume extensive areas of land. It was

further queried if the Council needed to be more prepared to identify areas to constrain future developments.

In response, the Planning Policy and Research Service Manager advised that it was within the Council's remit to review and identify the suitability of areas for power generation through the review of the Local Plan. It was further advised that the Wolds as an Area of Outstanding National Beauty and the areas of flood risk were two constraints that existed in East Lindsey.

- A Member commented that it was important to emphasise that electricity cables were provided underground rather than overhead.
- A Member commented that the issue of flooding was a significant consideration and that a balance was needed between energy security and food security.
- Referencing examples of large-scale renewable energy projects in other areas of the country, the Chairman recognised that large areas of land were being taken out of food production through renewable energy land uses. The Chairman sought assurances on the impacts on the landscape and the protection which policy could provide for the proposals for powerlines installed along the east side of Lincolnshire. It was further queried if there was a view on the long-term potential for other uses of the land following the end of the project's lifespan and whether the land transitioned to brownfield status.

The Planning Policy and Research Service Manager advised that a ministerial statement had stated that the lowest quality of land was preferable for renewable energy in order to preserve the most important agricultural land and that as the majority of land in East Lindsey was higher graded this limited the selection of lower quality land. It was further advised that there were a number of provisions in policies that examined landscape and other impacts and that the NPPF and Local Plan were supportive of renewable energy providing that impacts were properly assessed and mitigated. In terms of solar energy, the Planning Policy and Research Service Manager confirmed that planning permission for solar farms were temporary permissions for 25 years as that was considered an appropriate period for its lifetime and an extension of time was permitted by Section 73 applications.

In relation to brownfield status, the Development Management Lead advised Members that the definition of previously developed land for Brownfield status did not apply to temporary permissions and that renewable energy projects were not usually considered as Brownfield.

- A Member commented that it was not fully understood why power cables were not able to be installed on flood land when they could be installed under the sea.
- A Member appreciated the confirmation that renewable energy projects were initiated under temporary planning permission and expressed an opinion that the Secretary of State largely sidestepped local policies.
- The Chairman advised Members that the Council were consultees for NSIP and that the Viking Link was a good example where the local planning authority was the decision maker, and the Secretary of State reserved the right to call in the application. The Chairman further queried how that application had been brought to the Council.

The Development Management Lead recollected that the Viking Link was an unusual and complex project which had come through a number of different authorities and had implications for both offshore and international water consents.

- A Member considered that flood risk areas were ideal for renewable energy use and queried the feasibility of solar farms in those areas. In response, the Planning Policy and Research Service Manager explained that there was not an essential need to locate them in high flood risk areas due to the sequential test and these areas faced challenges with high depth and high velocity water.
- A Member commented on the outlined proposals for the location of the powerlines and observed there was limitations to where substations were located.
- A Member queried what constituted a temporary structure. In response, the Development Management Lead advised that temporary structures were determined by the permission that had been granted and usually these had a limited lifespan, with the industry accepted standard considered as 25 years.
- In consideration of objections to National Grid Infrastructure, a Member queried if the Council needed to be concerned with underground and undersea power cables and if a case could be put forward should objections be unsuccessful. In response, the Planning Policy and Research Service Manager reminded Members of the remit of the Planning Policy Committee which was to advise on matters relating to the Council's Local Plan and to provide the Council's formal responses in the consideration of planning policy matters only, in line with the Constitution and the Committee's terms of reference. However, the Planning Policy and Research Service Manager advised that individual Members' comments could be collected and forwarded on.

