



REPORT TO:	Planning Policy Committee
DATE:	14 th September 2023
SUBJECT:	Housing distribution
PURPOSE:	To present to Members a number of housing topic areas that need decisions to provide direction for the Local Plan review
KEY DECISION:	N/A
PORTFOLIO HOLDER:	Councillor Tom Ashton
REPORT AUTHOR:	Simon Milson
WARD(S) AFFECTED:	All – the Local Plan covers the whole District
EXEMPT REPORT?	<i>No</i>

SUMMARY

The following report considers a number of topics that relate directly to how the Local Plan manages the distribution of market housing across the District. It is critical that Officers understand the direction that Members feel the review should take in relation to these areas to allow them to revise the Local Plan accordingly.

The topics have already been discussed at previous Committee Meetings with previous papers and minutes giving background. Each area is summarised with the viable options presented and a recommended option based on technical feasibility, appropriateness, and how closely it aligns with Member's discussions in previous meetings.

The decisions taken will not be binding upon the Council, but are important in the process of development of the draft Local Plan which will then be put out to formal consultation (Reg 19) and subsequent examination by an Inspector. As such, they are important to provide the direction of the plan in so far as it relates to housing provision in particular.

RECOMMENDATIONS

The report contains a number options and recommended choices. These are all set out below and in the conclusions for Members' consideration.

REASONS FOR RECOMMENDATIONS

The recommended choices provide an appropriate strategy for managing housing delivery across the District, whilst maintaining clarity in the Local Plan Policies.

OTHER OPTIONS CONSIDERED

Members could choose other options as set out in the report below. The options chosen would determine how the Local Plan is written and could impact on factors such as the robustness, clarity and effectiveness of the policies. Members could also choose the no-change option, meaning the policy areas discussed would remain the same as they are in the current Local Plan with no changes.

1. BACKGROUND

- 1.1 The National Planning Policy Framework (2021) in paragraphs 22-23 requires Local Planning Authorities to produce strategic policies that look ahead over a minimum period of 15 years. It also sets out that "Broad locations for development" should be set out along with land use designations and allocations.
- 1.2 Members of Policy Committee are reminded that the majority of the topics below have already been discussed at previous Planning Policy Committee Meetings on November 2021 and February 2022. These papers looked primarily at the settlement scoring system and the results from the workshop where Member altered the system. However, the discussions at the meetings also led on to other housing topic areas including replacement dwellings and conversions into dwellings. It is recommended that the papers associated with those meetings and the minuted discussions are read so that the background and context to this report is understood¹.
- 1.3 The report addresses some key decision points that require a direction to be chosen in order to progress the review of the Local Plan. Three of these decision points relate directly to the provision of housing, with a further key topic that also needs addressing being whether the Local Plan should continue to define a Coastal Zone.

