

Minutes of a Meeting of the Planning Policy Committee held in the Council Chambers at the Hub, Mareham Road, Horncastle, Lincolnshire LN9 6PH on Thursday, 9th November, 2023 at 6.00 pm.

PRESENT

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

Councillors Graham Cullen, Mark Dannatt, Roger Dawson, Sid Dennis, Daniel McNally, Paul Rickett, Daniel Simpson, Ruchira Yarsley, Sam Kemp and Neil Jones

Councillors David Hall and Neil Jones attended the Meeting as an Observer.

OFFICERS IN ATTENDANCE:

Simon Milson	- Planning Policy and Research Service Manager
Lynda Eastwood	- Democratic Services Officer
Laura Allen	- Democratic Services Officer

19. 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 Ruchira Yarsley had been appointed to the Committee in place of Councillor Travis Hesketh and Councillor Sam Kemp had been appointed to the Committee in place of Councillor Alex Hall.

20. DISCLOSURE OF INTERESTS (IF ANY):

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

21. MINUTES:

The Minutes of the Meeting held on 14 September 2023 were agreed as a correct record.

22. ACTIONS:

The actions were noted as complete.

The Planning Policy and Research Service Manager informed Members that following last month's meeting, his team had put in a great deal of work and effort into send out individual settlement scoring spreadsheets to all of the Parish Councils and Ward Members and that the responses were starting to come in.

23. AFFORDABLE HOUSING:

The Planning Policy and Research Service Manager presented a report to Members for them to consider whether the current affordable housing contribution percentages (%) and trigger were appropriate, given the evidence in the updated Economic Viability Assessment.

Currently in the Local Plan there was a trigger of 15 houses or more and the level of affordable housing varied across the district. Members were informed that there were 3 different value areas, as follows:

Coastal (low value area): 0%

Inland (medium and high value areas): 30%

Woodhall Spa (very high value area): 40%

The report contained a number of options and recommended choices. The recommendation for the 3 different value areas within East Lindsey were:

Coastal: keep this at 0% contribution.

Inland: reduce this to 25% contribution.

Woodhall Spa: maintain this at 40% contribution.

In relation to the trigger, the recommendation was to reduce to 10 units or more and 5 units in the Wolds AONB.

The Planning Policy and Research Service Manager referred Members to the Economic Viability Assessment (EVA), pages 25 to 98 of the Agenda refer, which looked at how much it cost to build houses on the ground. Members were also advised that there were contributions that the developer had to pay for NHS and education. This was to pay for the impact of more people living in a certain locality. Biodiversity net gain, carbon reduction measures and electronic vehicle charging infrastructure were also mentioned as additional costs placed on a developer. All of these elements were used to work out the residual valuation of the land and if there was no value left in the land then there would be no incentive to develop on that piece of land.

The EVA was to look at how much affordable housing could be provided on the sites once all development and additional costs were taken out.

Currently, the 0%, 30% and 40% was based on the previous EVA; there was an updated EVA and there were differences in the recommendations to now take into account biodiversity net gain and the other pressures. It looked at a different range of sites to see what the different range of viability would be depending on the size of the site. It was noted that there were differences as larger sites had to provide more significant infrastructure.

The Planning Policy and Research Service Manager reported that the updated EVA suggested that it was still 0% viability on the coast, inland

was between 20% and 30% and the suggested contribution in the high value area was 50%, which was an increase from 40%.

Following which, Members were referred to the map (figure 2) on page 18 of the Agenda which outlined the different value areas.

The recommended choices for East Lindsey of 0%, 25% and 40% would allow the policies in the Local Plan that related to affordable housing to remain aspirational, but realistic.

The Planning Policy and Research Service Manager then went on to explain the second element to affordable housing which was the trigger. Currently, 15 houses or more was the trigger for a developer to provide affordable housing.

The National Planning Policy Framework (NPPF) was setting it at 10 houses, however East Lindsey had set it slightly higher trigger of 15 units

The NPPF suggested that in designated rural areas the trigger could actually be as low as 5 houses and the Wolds Area of Outstanding Natural Beauty was one of those areas.

Members were invited to put their comments and questions forward.

A Member commented that with regards to affordable housing inland, keeping it at 30% instead of 25% would be more desirable. With regards to 5 houses in the Wolds there were other policies that discouraged building in the Wolds, therefore it was considered that reducing the number down to 5 in the AONB was not satisfactory.

The Chairman queried whether there was any evidence to show that the increase to 30% was deterring developers. The Planning Policy and Research Service Manager confirmed that there was no specific evidence. Members were further advised that discussions with landowners and developers had taken place to obtain their opinions.

A Member highlighted that if the percentage was to increase it would defeat the object and if lowered, it would make it more attractive to developers which was more desirable. A Member also queried whether the Planning Officers were allowed to be flexible with regards to negotiating.

The Planning Policy and Research Service Manager advised that Planning Officers would look at the viability assessment and negotiations would take place.

Members were advised that they would need to decide where to pitch the percentages based on the evidence they had from the EVA. With regards to the Wolds, there were other policy mechanisms in place and if Members felt it was too low, there was an option for it to be kept at 10 houses.

A Member further queried whether there was any research on other authorities to see what they were doing.