- A Member sought further clarification on the Planning Policy Committee's jurisdiction in relation to the issues raised and queried the involvement of other boards and committees. The Chairman took the opportunity to reaffirm that the purpose of this evening's meeting was to establish the views and comments of Members in relation to the Local Plan Policies and ensure they were noted to be observed in future responses.
- A Member commented that a preference for underground cables should be conveyed as an alternative to undersea cables because of the implications. In response, the Chairman advised that underground cabling was the assumed preference and this was supported by the Planning Policy and Research Service Manager who referred to ELDC Strategic Policy 27 (SP27) – Renewable and Low Carbon Energy which stated that "The presumption will be for connecting cables to be placed underground, or use made of existing or replacement infrastructure (of the same size and scale) along existing routes to carry any additional base load cabling."
- The Chairman commented that he supported a thorough review of the Council's policy on infrastructure and voiced a concern that it may not be reasonable to insist that all cables were deployed undersea. In response, the Development Management Lead advised that offshore infrastructure was not within the remit of the Council and the opportunity to comment on those developments may be provided in the future.
- Members further considered the statements contained in policy SP27 and whether they were effective.
- A Member queried if the long-term goal was to alter and strengthen the Council's planning policy documents on renewable energy provisions. In response, the Planning Policy and Research Service Manager advised that the powerline application was in the very early stages and more clarity was expected in future rounds of consultation.
- In reference to installing energy infrastructure on flood plains, a Member queried how the Council strengthened the infrastructure argument when businesses had already been permitted to build on flood plains. In response, the Planning Policy and Research Service Manager advised that for any development it was dependent on the need for any particular development at any proposed location.
- Noting that NSIP was the deciding body, a Member queried how much weight was given to the visual impact and whether the argument needed strengthening.
- The Chairman further queried how much weight was given to the Area of Outstanding Natural Beauty. In response, the Planning Policy and Research Service Manager advised that the Planning

Inspectorate appointed by the Secretary of State was the deciding body which operated the same framework of National Policies to determine applications.

- A Member commented that previous wind farm applications had been unsuccessful due to visual impact and queried if there was a point where historic evidence would stop being valid. In response, the Planning Policy and Research Service Manager advised that the Council retained the Landscape Character Assessment which was used in historic applications dating back many years and that as the landscape had not changed significantly over time, it was still considered as a primary piece of evidence for assessing landscape impact.
- A Member queried the effects of appeal decisions. The Planning Policy and Research Service Manager advised that appeal decisions could be relevant and was dependent on a number of factors, with multiple appeal decisions carrying greater weight. The Development Management Lead further advised that appeal decisions could be material planning considerations but may become less relevant as time moved on.
- A Member sought clarification if the review process was being completed by the end of 2024. In response, the Planning Policy and Research Service Manager advised that Members needed to rely on the approved and adopted documents at the time of making any responses and no guaranteed timeline was available on when the updated Local Plan was being adopted. The Development Management Lead advised that the process was in the early stages and a formal application was not expected until mid-2027 which provided the opportunity for the Local Plan to be reviewed prior to that date.
- A Member emphasised the uniqueness of East Lindsey's landscape with a considerable amount of land and no precedent for overhead powerlines. It was queried whether there was an opportunity to create separate policies for specific issues such as renewable energy and if the concept of protected views similar to the protection in place for Lincoln Cathedral was an opportunity that could be examined and utilised to mitigate potential issues. The Planning Policy and Research Service Manager advised that the Landscape Character Assessment held great value for assessing future developments and developers were expected to submit their own landscape assessments supported by visualisations to provide viewpoints of the potential impacts. It was further advised that the Local Plan did not rule out development in any specific location and that in policy SP27 a wind energy map had been included as that type of energy had been more prevalent when the Local Plan had been approved. The Planning Policy and Research Service Manager concluded that a separate policy could be drawn up for specific energy provisions such as powerlines, however advised the

undertaking would take up more time and resources and would be better being brought through improved clarity in the existing policies.

- The Chairman considered the impact that the proposed powerlines would have on the view across the Wolds in a planning context and commented that he had not seen written documentation for Lincolnshire that referred to Wolds and the broader setting. In response, the Development Management Lead recalled a local public inquiry in relation to wind farms which had included a specific consideration for the view across the Wolds. It was further advised that this consideration although not the key issue, was based on local and national policies, the Landscape Character Assessment and the Wolds management plan which evidenced that the tools were in place for future considerations. The Planning Policy and Research Service Manager further advised that similar considerations and established planning principles applied to conservation areas.
- A Member reminded the Committee that the Council needed to be mindful that the views and landscape was the reason for attracting visitors and expressed concern that East Lindsey was not directly benefiting from proposals for overhead cables.