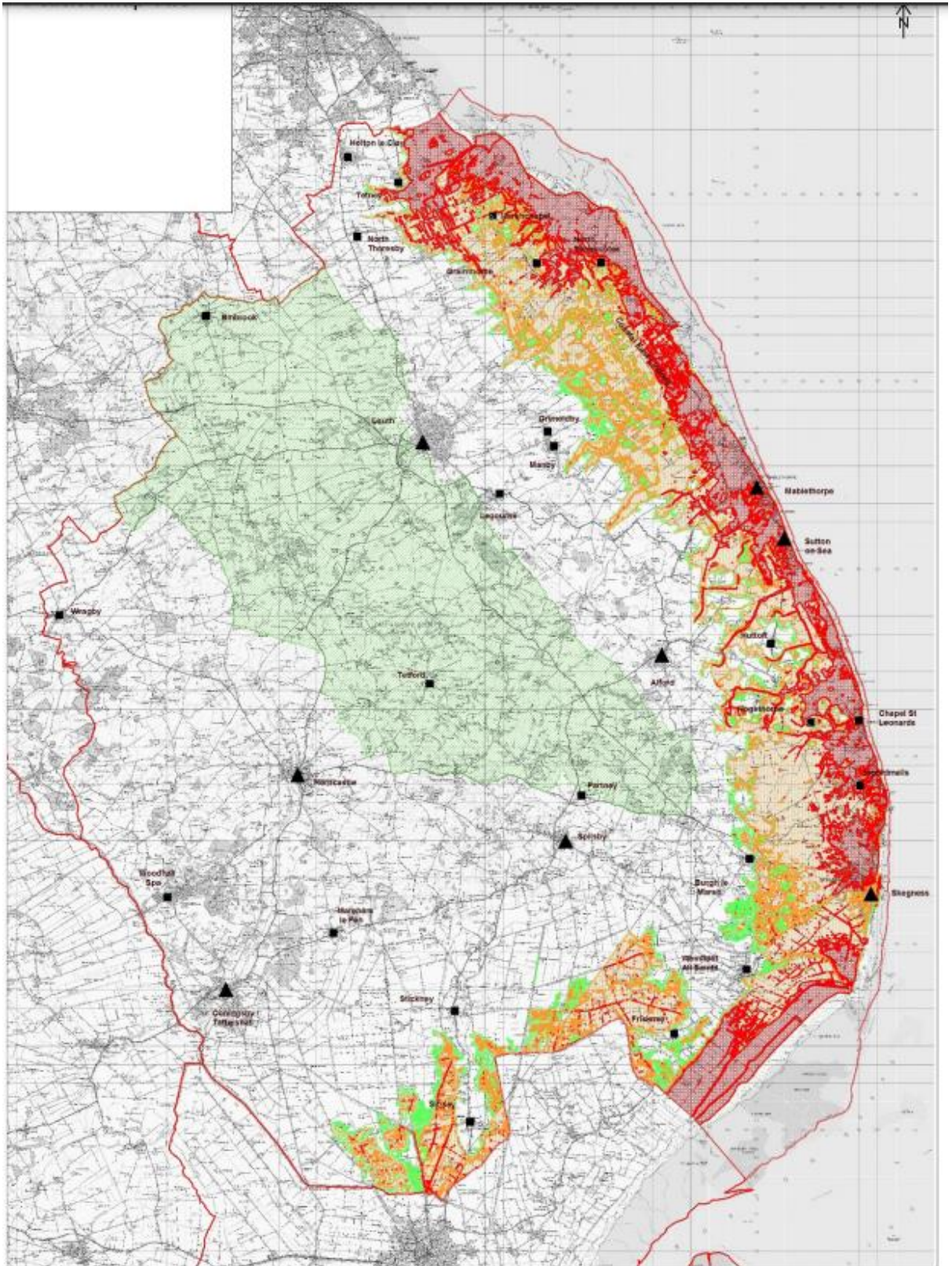
2. Coastal Zone

¹ <https://democracy.e-lindsey.gov.uk/ieListMeetings.aspx?Cid=172&Year=0>

- 2.1** East Lindsey currently has approximately 30% of its land mass within a high-risk flood zone. The coastal strip totals 3 approx. 90km in length and has a mixture of hard and soft defences. It contains two towns (Mablethorpe and Skegness) and a host of smaller villages.
- 2.1.** The current Local Plan defines a Coastal Zone (see figure 1). The Coastal Zone is defined as the outer extents of the hazard mapping produced by the Environment Agency. The Local Plan contains policies that supports development within this zone, but also manage how it is provided to mitigate flood risk. The Zone is included to provide clarity to anyone that is trying to work out which policies are relevant to a particular site.
- 2.2.** Some of the current coastal policies are more restrictive in terms of what is supported (for example new market housing is only supported on brownfield land). However, some do provide a more relaxed approach, for example in relation to certain types of tourism development given this is one of the key economic activities along the coast.
- 2.3.** The Zone is currently defined by the extents of the Environment Agency Hazard Mapping. This mapping shows the extents of flood waters in the event of a breach or overtopping of the sea defences. The policies that relate to development in the Zone are found in Chapter 10 of the Core Strategy².
- 2.4.** The Hazard Mapping is currently being updated as part of our new Strategic Flood Risk Assessment (SFRA). The work with the SFRA consultants is indicating that a clearly defined Coastal Zone is the simplest and clearest way of establishing a zone where policies manage and support development but recognise the significance of coastal flood risk. This allows a clear definition between the relevant policies to be applied when it comes to differentiation between the Coastal and Inland areas.
- 2.5.** The Regulation 18 issues and options consultation carried out in 2021 asked the question: “is there a need to have a split between coastal and inland areas?”.