The Planning Policy and Research Service Manager responded that no other authorities had been looked at as viability differed across the country. House prices were low in East Lindsey and below national values, therefore it was difficult to find a comparable area. The Service Manager advised that national standards and benchmarks were used for valuations, thus ensuring consistency with other authorities.

A Member requested an explanation on the definition of 'affordable housing' and queried what a housing provider would do if they felt they had too many houses in one area and whether they were able to make a contribution elsewhere.

The Planning Policy and Research Service Manager advised that if a developer was not able to provide housing on certain sites, then a commuted sum would be provided to deliver affordable housing elsewhere.

Members were advised that with the housing mix, 25% out of the 30% was for first homes.

The Chairman suggested that Stuart Horton, Strategic Housing Manager be invited to a future meeting to update Members on the serious challenges the Council was facing in delivering affordable housing. The Planning Policy and Research Service Manager agreed to arrange for him to attend.

A Member also requested the presence of Invest East Lindsey at a future meeting to come and give their contribution.

The Planning Policy and Research Service Manager advised that they had attended Committee and given an update some time ago, however they could be invited again to provide a further update.

Following a query from a Member relating to the data in the table in section 2.5, page 5 of the report refers and the decrease of affordable housing that was built during the Covid period, the Planning Policy and Research Manager advised that there had been difficulty in securing accurate affordable housing figures during that time. There was a spike after Covid as they were getting signed off by building regulations and signed off as completed.

He further advised that there was a new strategic housing officer working on affordable housing monitoring, as well as his team now carrying out work on it so up to date figures should be available at the next Committee.

A Member commented that they were happy to agree with the recommendation, however considered that a trigger point in the Wolds of 10 would be more reasonable.

The Planning Policy and Research Service Manager explained to Members that the sites in rural areas were small and there were only 8 households wanting affordable housing in the Wolds as their first choice. Currently the trigger in the Wolds was 15 and the demand was low, therefore if affordable housing was not provided in the Wolds then they would have to look elsewhere.

A Member queried whether there was anything to be done for a developer obtaining planning permission year on year, for small sites of houses being built, so as not to pay contributions.

The Planning Policy and Research Service Manager explained that there was a case law to resist the planning permission if there was a clear intention by the developer to deceive and benefit from splitting down the sites and it had been discussed with the Development Management Lead Officer to see if there were any clauses that could be added to resist it more easily.

Following which it was,

RESOLVED:

That the Local Plan policy approach be amended to reflect the following:

- 1) Coastal Areas: keep the % contribution at 0% due to the very low viability;
- 2) Inland Areas: lower the % contribution slightly to 25% to reflect the lower viability;
- 3) High Value Areas: keep the % contribution at 40% which remains reasonable and achievable, but does not over-burden developers in that location by increasing to 50%;
- 4) Lower the trigger threshold from 15 to 10;
- 5) In the Wolds AONB, lower the trigger threshold from 15 to 5;
- 6) Agree the affordable housing target of 221 per year to be included in the Local Plan;

24. 5 YEAR HOUSING SUPPLY:

Simon Milson, the Planning Policy and Research Service Manager presented Members with a report on the 5-Year Housing Supply, pages 201 to 210 of the Agenda refers.

The report was intended to provide an update to Members on the current 5-Year Housing Supply position. It served as evidence as to how the Local Plan was performing in relation to housing delivery.

Members were advised that the report related to the 5-Year Housing Supply calculation that the Council, as Local Planning Authority must produce on an annual basis.

Members were invited to put their comments and questions forward.

A Member queried whether there was any liaison with neighbouring authorities as Holton Le Clay had had big developments which were affecting the facilities there.

The Planning Policy and Research Service Manager advised that there was liaison with neighbouring authorities as part of the Housing Need assessment and neighbouring authorities could take on housing need when an authority was struggling to provide within their own authority area as outlined in the strategic housing market assessment.

Following a query from a Member asking whether Planning Officers had contacted developers and landowners, the Planning Policy and Research Service Manager advised that this was part of the ongoing work updating the Position Statement. Some had been contacted but there were a lot to get through and they usually chose the bigger sites first.

A Member queried whether contributions should sway a Planning Committee when having to approve or refuse planning applications.

The Planning Policy and Research Service Manager advised there was a difference between legislative requirements and policy requirements on a site and the things that had been referred to were policy requirements, for example affordable housing, NHS and education and it was down to the planning officers and members of Planning Committee to decide whether the benefits of the development effectively outweighed the downsides of the development.

The Planning Policy and Research Service Manager commented that his team managed the funds for the contributions and payments were authorised regularly with the money going out to improve those facilities where the contributions were designated.

A Member referred to Box 2 and Box 4, on page 208 of the Agenda, and queried what the completion rate was on the coastal figures.

The Planning Policy and Research Service Manager commented that he was unsure, however thought it would be around 10% of the overall completions across the district. He advised Members that he would provide this information for the next meeting.

A Member queried whether the 5-year housing supply meant that further applications would not be considered. The Planning Policy and Research Service Manager advised that housing figures were generally not a 'ceiling' and that anything above that would be welcomed.

Following which it was,

RESOLVED:

That the report be noted.

25. DATE OF NEXT MEETING:

The date of the next Meeting was confirmed as Thursday 14 December 2023, commencing at 6.00pm.

The meeting closed at 7.31 pm.

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