The Chairman supported that it was a valid observation and advised that it was a political consideration rather than a planning consideration and that the lifetime cost of overground cables compared to underground cables needed to be determined.

N.B. The Development Management Lead left the Meeting at 7.12pm.

- A Member spoke in support of clause 3 in policy SP27 to presume cables were installed underground. In response, the Planning Policy and Research Service Manager advised Members that the title of the policy as "Renewable and Low Carbon Energy" was usually associated with solar panels and wind turbines rather than overhead powerlines and an assessment was needed on whether any proposals were renewable and low carbon for that to be relevant.
- The Chairman considered if there was a need to strengthen policy SP23 on Landscape and extend the implications to all forms of major infrastructure. A Member further commented that the title of policy SP27 could be expanded upon to reduce flexibility on whether it applied to certain developments. In conclusion, the Planning Policy and Research Service Manager confirmed that policies SP27 and SP28 needed to be examined with considerations for rewording as part of the Local Plan Review.
- The Chairman queried if it was constitutionally possible for a response to the NSIP application and the pre-application

consultation to be ultimately supported by the Planning Committee. In response, the Planning Policy and Research Service Manager advised that to enable this the terms of reference for Planning Policy Committee would need to be examined and further advice would need to be sought on reviewing the Constitution.

- A Member wished to highlight that the proposed development had no impact on sustaining local communities which was against what the Council stated they would support in policy SP28. In response, the Planning Policy and Research Service Manager advised that whilst there might not be obvious and direct benefits, the project was seen as contributing to the Government drive for national energy and national benefit.
- A Member queried whether the Planning Committee was better placed to consider the proposals rather than the Planning Policy Committee. The Chairman confirmed that only one debate was necessary and that the Planning Committee was the primary regulatory Committee.
- The Chairman sought further clarification on the areas that the Planning Policy Committee were able to comment on. In response, the Planning Policy and Research Service Manager advised that the Council's Constitution stated that Planning Policy was "To consider and respond to consultations on matters affecting planning policy matters and interim policy statements received from the following bodies: Central Government, Lincolnshire County Council, other Statutory Agencies and other District Councils."
- A Member commented that the NSIP application was not currently a live application and supported that the Planning Policy Committee was better placed to consider the application when further information came forward.
- A Member further highlighted that the Planning Policy Committee was in a position to advise the Planning Committee on what could be taken into consideration.
- The Planning Policy and Research Service Manager referenced the Constitution and clarified that there was a clear separation between the Planning Policy Committee and Planning Committee and that legal advice needed to be sought should the Planning Policy Committee wish to respond to the application.
- Members further considered and debated the appropriate body within the Council to respond to the consultations and the applications.
- A Member requested that policy SP28 on Infrastructure and S106 Obligations stated that "Infrastructure will be supported provided

they are essential in the local interest” rather than only “national interest”.

- A Member commented on the alternate uses for the ground surrounding Solar Farms which proved impractical.
- A Member commented on the responses made to overhead powerline proposals in other areas of the Country and where it had been agreed for them to be installed underneath the sea.
- In relation to the Constitution, a Member commented that both the Planning and Planning Policy Committee needed to have input on any proposed amendments to the Council’s Constitution. In response, the Planning Policy and Research Service Manager advised that pages 37 and 38 of the Constitution could be examined to determine if the statements were fit for purpose.
- A Member stated that it was important for the Council to be kept informed of any infrastructure proposals.

The Chairman advised the Committee that no formal recommendation was to be made at today’s meeting and the following summary of points were noted:

- That the Committee supported that policies SP23, SP27, SP28 and associated policies were reviewed and be presented to the Planning Policy Committee for consideration.
- That more robust wording should be used in reference to a preference for underground cabling.
- That the Council would respond to all pre-application consultations and NSIP applications with Members being given the opportunity to comment and to endorse the Council’s response through the Planning Committee.
- That changes to the Constitution are considered to facilitate this and that all relevant matters were presented to the Planning Policy Committee before being presented to Council.