Out of those who responded to this question, 28 chose to keep the split between the two areas, and 14 chose the option to remove the coastal zone. These responses favour keeping a split, but Members should be mindful that this is only a small snapshot of a limited number of respondents across the District.

² https://www.e-lindsey.gov.uk/media/9791/Core-Strategy/pdf/Final_Version_of_Core_Strategy_2018.pdf?m=636821922732300000



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Scale 1:180000

Figure 1 - POLICIES MAP 2 - Coastal zone/coastal flood hazard areas (ELLP page 7) https://www.e-lincolnshire.gov.uk/media/9791/Core-Strategy/pdf/Final_Version_of_Core_Strategy_2018.pdf?m=636821922732300000

2.6. Main Options:

Option1: Remove the Coastal Zone altogether

Option2: Keep a Coastal Zone

Do we need to include some of the 'challenges' we have had with the designation? Is the clarity of the map? Discrepancies with the text? Confusion regarding some areas within the zone which are not at risk of flooding?

2.7. Option 1 – Remove the Coastal Zone

- 2.8.** This option would result in there being no map that specifically defines East Lindsey's coastal area for Planning purposes. It would likely result in a reduction in the overall number of policies in the Core Strategy. For example most of the policies in Chapter 10 would be removed given that they apply directly to development in the defined Coastal Zone. It could also reduce the view that the coast is treated differently.
- 2.9.** However, there is still a need to apply different policy approaches in high-risk areas to ensure the Local Plan conforms with National Policy and Guidance on development and Flood Risk.
- 2.10.** To address this, without a Coastal Zone there would be no specific flood risk policies. Therefore the main policies would need to be expanded to include clauses that managed flood risk. Whilst this is technically feasible, it has the potential to create longer and more complex policies to encompass all the additional scenarios relating to flood risk. Alternatively, there would need to be a dedicated Flood Risk policy covering all development across the district. Policy 4 of the SELLP, for example, has 3 main clauses with the third having 8 sub-criteria and additional 5 separate requirements at the end.
- 2.11.** This could create an unwieldy set of main policies that are difficult to follow, potentially relying on policies with many sub-criteria. Another disadvantage is that if part of one of these longer policies was challenged successfully it could render the rest of the policy open to challenge. In practical terms it is considered that there is significant merit in avoiding use of a single policy to cover all aspects. Whilst there are examples of such policies being adopted, given the overall extent of area of the District which is subject to potential coastal flood risk; it is considered that this is a useful defining feature, much in the same way as the AONB is a clearly defined designation.

2.12. Option 2 – Keep the Coastal Zone

- 2.13.** Keeping a Coastal Zone would result in a similar approach to that already in the Local Plan. It would allow a separate suite of policies aimed at managing and supporting development in the coast. Whilst this would require someone reading the plan to look at more policies, it is likely to result in a clearer picture of what is and is not supported in coastal areas.
- 2.14.** Although option 1 would reduce the view the coast is treated differently, this is only masking the fact that there is an essential need to manage development in the Coastal Area in different ways to that inland. It cannot be denied that the Coast is different to many of the inland areas of the District, this is informed by many other metrics and

indicators, not just the evidence related to the Local Plan. The presence of such a designation is also considered to be helpful in providing a baseline/summary of the characteristics of the Coast for other matters such as funding bids, or investment plans.

