

3. CORE STRATEGIC AND GENERAL POLICIES

3.1 CORE STRATEGY: AN OVERVIEW

The Strategic Policy Context

- 3.1.1 The Plan, which covers the period 2001-2021, is based on the strategic policy framework contained within the 2005 Regional Spatial Strategy for the East Midlands (RSS8) and the emerging Lincolnshire Structure Plan (LSP). The former was a partial review of the 2002 Regional Planning Guidance (RPG8); significantly, it did not alter RPG8's strategic housing requirement to 2021. Some objectors were of the view that the recently-published consultation draft replacement, setting out 'Options for Change' to 2026, should be taken into account, particularly as the Council is supportive of increasing the housing requirement for the District. However, the outcome of the various policy options is so uncertain at the time of writing this report that it would be quite unrealistic to give significant weight to this document at this stage; its implications should properly be taken into account, along with emerging national guidance, in the production of the forthcoming Local Development Framework.
- 3.1.2 The LSP, with which the Plan has a Certificate of General Conformity, is at an advanced stage in the adoption procedure, having been the subject of an Examination in Public (EiP) in 2005. I was informed at the Inquiry that the County Council had resolved to adopt the LSP in a manner consistent with the EiP Panel's recommendations. Therefore, I am satisfied that the Plan has been prepared in the correct and up-to-date strategic context.

The Urban/Rural Balance

- 3.1.3 The Plan's strategy places a greater emphasis on sustainable development than is found in the 1998 Adopted Local Plan. The EiP Panel (CD/LC/08) were clear that the RSS8 spatial strategy represents a positive move away from the previous dispersed patterns of growth and this is reflected in the LSP and, in turn, quite properly in the Plan.
- 3.1.4 The Plan embraces the sequential approach to the allocation of development and the 'plan, monitor and manage' methodology, set out in PPG3. Accordingly, there is considerable emphasis on focusing development on the defined hierarchy of settlements and on addressing the over-supply of housing land. There is an inherent tension between, on the one hand, the aim of focusing development on the more sustainable settlements and, on the other, of supporting the rural economy in an area with a dispersed settlement pattern. Both 'rural' and 'urban' objectors argue for a greater proportion of development. However, in the case of housing provision, the LSP provides for a 75:25 ratio of development between the Urban and Rural Areas. In moving towards this target, the substantial 'hang over' of extant planning permissions in the Rural Area has quite rightly been taken into account and has necessarily led to a restrictive approach. In broad terms, I conclude that the Plan achieves

the desired balance.

The Settlement Hierarchy

- 3.1.5 The identification of an appropriate settlement hierarchy is fundamental to the Plan's strategy. The LSP recognises that Lincolnshire's dispersed settlement pattern results in a tendency for small towns and large villages to provide higher order functions and services than their size would indicate, in locations that are distinctly rural in character.
- 3.1.6 Spalding, the 4th largest settlement in the County and by far the largest in South Holland, has been identified as the District's only Main Town. The EiP Panel rejected representations that Spalding should be elevated to a Sub-Regional centre, on the limited information before them, stating this to be a matter for the review of RSS8. In practice, this appears to make little difference to the spatial pattern of development within South Holland, as Spalding is clearly a higher level centre than all other settlements in the District and should rightly be the main focus of development.
- 3.1.7 There is little doubt that Crowland, Holbeach, Long Sutton and Sutton Bridge are appropriately regarded as Area Centres ('Small Towns' in the LSP). However, the Council has elevated Donington to this level of the hierarchy, despite the EiP Panel's resistance to its being classed as a 'Small Town'; the Panel were not persuaded that its size and function warranted such elevation. Moreover, despite its elevation, it would still form part of the Rural Area. It has been argued that the treatment of Donington as an Area Centre, but retaining it in the Rural Area, is inconsistent and would not support the 75:25 housing split.
- 3.1.8 I note the County Council has not objected to this variation from the LSP and, looking at the criteria for inclusion set out in para.4.9 of the LSP, Donington appears to me to be a realistic contender as an Area Centre. Its population is just below the 2500 threshold, albeit that the threshold is qualified by the term 'generally'. However, it has an unusually high level of service provision for its size. Moreover, its location in the NW of the District is somewhat isolated from other higher order settlements, and it appears to support a number of nearby rural settlements, such as Gosberton and Quadring. This is a significant consideration, leading to Donington 'punching above its weight'.
- 3.1.9 The retention of Donington in the Rural Area appears, on the face of it, inconsistent with the LSP; an enhanced level of development here must lead to a consequential loss of development apportioned to the remainder of the Rural Area. However, this approach appears likely to reinforce the underlying strategy of focusing development in the more sustainable settlements; this should apply to both the Urban and Rural Areas. It should not undermine the aim of sustaining the rural economy as other policies in the Plan allow for appropriate development, where it is needed in the Rural Area, such as essential affordable housing and employment.
- 3.1.10 I am not persuaded that the status of Donington should be left to the review of RSS8 as it is far from clear that the review will go down to this level of detail. Accordingly I am content that Donington remains in the Plan as an Area