Upon being put to the vote, the motion was carried.

Vote: 7 In favour 0 Against 1 Abstention

Following which, it was

RESOLVED:

That the Energy Infrastructure Provision report be noted.

45. DATE OF NEXT MEETING:

The date of the next Meeting was confirmed as Thursday 25 April 2024 commencing at 6.00pm.

The meeting closed at 7.54 pm.

Minutes of a Meeting of the Planning Policy Committee held in the Hub, Mareham Road, Horncastle LN9 6PH on Wednesday, 22 May 2024 at the rising of the Annual General Council Meeting.

PRESENT

Councillor Edward Mossop (Chairman of the Council in the Chair)

ELECTED MEMBERS OF THE COMMITTEE PRESENT:

Councillors Tom Ashton, Daniel McNally, Alex Hall, Terry Taylor, Terry Aldridge, Travis Hesketh, Daniel Simpson, David Hall, Roger Dawson and Mark Dannatt.

Apologies were received from Councillor Paul Rickett

1. ELECTION OF CHAIRMAN:

It was noted that in accordance with Council Procedure Rule 38.6 (b) that the Portfolio Holder for Planning, Councillor Tom Ashton was appointed Chairman of Planning Policy Committee for the Council year 2024/25.

2. ELECTION OF VICE-CHAIRMAN:

It was proposed and seconded that Councillor Terry Aldridge be elected Vice-Chairman.

Upon being put to the vote, it was

RESOLVED:

That Councillor Terry Aldridge be elected Vice-Chairman of the Planning Policy Committee for the Council year 2024/25.

The meeting closed at 8.55pm.

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ACTIONS FROM THE PLANNING POLICY COMMITTEE MEETING
HELD ON THURSDAY 14 MARCH 2024

MIN NO:	ITEM:	ACTIONED BY:
44.	ENERGY INFRASTRUCTURE PROVISION:	
*	Advice to be obtained on strengthening the role of the Planning and Planning Policy Committees by amending the Terms of Reference in the Constitution to enable greater involvement with NSIP applications including pre-application consultations. April 2024: This will be taken up separately with Corporate Services as part of the wider work to review the Constitution. COMPLETE	<i>SIMON MILSON</i>

ACTIONS FROM THE PLANNING POLICY COMMITTEE MEETING
HELD ON THURSDAY 01 FEBRUARY 2024

MIN NO:	ITEM:	ACTIONED BY:
31.	AUTHORITY MONITORING REPORT 2022-23	
*	(a) With reference to Table 15 'Industrial Estate and Business Park vacancy rates (surveyed Q2 - 2023)', page 27 of the Agenda refers. A query was raised on the significant difference in the total and vacant figures for Louth between 2019 and 2020 and also those for North Somercotes. The Planning Policy and Research Service Manager to provide some clarification on the figures for the next meeting. April 2024: This is in hand and an update will be given at a future Policy Committee meeting.	<i>SIMON MILSON</i>

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Report To:	Planning Policy Committee
Date:	12 th September 2024
Subject:	Revised National Planning Policy Framework Consultation (July-Sept 2024)
Purpose:	To brief Members on the proposals in the consultation
Key Decision:	N/A
Portfolio Holder:	Councillor Tom Ashton
Report Author:	Phil Norman – Assistant Director for Planning
Ward(s) Affected:	All
Exempt Report:	No

Summary

This report gives a summary of the proposed changes in the published consultation on the revised National Planning Policy Framework (NPPF, 2024).

Recommendations

That the contents of the report be noted.

Reasons for Recommendations

This report is intended to provide an update to Members only.