- 2.15.** Option 2 would continue to give clarity to those looking to develop along the coast. There have been some issues with the current zone, including the clarity of the mapping, some confusion over the extents of the zone (in particular where development is technically outside it but would be surrounded by flood waters), and the associated Policy wording. However these are all minor issues that could be corrected in the reviewed plan.
- 2.16.** The principle of having or not having a Coastal Zone (as is being discussed here) does not establish what is or is not acceptable in the zone. That would be subject of further plan refinement once the outputs of the SFRA are known, and will be considered in the round along with the other evidence. The presence, or otherwise of the Coastal Zone, does not therefore prejudge the direction of the content of Coastal Zone policies.
- 2.17.** For the reasons set out in this section, and discussed within Option 1, it is considered to be more practical and helpful to have a designation for the Coastal Zone. The merits of this approach outweigh the disadvantages,
- 2.18.** The recommendation to Members is that the Local Plan continues to have a defined Coastal Zone based on the updated hazard mapping that is currently being produced as part of the updated SFRA.

3. Allocations in medium villages

- 3.1.** The Current Local Plan has housing allocations in the Towns and Large Villages. This is based on the option chosen by Members of Committee at that time (limit new housing growth to Towns and Large Villages). These allocations are required in order to demonstrate that the Local Plan provides for the identified housing need. The Inspector at the time insisted that all of the District's housing need was covered by allocations and made no allowance for windfall development covering the need. However the Plan does also support windfall development outside of the allocations where sites are within Towns and Large Villages and includes Strategic Policy 4, which allows for small amounts of windfall housing in Medium and Small Villages under certain circumstances.
- 3.2.** However now the Plan is established, members expressed a desire to maintain the SP4 requirements for small villages but have a more flexible approach in Medium villages to allow continued organic growth now the infill plots are being taken up, and acknowledging their role in the rural hinterland as having basic facilities for the Small Villages and Hamlets.
- 3.3.** The approach in SP4 places significant limitations on the amount of housing that could be provided. However, infill sites are gradually being taken up across the District.

- 3.4.** In order to continue to allow Medium villages to thrive additional housing could be provided on allocated sites. These would be selected from our Strategic Housing Land Assessment based on sites that were submitted to us as part of the recent Call for Land. Allocations give developers more certainty that their proposal will be acceptable in that location. Alternatively, if allocations are not taken forward, an alternative approach would be required to deliver on Members ambitions and allow an appropriate level of growth to come forward in these areas.
- 3.5.** Which ever approach is taken, it does not mean that other windfall sites won't come forwards. In fact, a substantial amount of housing across East Lindsey is already provided on windfall sites rather than allocated sites (for example in 2021/22 there were 396 Houses completed on windfall compared to 184 completed on allocated sites³).
- 3.6.** In relaxing the approach to Medium Villages, Members should be mindful of the impacts of unrestricted growth. Whilst these settlements do have a variety of services and facilities, they usually lack key ones such as schools to suit various ages and health provision, such as Dr's surgeries. Medium villages are usually still dependent on Towns and Large Villages for many regular services and facilities. Equally however, it is recognised that they can provide support to Small Villages, Hamlets and the wider countryside.
- 3.7.** This brings about two key questions.
- 1) Should the Plan allocate or simply provide flexibility for more windfall development?
 - 2) Should a limit be placed on the number of houses?
- 3.8. The approach of whether to allocate in lower-tier settlements differs from Council to Council. Some do not allocate, or only allocate in a small number of lower tier villages (for example Hambleton only allocate in the 3 out of their 31 Secondary Villages. South/North Norfolk Joint Plan allocates in towns and service villages, but uses settlement boundaries to restrict expansion of development into the countryside. The Central Lincs Plan allocates housing sites all the way down to (and including) Small Villages.**
- 3.9. Medium Village allocations – main options**
- Option1: With allocations
Option2: No allocations
- 3.10. Option1: Allocations**
- This does provide more clarity over which sites could be used to provide housing. However, this will potentially reduce allocations available for Towns and Large Villages. Members would also need to decide what proportion of housing should go to medium villages to be able to allocate.