Centre. Donington is clearly the smallest of the Area Centres and the appropriate level of development for each is a matter to be determined separately.

Distribution of Development between Spalding and the Area Centres.

- 3.1.11 The proportion of the required development to be distributed between Spalding and the Area Centres has been the subject of many representations. The principal argument is that each should be apportioned development in proportion to its size. However, as Spalding is at a higher level of the hierarchy than the Area Centres, this factor alone should give it added weight and an enhanced percentage in proportion to its population. The Plan provides for Spalding to have around 70% of the Urban Area's housing, compared to its present population representing some 55% of the Urban Area's population. As a consequence, the Area Centres would all have a lower proportion of the Urban Area housing than their population would indicate. However, with the exception of Long Sutton (which I deal with in section 4.5 of this report), in none of the cases would the proportion be so low as to conflict with the object of identifying Area Centres or with the aim of RSS8 Policy 7 to support small market towns.
- 3.1.12 The Council's approach appears to be based on first, examining development in the early years of the Plan period, together with existing commitments, and then applying the likely growth identified in the Urban Capacity Study. A view was then taken as to whether the level of development was appropriate to the size and facilities of each settlement. If not, allocations were proposed. Accordingly, additional housing has been allocated in Spalding and Holbeach, the 2 largest settlements, based on achieving sustainable urban extensions and associated essential community infrastructure, and a small allocation has been made in Sutton Bridge. All of this process has been carried out in the context of the LSP's restricted housing requirement. The approach is not scientific but based on a close local knowledge of the settlements, their services and facilities and their requirements.
- 3.1.13 Whilst I see some merit in the simple mathematical approach advocated by some objectors, I am not convinced it offers a better solution than the Council's approach. Nevertheless, in examining the housing provision for each settlement, I have had regard to the proportional approach as a starting point in my deliberations and used this as an initial guide to the adequacy of the provision.
- 3.1.14 In broad terms, I am not persuaded that the Council's approach has disadvantaged any of the settlements in question, other than Long Sutton, to the extent that their role and prosperity should be impaired. In any event, the Plan includes a monitoring and management approach which should enable any disadvantages which may arise to be addressed. Employment allocations have been made at Spalding and all the Area Centres to help achieve sustainable and balanced communities. The merits of these allocations are examined in more detail in Chapter 5.

The Rural Area

- 3.1.15 As the more sustainable settlements, Donington and the Group Centres are

intended to be the foci of development in the Rural Area. These latter have been defined according to their size and range of facilities, an approach which I support. Objections to the designation of individual settlements are considered later in this chapter. In the Other Rural Settlements, housing will only be allowed to meet the needs of rural employment and for local affordable housing. This appears to me consistent with the strategy emanating from RSS8 and the LSP. I support the removal of defined settlement limits from the Other Rural Settlements. There has been a disproportionately high number of completions in the Rural Area in the early years of the Plan period and there is still a disproportionate number of extant planning permissions for housing in unsustainable rural locations. It is widely accepted that few of these are likely to be allowed to lapse and therefore their implementation must be allowed for in seeking to achieve the overall 75:25 balance between the Urban and Rural areas.

- 3.1.16 The retention of settlement limits would give the impression that development would be allowed within the defined settlement, contrary to the Plan's strategy. Policy HS9 allows for affordable housing to meet local needs, as an allowable exception to the general strategy of restraint, albeit having sustainability and access to settlement services and facilities as an underlying principle. It would be a matter of judgement as to whether such exceptional development was well related to the form of the settlement. Such judgement can be properly exercised without the need for identified settlement limits.