Other Options Considered

N/A

1. Background

- 1.1 The new Government, in its Election Manifesto, promised to review the planning system. A consultation on proposed changes to the National Planning Policy Framework (NPPF) was launched on 30th July 2024. The full consultation and proposed new NPPF can be found here: [Proposed reforms to the National Planning Policy Framework and other changes to the planning system - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system)
- 1.2 The consultation covers a wide range of issues and seeks views on over 100 questions. A common theme throughout the proposals is the reversing of several alterations made by the previous Government in the last revision (Dec 2023). This note does not seek to detail all the changes, instead highlighting the key proposals.
- 1.3 Officers are preparing responses on behalf of the three authorities and will agree these with the relevant Portfolio Holders to ensure that a timely response is made ahead of the deadline later in September. It is important to note that this is only a consultation at the present time. It is not finalised policy/guidance and is subject to change. Due to no identified green belt land in Lincolnshire, widely reported changes in this regard are not relevant. Their key messages are outlined as follows.

1.4 Housing Supply and Targets

- Housing targets are no longer 'advisory'.
- Removal of the 5-Year Land Supply (5YLS) exemption for Councils who have an adopted plan that is less than 5 years old.
- The 5% and 20% buffers to be applied to five-year housing land supply assessments that had been abolished are now reinstated.
- The use of suitable brownfield land within settlements for housing to be regarded as acceptable in principle.
- Potential new housing targets have been outlined using a new method for calculating housing need. The primary change is the use of a percentage increase of current housing stock levels as a baseline rather than household projections data.

1.5 Affordable Housing

- New requirement for planning policies to identify a minimum proportion of social rent homes to be met through new development.
- Removal of the minimum 10% affordable home ownership (e.g. First Homes) product requirement. Instead, the tenure mix is to be led by identified local needs.

1.6 Design

- Reversion to more technical language, such as 'high quality design' rather than the subjective term 'beautiful'. Removal of references to authority-wide design codes.

1.7 Economic Development

- Support for key growth industries e.g. development of laboratories, gigafactories, digital infrastructure (including datacentres) and facilities associated freight and logistics.

1.8 Climate Change

- Significant weight in the decision-making process to be given to the benefits associated with renewable and low carbon energy generation, and the contribution of proposals to meeting a net zero future. Further amendments set a stronger expectation that Local Planning Authorities proactively identify sites for renewable and low carbon development when producing plans, where it is likely that in allocating a site, it would help secure development.
- In response to significant advancement in technology and concerns that the current Nationally Strategic Infrastructure Projects (NSIP) regime for solar and on-shore wind projects is causing market distortion, it is proposed to set (increase) the threshold at which projects are determined as Nationally Significant to 100MW for on-shore wind projects and 150MW for solar projects.

1.9 Agricultural Land

- The December '23 strengthening of the need to take availability of agricultural land used for food production into account in decision making is removed.

1.10 Return of Strategic Planning

- The potential return of strategic planning is signalled, outlining the effectiveness of strategic planning across local planning authority boundaries in delivering sustainable growth and addressing key spatial issues.

1.11 The Future of Plan Making and Transitional Arrangements

- As usual there are a series of transitional arrangements for local plan-making. This is relatively complex.
- The previous government's Levelling Up agenda signalled changes to the plan-making system. Secondary legislation and regulations were expected in late 2024. Common thinking was that the deadline for any 'old style' Local Plans to be submitted for examination would be Summer 2025.
- The new proposals highlight that Local Plans that have not reached Submission stage (Regulation 19) by the time the new NPPF is adopted would be required to take full account of its policies, in addition to the updated Local Housing Need figures.
- It is currently intended to implement the new plan-making system as set out in the Levelling-Up and Regeneration Act from Summer or Autumn 2025. It is anticipated that all current system plans that are not subject to the transitional arrangements will need to be submitted for examination under the existing 2004 Act system no later than December 2026. Further details of the Government's intentions around plan-making reform will be published in due course.

2. Key Impacts for South and East Lincolnshire Council Partnerships

2.1 The proposals, if realised, that will have the greatest impact are as follows.

2.2 Impacts from changes to the standard methodology for calculating annual housing requirements are outlined in the following table.