³ <https://www.e-lindsey.gov.uk/article/6165/Authority-Monitoring-Report>

Allocations could lead to more 'estate' style development rather than sporadic organic growth that often makes up the character smaller Medium Villages. These villages tend to have plenty of developable land around the fringes that could be used without allocations being provided.

3.11. Option 2: No allocations

No allocations avoids the concerns above in respect of potential 'estate' like growth, and could lead to a more organic approach. However, detailed consideration would need to be given to the wording of the policies to enable a clearly understandable approach to come forward. One such example would be "development outside but immediately adjacent" the established built form. The disadvantage with this approach is it would allow and require a further degree of interpretation and consideration. There is therefore less clarity for all parties, in particular developers, and would still lead to some applications which are potentially 'speculative' in nature.

3.12. Medium Villages number of houses – main options

Option 1: limit housing growth numbers

Option 2: Do not limit numbers

3.13. Option 1: Limit housing growth by population numbers or by housing numbers.

3.14. Limit housing growth by house/population numbers within the village (possibly defined by parish numbers, dwelling numbers, population numbers)

3.15. For any option chosen that limits the numbers significantly, this could result in frontloading – where developers secure permissions in the first couple of years of the new plan being adopted, and either sit on them or demand premiums given they are the only available sites. This could actually stifle development. It is worth considering the Central Lincs Plan given its geographic proximity and very recent adoption date (April 2023)⁴. The 2017 version of the Central Lincs Plan only allowed the number of dwellings in villages to grow by 10% (or in some cases 15%) over the plan period. However, the 2023 version, moves away from this approach and simplifies to a single policy (S4) dealing with housing in or adjacent to villages (Large Medium and Small) but as mentioned above it does also provide allocations for all villages sizes. The Inspector endorsed this approach as being sound. Equally, such concise and simplified policies allow and provide for a degree of discourse and debate (both for and against new housing) based on how much development has/is provided for, how the population is calculated etc.

3.16. Option 2 - Do not limit numbers, but control the location, scale, design etc using the other Local Plan policies.

3.17. This gives less certainty over where development will happen, however as these are medium villages the level of development is likely to be much lower than in Towns and

⁴ <https://www.n-kesteven.gov.uk/sites/default/files/2023-04/Local%20Plan%20for%20adoption%20Approved%20by%20Committee.pdf>

Large Villages. This option would provide for development to come forwards to suit local demand and to occur organically over the plan period. Strategic Policies 10 and 25 are also being reviewed and can potentially be tightened to control the layout/positioning of new development. This approach allows a much more rounded approach to be taken. Whilst it would still lead to some debate over what is/isn't acceptable, given that the policy would be worded to offer general support for new development in these locations, it is considered that on balance, this approach has merit.

3.18. Recommendation

The use of allocations or limiting growth dependent on numbers could be seen as a little heavy handed given that medium villages still tend to be relatively small and are generally unlikely to be targets for large-scale development. This is already evident in the gradual organic growth patterns in preceding years. Equally, limiting development on a semi-arbitrary basis relating to numbers of units or scale of settlement has more disadvantages than positives. It is therefore considered that the preferred approach is one which provides general support for an increased level of development within Medium Villages to enable them to continue to be sustainable and support other settlements, but to allow development to come forward and be considered in a more rounded way. In combination with robust policies controlling design (SP10 and SP25) this would enable unacceptable schemes to be refused, but ensure appropriate growth to support those settlements.