The Peterborough Effect

- 3.1.17 The impact of Peterborough's vibrant economy on the SW part of the District has been recognised in the strategic guidance. The relationship of employment to housing has given rise to undesirable commuting by private car. The whole question of 'the Peterborough effect' is the subject of an ongoing joint study between the Council and neighbouring authorities, the results of which should inform the LDF process in due course. As a matter of principle, I consider it undesirable to make provision for additional commuter homes in the SW part of the District in the absence of a coherent cross-boundary policy to deal with this matter.

Flooding

- 3.1.18 Flood risk is a strategic issue in South Holland, with the whole of the District being at risk of flooding from rivers or the sea. PPG25: *Development and Flood Risk* requires a risk-based approach to the preparation of development plans through a sequential test. Allocations should normally be made where there are no reasonable options available in a lower-risk category, consistent with other sustainable development objectives.
- 3.1.19 Because of the widespread flood risk, the Council has undertaken a Strategic Flood Risk Assessment (CD/SH/12). This shows that much of the District is defended from flooding by raised defences and drains. I note that Policy SG9 requires appropriate assessment of flood risk; this policy applies both to allocated and windfall sites. I am generally satisfied that the Council has taken proper account of flood risk in both its allocations and in its policy requirements for windfall development.

3.1.20 Any new matters arising in the emerging PPS25 will need to be considered in the forthcoming LDF, once the final version of PPS25 is issued.

Overall Conclusion

3.1.21 Overall, I am satisfied that the Plan's strategic approach is consistent with RSS8 and the LSP. The conclusions set out in this overview will underpin my recommendations later in this report concerning objections to both policies and specific sites.

3.2 SG – GENERAL

Objections

See Appendix A2

Issues

- a. Policy GEN1 in the FDD is duplicative, some criteria are too restrictive and do not reflect national guidance.
- b. Whether the settlement hierarchy in the FDD is appropriate, in particular para.2.9, which identifies Donington as a 'larger village'.
- c. There is a conflict between paras.2.14 and 2.15 of the FDD. This understates the biodiversity potential of derelict land. 'Where possible' should be omitted in relation to the plan seeking to 'enhance the countryside'.
- d. Whether a policy should be added to deal with landscape character and landscape protection.
- e. Whether a policy should be added to address Environmental Impact Assessment.
- f. Whether a policy should be added to protect village pubs.
- g. Whether a policy should be added to deal with energy efficiency in new residential developments.
- h. Whether a new policy on public art should be added.
- i. Whether a policy on recycling and waste disposal other than by landfill should be added.
- j. Whether land allocated for community infrastructure in Holbeach could be used for a cemetery.

Inspector's Reasoning and Conclusions

3.2.1 **Issue a.** FDD Policy GEN1 has not been reproduced in the Plan, although a number of its criteria are found in other policies. Any outstanding objection issues are dealt with under the current policy headings.

3.2.2 **Issue b.** Donington was elevated to an Area Centre in the Plan, where an appropriate level of development will be permitted either by employment

allocation or by housing on infill sites. This appears to meet the objection.