Area	Current Local Plan Target	Current Method	Proposed Method	Percentage Change
East Midlands Region	N/A	20,793	27,382	31.7
Boston	310	250	379	51.6
East Lindsey	558	437	1,091	149.7
South Holland	467	427	573	34.2

2.3 The proposed changes to the standard methodology mean more challenging housing targets would need to be planned for. In a worst-case scenario the Councils would no longer be able to demonstrate a 5-year supply of deliverable housing sites and the presumption in favour of sustainable development (the 'tilted balance') would apply pending the adoption of new local plans.

2.4 The current position on both Local Plans is that preparation is not at Regulation 19 stage and are highly unlikely to be so when the revised NPPF is published. In view of this, the only realistic option is to prepare revised local plans in accordance with the new NPPF. It currently remains unclear what the final guidance and legislation that guides this will be. However, as it stands, there is a need to make progress on both plans with a view to the current quoted date for submission by December 2026. This will clearly necessitate further conversations in relation to resourcing and next steps.

2.5 The strengthening of the policy presumption in favour of renewable energy schemes and the weakening of the stance on protecting land for food production have the obvious potential impacts in terms of the ability to safeguard best and most versatile agricultural land and resist renewable energy proposals.

3. Conclusion

3.1 The proposed changes to the NPPF are wide ranging with potentially significant impacts in relation to housing targets, local plan production and the protection of high-quality agricultural land. However, it should be noted that this remains a consultation at the present time. Officers, in conjunction with the Portfolio Holders, will respond to the consultation fully in due course.

Implications

South and East Lincolnshire Councils Partnership

None specifically from this report. However, any revised NPPF will impact all Councils.

Corporate Priorities

None

Staffing

None

Workforce Capacity Implications

None

Constitutional and Legal Implications

None

Data Protection

None

Financial

None

Risk Management

None

Stakeholder / Consultation / Timescales

No consultation undertaken

Reputation

None

Contracts

None

Crime and Disorder

None

Equality and Diversity / Human Rights / Safeguarding

None

Health and Wellbeing

None

Climate Change and Environmental Implications

None

Acronyms

In report

Appendices

None

Background Papers

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.'

Chronological History of this Report

None

Report Approval

Report author:	Phil Norman, AD Planning – pnorman@sholland.gov.uk
Signed off by:	Pranali Parikh – Director of Economic Development
Approved for publication:	Cllr Tom Ashton



Report To:	Planning Policy Committee
Date:	12 th September 2024
Subject:	East Lindsey Local Plan Update
Purpose:	To advise Members on the current progress with the Local Plan review and consider next steps
Key Decision:	N/A
Portfolio Holder:	Councillor Tom Ashton
Report Of:	Phil Norman - Assistant Director for Planning
Report Author:	Ismail Mohammed – Interim Planning Policy and Research Manager
Ward(s) Affected:	All
Exempt Report:	No

Summary

This report outlines the current situation regarding preparation of the East Lindsey Local Plan (ELLP) review.

The preparation of the revised Plan has been considerably delayed and at present it is unlikely that the Draft Local Plan can be progressed to 'Regulation 19' Pre-Submission consultation by the end of this year.

One of main reasons for the delay has been the on-going work on one of the key supporting documents, the Strategic Flood Risk Assessment (SFRA). The modelling working for the assessment of flood risk in the district has been on-going for the past eighteen months. The Phase 1 report is expected to be completed by mid-September. This will enable assessment of potential sites submitted for consideration by the Council for future housing allocation.

Furthermore, the recent consultation by the government of the proposed changes to the National Planning Policy Framework (NPPF) will also have an impact on the future progress of the emerging Local Plan. The proposed new standard methodology for housing need assessment increases the future housing target by nearly 150%. As published it will also introduce transitional arrangements for plan-preparation. A further report on the revised NPPF is included on this agenda.

Recommendations

That Members note the current position on the preparation of the draft emerging Local Plan and potential changes to national planning policy.

That Members agree 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.

Reasons for Recommendations

Plan preparation needs to be progressed to ensure that the Council has an up-to-date Local Plan.

