

Minutes of a Meeting of the Planning Policy Committee held in the Hub, Mareham Road, Horncastle, Lincolnshire LN9 6PH on Thursday, 16th February, 2023 at 6.00 pm.

PRESENT

Councillor Tom Ashton (Chairman)

Councillors Mark Dannatt, Helen Matthews, Carleen Dickinson, Will Grover, Steve McMillan, Daniel McNally and Phyll Smith.

Councillor Chris Green attended the Meeting as a Substitute.

OFFICERS IN ATTENDANCE:

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| Mike Gildersleeves | - Assistant Director, Planning and Strategic Infrastructure |
| Kay Turton | - Senior Planning Officer, Planning Policy |
| Susan Care | - Democratic Services Officer |
| Elaine Speed | - Senior Democratic Services Officer and Civic Officer |

25. APOLOGIES FOR ABSENCE:

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 Chris Green had been appointed to the Committee in place of Councillor Tom Kemp for this meeting.

26. DISCLOSURE OF INTERESTS (IF ANY):

27. MINUTES:

The Minutes of the Meeting held on 10 November 2022 were agreed as a correct record.

28. ACTIONS:

The actions were noted as complete or in hand.

With regard to the Gypsy and Travellers Needs Assessment, the Assistant Director for Planning and Strategic Infrastructure advised that there would now only be minor adjustments to the paper, relating in part to appeal cases and court judgements. The Research and Planning Policy Manager would confirm directly to Committee when completed.

29. EAST LINDSEY LOCAL PLAN SETTLEMENT PATTERN:

The Chairman updated Members on the background to the Report, the workshops undertaken, the methodology behind the scoring and the need

to get a better understanding of the detail as to what made settlements sustainable in the 21st century.

The Senior Policy Officer, Planning highlighted the detail within the report, including the findings of the workshop held in November 2021, the 2022 Report from that workshop and discussion on employment scoring in the different parishes as there was currently no available data on large employers and how this information could be extracted from alternative information. At the workshop there were a number of suggestions made, however no conclusion was reached as of the last meeting, therefore officers would further consider how this could be progressed. One suggestion made at the workshop was regarding non-domestic rates, and to increase the figure used from £1,000 to £10,000, capturing more employment patterns. The Senior Policy Officer noted that using non-domestic rates was the most reliable source of data, despite some employers slipping under this threshold, for example schools, as this data was already captured elsewhere. It was concluded that this data would be the best option to capture the range and type of employment.

The history of previous data sources was noted, and that the Strategic Road Network data was now no longer available, hence the subsequent move to use the county's gritting routes. However, it was highlighted that the recent significant increase in gritted routes, to include more rural districts had meant that this data no longer gave any relevant value as there were very few communities excluded from the gritting map. Therefore, the officers suggested that this data was no longer useful as it did not serve its original purpose.

The Senior Policy Officer noted that regarding the changes made following the workshop and further consideration, it was necessary to look at where the threshold was set within the points scoring system. Members were referred to Paragraph 2.11 the outcome would be in terms of sizes of villages and any changes to this. It was considered that there would be fewer medium villages compared to those currently in the Local Plan, therefore the policy relating to small and medium villages would not be the same moving forward and this needed to be considered when deciding which settlements were to be placed in which category.

The Chairman observed that whichever methodology was used not everybody would agree and that it was important to remember that it was the scoring under consideration, not the thresholds.

In relation to Table 2.11, a Member asked where the other 14 villages would be placed. Members were advised that depending on changes on the ground and the way points were calculated, the villages referred to have transferred either up or down into different categories.

A Member asked if the Strategic Road Network/gritting route data would be replaced with anything else, in response Members were advised that it would not be used as a metric, given the changes outlined within the Report. The Assistant Director, Planning and Strategic Infrastructure

noted the difficulty of setting up something that was empirical and evidence-based to create a clear scoring system. Members were advised that nothing was yet set in stone, however, this provided something to consult on, where changes could be made to scoring based on that consultation. This would ultimately be assessed by an examiner and it was considered that what had been produced so far was the best achieved without the road network being used at this stage.