- 3.2.3 **Issue c.** The re-write of the relevant sections in the Plan, as proposed to be changed by PIC14 & PIC54 appear to address most of the objection. I agree that the term 'where possible' weakens the aspiration to enhance the countryside, set out in Chapter 6 (see section 6.2 of this report).
- 3.2.4 **Issue d.** The Council has recognised the Plan's deficiency in having inadequate reference to landscape character. PIC18 would introduce substantial additional text referring to this matter, including reference to the 2003 Strategic Landscape Capacity Study. I note that the County Council and others are undertaking further detailed work on landscape character assessment, as envisaged in RSS8, and agree with the Council that it would be prudent to await the outcome of such study to achieve a co-ordinated County-wide approach. This should, in due course, inform the LDF process.
- 3.2.5 **Issue e.** Although Environmental Impact Assessment (EIA) is a regulatory rather than a policy matter, I agree that it would be useful to include reference to this matter in the Plan. PIC19 appears a satisfactory response.
- 3.2.6 **Issue f.** The Council accepts the validity of the point made by the objector, which relates to the sustainability of rural settlements, and applies to wider community facilities and not just pubs. However, the Council believes the matter to be dealt with adequately in LSP Policy MIC4, in PPS7 and elsewhere (unspecified) in the Plan. The LSP is, of course, part of the development plan and there is a consistent approach in the Plan of not repeating strategic policies at local level, unless there is a clear benefit arising. I am satisfied that the lack of a protective policy in the Plan, as sought by the objector, would not in any way diminish the ability of the Council to resist applications which would result in the loss of community facilities. I therefore do not support the objection.
- 3.2.7 **Issue g.** Paras.3.42-3.45 and Policy SG7 set out the context for energy efficiency in *all* forms of development, including housing. The Building Regulations also have a discrete bearing on this matter. I see no need for a separate policy, solely to address residential development.
- 3.2.8 **Issue h.** To my mind, the reference to public art that would be introduced via PIC19 is sufficient and I see no need for a separate policy.
- 3.2.9 **Issue i.** Recycling and waste disposal are matters dealt with in the LSP and the emerging Waste Local Plan. It would be inappropriate to include such a policy in the Plan.
- 3.2.10 **Issue j.** The area in question is now part of the proposed urban extension to the west of Holbeach, which will include community facilities. However, I understand planning permission has now been granted for a cemetery to the south of the town and that there is now no additional requirement for a cemetery.

RECOMMENDATION

R.3.2. I recommend that the Plan be amended in accordance with PIC14, PIC18 and PIC19.

3.3 SG1 - GENERAL SUSTAINABLE DEVELOPMENT

Objections

143/004	F	Sport England
257/005	F	Abbey Developments Ltd
308/008	F	Country Land and Business Association
308/009	F	Country Land and Business Association
308/025	F	Country Land and Business Association
528/001	R	Sport England
532/005	R	Government Office for the East Midlands
683/006	R	Spalding & District Civic Society
686/001	R	HBF

Issues

- a. Whether Policy SG1 is written as a land use policy and whether it is imprecise.
- b. Whether the policy should demonstrate a wider meaning for the term, 'sustainability', including social, economic and environmental factors.
- c. Whether Policy SG1 should be extended to include a reference to the desirability of retaining a distinction between the countryside, and different forms of settlement.
- d. Whether the policy should be amended in order to affirm that necessary development will be allowed despite neighbour objections.

Inspector's Reasoning and Conclusions

- 3.3.1 **Issue a.** The policy reads as a statement of the Council's quite proper intent to promote sustainable development; it is not a land use policy. The Council recognises this and proposes an alternative form of wording (IC42) to address this matter and the initial imprecision. I find the revised wording acceptable.
- 3.3.2 **Issue b.** PICs 14 & 15, which I support, would appropriately widen the definition of sustainable development and refer to reducing the need to travel. Although it would clearly be possible to expand PIC14, I believe it is perfectly adequate to set the context for the Plan. PIC14 has been criticised as not being up-to-date. However, further reference to the purpose and guiding principles set out in 'Securing the Future – *Delivering UK sustainable development strategy, 2005*' would add little to the Plan at this stage. Although an important document, it should underpin the preparation of the forthcoming LDF strategy. PIC15 appears to me to be clear on the question of nature conservation interest on previously developed land.
- 3.3.3 **Issue c.** The matters raised by the objector are effectively included within the term 'essential character'. Any appraisal of character would inevitably need to take account of the nature of the countryside or of the particular type of settlement. The additional wording is unnecessary in an over-arching policy

such as this.

- 3.3.4 **Issue d.** It is inevitable that some proposals will be the subject of objections. These must be treated on their merits, as part of the overall balancing exercise in coming to a decision. The suggested wording would not assist in this process as the Plan is not unduly biased for or against objections.