3.19. Allocations

3.20. It is recommended that option 2 is chosen as an organic growth is preferred over allocations.

3.21. Limit on numbers

3.22. It is recommended that option 2 is chosen along with the work to ensure that general design policies support development that is appropriately designed for its location.

4. Replacement Dwellings in the Countryside

4.1. Members will recall that at previous Committee Meetings there has been discussion around including a policy to support appropriately designed, replacement dwellings in the Countryside. Members recognised that much of our District can be classed as open countryside and wanted to provide more clarity to those wishing to replace a dwelling that was no longer required.

4.2. The former Local Plan (Alteration 1999) had a policy that covered replacement dwellings in the Countryside (Policy DC5). This was not carried forwards due to the desire at the time to keep the Core Strategy high level and limit the level of prescription.

4.3. Replacement dwelling approvals totalled in 14 in 2020/21 and 18 in 2021/22 Whilst this is not a significant amount this could be attributed to the lack of obvious policy support. The changes to the prior approval regime (chiefly Class Q) resulted in some additional housing

stock and potentially reduced the numbers of replacements. However these figures are again low: under Class Q there were 2 (2020/21) and 7 (2021/22) permitted.

4.4. For the main part, the design and appearance of replacement dwellings should be left to the general design policies. The previous policy did initially include a restriction on the % volume increase that the new house could have over the existing. However, this was tested at appeal on numerous occasions, usually where an applicant wanted a replacement that was larger than the % allowed. It quickly became apparent that Appeal Inspectors viewed the % figure as too restrictive and considered the true test to be whether the replacement was of an appropriate location, scale and appearance for its context and surroundings to ensure the character of the area was preserved, or where possible enhanced.

4.5. Options:

1) write a brand-new policy from scratch

2) write an updated policy based on the previously tested Local Plan policy

4.6. The recommendation to Members is that the new policy is based around the tried and tested elements of the previous policy (option2).

5. Conversion of Buildings in the Countryside into Dwellings

5.1. East Lindsey has a largely rural and agricultural landscape containing an eclectic array of disused agricultural buildings. The National Planning Policy Framework (2021) in paragraph 80 does support the reuse of existing buildings to provide housing in the countryside. There is no specific policy in the Local Plan to support this type of development. Members of Committee have previously expressed a desire to ensure that the Local Plan gives more explicit support to the reuse of suitable buildings in the countryside for other uses, in particular dwellings.

5.2. The recent addition of Class Q to the Permitted Development regulations has resulted in a more straight-forward and streamlined approach to some conversions into dwellings. However, the Class Q regulations do place some limitations on this, including strict limitations on curtilage size and no ability to add even modest additions. It is not uncommon for class Q applications to be approved, followed quickly by a full Planning Application to create a more useable space and plot.

5.3. The former Local Plan (1999 Alteration) contained a policy aimed at achieving this (Policy DC7). This policy required some basic conditions to be met, including demonstrating that the building was still structurally capable of conversion, and to market the building to ensure that there was no demand for the building for commercial uses. Members discussed using this a basis for the new policy. However given the Governments drive to promote house building and in particular in the countryside by way of the permissive Class Q conversion regime, it is considered that the marketing is somewhat onerous. It is therefore recommended that this element be dropped in any future policy.

5.4. Options:

- 1) write a brand new policy from scratch
- 2) write an updated policy based on the previously tested Local Plan policy

5.5. The recommendation to Members is that the new policy is based around the tried and tested elements of the previous policy (option 2).