Other Options Considered

The new Government has clearly signalled the importance of up-to-date Local Plans. In this context it is not considered that there are any other reasonable options. There are unknowns and uncertainties regarding the Government's final position on housing numbers and transitional arrangements for plan-making. However, it is not considered reasonable to cease progressing work on the plan pending these formal positions being known.

1. Background

- 1.1 This report provides an update on the current position of the East Lindsey Local Plan review. It also considers the future direction and work programme for progressing the review in the context of the revised National Planning Policy Framework recently published by the Government for consultation.
- 1.2 Since the 'Regulation 18' Consultation on Issues and Options in early 2021, work has been on-going on plan-preparation. The initial programme for the preparation of the Local Plan review was that the 'Draft Local Plan' would be submitted to the Secretary of State by Autumn 2022. Since commissioning the work on the SFRA, this was further revised for submission by December 2024.
- 1.3 Over the past two years the Committee has received and discussed several reports on various local plan topic areas. It has given a steer on the future priorities and direction of growth for the development of the district.
- 1.4 With the delay in preparation, the Local Development Scheme (LDS) is now out of date. This needs to be revised, approved and published.

2 Report

East Lindsey Local Plan 2018 (ELLP)

- 2.1 The current Local Plan was adopted in March 2018 covering the period 2016-2031, with several additional supporting documents. The Local Plan made no housing allocation in the coastal areas of the district. The total housing allocation of 7,480 homes required over the plan period was allocated in-land within town and villages outside of the coastal flood zone.
- 2.2 Notwithstanding this, some housing development is still being delivered in the settlements within the coastal zone. These housing developments are on those sites that were allocated in previous local plans and/or sites identified to deliver affordable housing.
- 2.3 The Planning Inspectors Report into the Examination in Public (EiP) of the Local Plan recommended that partial review of the plan should commence within two years from the date of adoption. The partial review would consider the issue of growth in the coastal towns.

Progress of the East Lindsey Local Plan Review

- 2.4 In compliance with the Planning Inspectors recommendation the review of the Local Plan commenced in 2020. However, rather than a partial review, the Council embarked on a full review. The Plan is at an early stage of preparation following 'Regulation 18', Issues and Options Consultation in Spring 2021.
- 2.5 This consultation included a call for sites. Whilst only 61 representations were received, 69.6% of the respondents supported the continued coastal split, with the remainder supporting its removal. There were over 450 site submissions for housing. The sites submitted have been initially assessed. However, no decision has yet been made on allocations pending completion of the SFRA. In total there are over 850 housing sites within the Strategic Housing Land Allocation Assessment Register (SHLAA).
- 2.6 In preparing the review several new studies have been commissioned. The main documents include the Strategic Flood Risk Assessment (SFRA), Strategic Housing Market Assessment (SHMA), Open Space and Recreation Study and Retail Study. The position on each is outlined as follows.

Strategic Flood Risk Assessment

- 2.7 The Strategic Flood Risk Assessment is a key part of the evidence base for the Local Plan. It collates information on all known sources of flooding that may affect existing or future development within plan area. The document informs the assessment of land that is suitable for allocation for the delivery of future housing.
- 2.8 The SFRA is not yet completed as modelling work is still being carried out by the consultants to be reviewed by the Environment Agency. It is expected that the Stage 1 report will be available in late September. This will enable officers to assess sites against the potential for flooding and make recommendations for future site allocations. Since the previous SFRA, the situation regarding coastal and fluvial

flooding in the district has likely worsened. Following the assessment of the sites a Phase 2 SFRA will be prepared, to assess the potential impact of the future developments in respect of flooding. This is a key outstanding area of work that is required to take the plan review forward.