The Chairman reiterated that this piece of work was to look at what should be scored, not setting where the thresholds were between small and medium villages. However, it was acknowledged that there may be implications for where thresholds were set if the gritting network data was not used. It was considered at the completion of this exercise, the Committee needed to look at where the cut offs were set, and Members needed to see what this looked like on the ground, whilst balancing objectivity with their experiences in the district.

A Member noted that some villages may want to be seen as one settlement rather than two and asked for clarification from officers that the business rates figure of £10,000 was the amount paid, and not the rateable value.

The Assistant Director, Planning and Strategic Infrastructure responded that there would be the opportunity for feedback to be considered and nothing on this was fixed until after the examination process which was independently tested by the Planning Inspectorate. He reiterated that in relation to the 'health risk' referred in the document, it was highlighted that this was a snapshot in time and the Council had the processes in place to make changes before the Plan was due to be examined.

The Chairman noted that the medium settlements were going to be the more sustainable settlements and commented that it could be difficult to discern the differences between medium and small villages, therefore it was important to look at improvements to the quality of the evidence. The Chairman also thanked all those Members involved in the Working Group.

Following which it was,

RESOLVED:

That the changes to the policy proposed were supported by Planning Policy Committee.

30. DRAFT REPLY TO THE NPPF CONSULTATION 2023:

The Assistant Director, Planning and Strategic Infrastructure updated Members on the background to the government issuing an updated draft to the policy in December 2022. This update was due to Parliamentary back bench concern with regards to development on green field sites and the emphasis on the concept of 'beauty' and strengthening design

policies; other issues included changes to affordable properties, improvements to biodiversity, developer reputation, windfarms and the need for community consultation and support. The Assistant Director, Planning and Strategic Infrastructure explained that officers across the Partnership had looked at this regarding what it meant in real terms and largely there was officer agreement with the proposed changes. The result of this was the draft response, pages 19–34, following which Members were requested to put forward any further points they wished to make.

Members put their comments and questions forward.

- The Chairman noted the changes to the planning system over the last 15 years and concerns with regards to the subjectivity of 'beauty' and how this would be defined in real terms and suggested the need for the insistence for more spacious developments. He expressed concern about the concept of reputation being incorporated into the process, as this wouldn't necessarily eradicate the developers who may have more unscrupulous ways of working.
- A Member also noted the transient nature of 'beauty' and considered that it was more important to look for quality. Regarding disreputable builders/developers, he highlighted the importance of local information, including local Members attendance at Planning meetings and considered that this should be addressed in conjunction with Enforcement policies. Whilst acknowledging the points made, the Chairman pointed out that this may go against the principle that every planning application 'should be considered on its own merit'.
- The Assistant Director, Planning and Strategic Infrastructure emphasised the need to always adhere to planning law and due process, and to be aware of creating something too unwieldy to manage. He noted that the government may be trying to solve a perceived problem and as a result of this was inadvertently creating something that was unwieldy and difficult to manage.
- There was a question from a Member regarding social housing, and whether a parish council could potentially become a registered housing provider. The Assistant Director, Planning and Strategic Infrastructure acknowledged the difficulty on becoming a registered social landlord and the limited number of registered providers in East Lindsey and confirmed that the NPPF was moving towards widening the number of bodies who could register as social housing providers.
- A Member queried whether any comments had been received regarding housing allocations that dated back to 1960s. The Assistant Director, Planning and Strategic Infrastructure explained that regarding how these were accounted for, the government was moving towards a 'use it or lose it' position on some sites to remove

uncertainty for communities and councils as it impacted urban areas in particular.