6. Settlement Pattern

- 6.1.** The Local Plan currently sets out a pattern of settlements based on the services and facilities they contain. A points system is used to score each settlement, with these being split into Towns, Large Villages, Medium Villages and Small Villages. The remaining settlements are classed as 'hamlets' and for the purposes of the Local Plan are classed as being in open countryside. The scoring system relates to the villages, with the Towns identified separately.
- 6.2.** The scoring system has been revisited and updated following a workshop involving Members of the Council. Members changed some of the categories including points received to better reflect modern day service and facilities within our settlements.
- 6.3.** At previous Policy Committee Meetings, Members were presented with the revised scoring with the being transposed across at the same levels. Committee finalised the revisions to the scoring, however during the discussions Members requested to see an updated list of settlements to enable them to determine where the split between settlement type should lie.
- 6.4.** The current spreadsheet (underpinning the current settlement pattern) is attached at appendix A. The revised spreadsheet attached at appendix B shows the updated list of settlements based on the new scoring system. The scores for each settlement have all been revised and updated based on the newly agreed methodology. The spreadsheet in appendix C shows the same revised scoring but with the existing breaks/thresholds added in. This gives Members an indication as to where they would go currently with no intervention.
- 6.5.** Members are requested to decide where to place the breaks that will split the settlements into Large, Medium and Small Villages, and a lower cut off where hamlets begin. Members should note that this will determine which policies apply to those settlements, for example housing policies.
- 6.6.** Members should consider that the new approach proposed in medium villages would potentially result in higher levels of market housing development in those villages. When looking at where to place the breaks, it is important to consider whether the services and facilities in villages can support an increase in population growth.
- 6.7.** It should be noted that as part of the review SP10 (Design) and SP25 (landscape) are already being looked at. There is the potential to strengthen the wording to ensure villages

grow in an organic and holistic pattern rather than sporadic linear limbs or bolt-on mini-estates, as discussed earlier.

- 6.8.** The recommendation to Members is that they place breaks in the list of settlements that will determine which are Large, Medium and Small Villages.

7. CONCLUSION

- 7.1.** The above report introduces 4 key areas where decisions need to be made to progress the Local Plan Review work. Each topic area has a set of options and recommendations for Members to consider.
- 7.2.** Whilst the decisions will not be binding on the Council, they will be used to inform and steer the direction of the draft plan which is being developed. That plan will then be put out to formal consultation and subsequent examination.

EXPECTED BENEFITS TO THE PARTNERSHIP

The Local Plan assists the Partnership in all its priorities.

IMPLICATIONS

SOUTH AND EAST LINCOLNSHIRE COUNCIL'S PARTNERSHIP

No direct implications. The outcome decisions made by Committee will inform the review of the East Lindsey Local Plan.

CORPORATE PRIORITIES

The Local Plan assists the Partnership in all its priorities.

STAFFING

None

CONSTITUTIONAL AND LEGAL IMPLICATIONS

Planning and Compulsory Purchase Act 2004

Town and Country Planning (Local Planning)(England) Regulations 2012

DATA PROTECTION

None

FINANCIAL

None

RISK MANAGEMENT

Any risks have been highlighted mitigation/controls suggested

STAKEHOLDER / CONSULTATION / TIMESCALES

None prior to committee.

REPUTATION

None

CONTRACTS

None

CRIME AND DISORDER

None

EQUALITY AND DIVERSITY/ HUMAN RIGHTS/ SAFEGUARDING

None

HEALTH AND WELL BEING

None

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

None directly. New housing development will bring about its own climate change and environmental implications. These are assessed as part of the Habitats Regulations Assessment and Sustainability Appraisal.

ACRONYMS

None

APPENDICES

Appendices are listed below and attached to the back of the report: -

<i>Appendix A</i>	<i>Settlement scoring spreadsheet – CURRENT</i>
<i>Appendix B</i>	<i>Settlement scoring spreadsheet – NEW TRANSPOSED</i>
<i>Appendix C</i>	<i>Settlement scoring spreadsheet – NEW BLANK</i>

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

Name of body	Date
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REPORT APPROVAL

Report author:	Simon Milson (ELDC)
Signed off by:	Mike Gildersleves (ELDC)
Approved for publication:	Councillor Tom Ashton (ELDC)