Strategic Housing Market Assessment (SHMA)

- 2.9 The current Local Plan has a target of 558 dwellings per annum.
- 2.10 To inform the plan review the Strategic Housing Market Assessment has identified a need for around 8,460 homes for the plan period that equates around to around 453 per annum. This is almost 100 homes less than the current requirements of the adopted Local Plan. The revised NPPF (December 2023) standard methodology reduced the housing need further to 437 dwelling per annum.
- 2.11 However, the new Government has issued proposed changes to the December 2023 NPPF for consultation (July 2024). The new standard methodology for housing need proposed results in a target of 1,091 dwellings per annum. This is a 150% increase on the December 2023 NPPF figure.
- 2.12 This is a consultation document at the present time. When the NPPF is finalised in early 2025 there may be reassessment of these figure. Across the country, there are strong reservations from many councils that have seen considerable increase in their housing target.

Open Space and Recreation Study

- 2.13 The Open Space and Recreation Study is being prepared by consultants. It will set out future provision for district. The draft document is being reviewed by officers. It is anticipated that this study can be finalised by October.

Retail Study 2021

- 2.14 There is currently an updated retail study for the district providing the evidence base for the assessment of planning applications for retail uses and to help the Council consider future strategies to support vital and viable town centres through the local plan process.

Local Development Scheme (LDS)

- 2.15 The Local Development Scheme is a project management document setting out the programme for preparing Local Development Documents. Unfortunately, due to the time taken to progress the review, the adopted LDS is out of date and needs to be revised. It is hoped that a revised LDS can prepared over the coming months and reported to the Planning Policy Committee for approval. For the preparation of the Local Plan review, it is important that the adopted LDS is up to date. Any new LDS will need to consider resource.

The Future of Plan Making and Transitional Arrangements

- 2.16 As outlined in the separate paper on the proposed NPPF the following is of note re: timescales for local plan transitional arrangements:

- As usual there are a series of transitional arrangements for local plan-making. This is relatively complex.
- The previous government's Levelling Up agenda signalled changes to the plan-making system. Secondary legislation and regulations were expected in late 2024. Common thinking was that the deadline for any 'old style' Local Plans to be submitted for examination would be Summer 2025.
- The new proposals highlight that Local Plans that have not reached Submission stage (Regulation 19) by the time the new NPPF is adopted would be required to take full account of its policies, in addition to the updated Local Housing Need figures.
- It is currently intended to implement the new plan-making system as set out in the Levelling-Up and Regeneration Act from Summer or Autumn 2025. It is anticipated that all current system plans that are not subject to the transitional arrangements will need to be submitted for examination under the existing 2004 Act system no later than December 2026. Further details of the Government's intentions around plan-making reform will be published in due course.

2.17 It is evident that there are several unknowns pending the final publishing of a new NPPF and a clear steer on transitional arrangements. The only reasonable option in this context is to continue work on plan preparation, working on a 'worst-case' scenario. As matters become clearer officers will brief members accordingly.

3 Conclusion

3.1 There has been delay in the preparation of the Local Plan review. This has been, in part, due to the time taken to progress the SFRA.

3.2 Concurrently, the Government's consultation on the revised NPPF is proposing a considerable increase in the housing need for the district. It also outlines potential transitional arrangements for plan-making under the current legislation. However, these are yet to be formalised.

3.3 It is important that Members and Officers take stock. However, it is also important that work continues on plan preparation. To that end Officers will prepare a revised Local Development Scheme (LDS) setting out a programme for preparation of the Local Plan review and report back in due course

Implications

South and East Lincolnshire Councils Partnership

There are no direct implication arising from this report to the Partnership.

Corporate Priorities

None

Staffing

Resources will need to be reviewed to ensure that local plan can be progressed in a timely fashion.

Workforce Capacity Implications

Resources will need to be reviewed to ensure that local plan can be progressed in a timely fashion.

Constitutional and Legal Implications

None

Data Protection

None

Financial

Resources will need to be reviewed to ensure that local plan can be progressed in a timely fashion.

Risk Management

No direct implications.

Stakeholder / Consultation / Timescales

None

Reputation

No direct implications.

Contracts

None

Crime and Disorder

None

Equality and Diversity / Human Rights / Safeguarding

None

Health and Wellbeing

None

Climate Change and Environmental Implications

No direct implications.

Acronyms

In report

Appendices

None

Background Papers

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.'

Chronological History of this Report

None

Report Approval

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