- A Member noted some issues relating to Item 52 - 'Are there any other issues which apply to all or most of England that you think should be considered as possible options for National Development Management Policies' (page 31): and whether there was an opportunity to insist that all developments needed a certain number of houses with solar panels. The Assistant Director, Planning and Strategic Infrastructure responded that this was a very valid point, but more of an issue for Building Control and Regulations. However, it was agreed that there should be a national consideration, and this could be included in the consultation response. The Chairman agreed that solar panels should be accommodated, following which a discussion ensued among Members as to how solar energy could benefit the wider community to encourage local residents to accept new developments.
- A Member, referring to Item 30 from the report, 'Do you agree in principle that an applicant's past behaviour should be taken into account in decision making' (page 26), noted that the issue of the quality of the internal build being of equal importance to the external build, considered that this was frequently overlooked.
- In relation to Item 26, 'Should the definition of 'affordable housing to rent' in the Framework glossary be amended to make it easier for organisations that are not 'Registered Providers ... to develop affordable new homes?' (page 25), there was some discussion about the definition of 'affordable' and that this should be defined in terms of local and not national wages or market rate. The Chairman highlighted how MPs were discouraged from taking a position on local decisions.
- There was further discussion around Item 52 'Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?' There was some discussion among Members as to what was appropriate nationally, and what was more suitable for consideration at a local level. One Member highlighted the issue of solar panels, considering that the threshold should be mandatory on new building developments, and what the threshold should be before this was included. The Assistant Director, Planning and Strategic Infrastructure reflected that anything added into the NPPF would mean a simplification of the Local Plan. He also noted that in terms of solar panels, that this was also something for Building Control to decide. A Member queried whether these could be amended, following which he was advised that this was open to debate. The Chairman highlighted that many Members, including himself, did not agree with some of the responses to Point 52, as many of these issues were already addressed by the Council's current policies, and that in relation to this point, considered that

the current balance was correct. The Chairman further highlighted the importance of rural developments being included in any sustainable transport policies.

- The importance of National Plans to support sustainable transport programmes, through a national framework, was emphasised by a Member who considered that this process could be a means to influence national policy. It was further noted that enforcement was underfunded. There was also some discussion on what was classified as 'sustainable transport'. The Assistant Director, Planning and Strategic Infrastructure acknowledged that Point 52 could be revised in response to feedback prior to the final response being submitted.
- There was further discussion on the practicalities of a register for 'good' and 'bad' building companies and whether it was open to exploitation as well as the likelihood of it being underfunded, and consequently unable to carry out its role effectively. It was also noted that precise definitions of 'good' and 'bad' may be difficult to pin down, and a Member highlighted the importance of the internal build quality. Concern was expressed that smaller, local builders would be more negatively impacted by any proposed scheme, for example, with administrative costs. A Member asked whether this was an opportunity to strengthen Section 106 agreements. The Assistant Director, Planning and Strategic Infrastructure agreed that it could, but advised Members that it would also likely be the subject of a separate consultation, however agreed that it would add to Point 52. Another Member emphasised that the issues relating to poor build quality were more likely to be linked to larger, national builders than local firms and the current underfunding of enforcement teams to mitigate. There was disagreement from one Member on whether a list for either large and/or smaller builders would be ineffective, following which a discussion ensued with regards to how a list would be managed and administered.
- There was further discussion amongst Members with regards to the outcome of the Carbon Reduction Plan and Housing Scrutiny Panel. A Member noted that the need for a political leaver was repeatedly mentioned in scrutiny panel meetings and the need to press for community heating and shared power systems as smaller communities may be happier to have developments if there were shared benefits. The Chairman noted the poor public transport system and his reservations about the placement of solar panels.
- The Chairman summarised the suggested amendments to the report following feedback from Members. The Assistant Director, Planning and Strategic Infrastructure advised Members that he would work with the Planning Policy Team to provide examples from the feedback received regarding Points 30, 31, and 52.

No further comments or questions were received.

Following which, it was

RESOLVED:

That the contents of the Draft Reply to the National Planning Policy Framework Consultation 2023 be noted.

31. DATE OF NEXT MEETING:

The date of the next Meeting was confirmed as Thursday 23 March 2023, commencing at 6.00pm.

The meeting closed at 7.20 pm.