RECOMMENDATION

- R.3.3. I recommend that the Plan be amended in accordance with PIC14, PIC15 and IC42.**

3.4 SG2 - DISTRIBUTION OF DEVELOPMENT

Objections

See Appendix A3

Issues

- a. Whether there is an appropriate balance of distribution of development between Spalding, the small towns, the villages and the rural areas.
- b. Whether the development of previously developed land adjacent to defined settlement limits should be included in criterion 2 before greenfield land adjacent to defined settlement limits.
- c. Whether allowing greenfield land adjacent to settlement limits to be developed would undermine the validity of the settlement limits.
- d. Whether another, more flexible, method of defining settlements should be devised, rather than the settlement limits that are currently used in the Plan.
- e. Whether the requirements of criterion 5 could be better phrased (choice of transport modes).
- f. Whether the Plan should use the quality of public transport as a criterion in the selection of development sites.
- g. Whether the Council should publish full information on the availability of public transport in order that the effect of Policy T1 can be assessed.
- h. Whether the wording of Policy SG2 should be altered in order to contain reference to the influence of flood plain and heritage/environmental issues on the strategy of the Plan.
- i. Whether the Plan is lacking in its consideration of the impact of noise pollution.

Inspector's Reasoning and Conclusions

- 3.4.1 **Site-specific objections.** A number of site-specific objections have been made to this policy, largely seeking housing or employment allocations, or a mix of the two. Were any such objection to be supported, it would follow that the settlement boundary would be amended appropriately. Alternatively,

objections have been made, seeking amendments to the settlement boundary, with the aim of achieving development. Therefore, all these objections are dealt with in the Housing or Economy chapters, as appropriate.

- 3.4.2 **Issue a.** The question of the appropriate balance of development between the various components of the settlement hierarchy is dealt with in the Core Strategy Overview above. I conclude that the balance, as set out in the Plan, is appropriate.
- 3.4.3 **Issues b-d.** In the Overview, I regard the use of settlement limits as appropriate in Spalding, the Area Centres and Group Centres. They are important in order to ensure the provision of housing and other development accords with strategic guidance and avoids less sustainable locations; hence the removal of settlement limits from the smaller settlements. So long as settlement limits are appropriately drawn, they should avoid unproductive debate about whether sites are to be treated in policy terms as within the settlement or in the countryside. They are not intended to be applied flexibly other than in exceptional cases, such as meeting local need for affordable housing by way of Policy HS9. The last 10 words of criterion 2 reflect the sequential approach to site selection. IC43 would appropriately omit the term 'greenfield'.
- 3.4.4 However, Policy SG2 appears somewhat confused. In part, it seeks to explain the *process* of site allocations. This is not necessary as the purpose of the policy must be to influence the location of new development which has not already been determined by allocation. This has been recognised to some degree in the re-worded version, proposed in IC99. However, there needs to be greater focus on the Plan's locational strategy and I recommend an alternative form of words. The management of the release of housing land through phasing is adequately covered in Policy HS2.
- 3.4.5 **Issues e-g.** I have no doubt that the choice of development sites should be influenced by the availability of public transport; it is Government policy to encourage a choice of transport modes as an important component of sustainability. The fact that Spalding has a greater choice of transport facilities than other settlements in the District is one of the good reasons for focusing development there. I agree that criterion 5 appears somewhat imprecise and I have adopted the wording of PIC16 in my replacement policy.
- 3.4.6 **Issue h.** It is not in dispute that flooding and heritage/environmental issues are strategic. However, I agree with the Council that to try to include every relevant matter in a 'distribution' policy would make it unwieldy. I am satisfied that these issues are adequately covered elsewhere in the Plan.
- 3.4.7 **Issue i.** The Plan provides an adequate basis to deal with the issue of noise pollution in Policy SG13. The objector is concerned that development in the Wygate area may generate noise. However, the development in question has already received planning permission.

RECOMMENDATION

R.3.4. I recommend that the Plan be amended by replacing Policy SG2 with:

“All proposals for development must be located having regard to sustainable development principles. They should:

1) adopt a sequential approach which gives priority to the use of previously developed land and buildings within defined settlement limits, then to greenfield land within defined settlement limits and finally to land adjacent to defined settlement limits;

2) make efficient use of land;

3) ensure that, wherever possible, development is served by a choice of transport modes including existing public transport or by improvements to public transport infrastructure linked directly to the development and the existing highway network; and

4) ensure that the development is acceptable in terms of traffic generation and road safety in the surrounding area.

3.5 SG3 - SETTLEMENT HIERARCHY

Objections

See Appendix A4

Issues

- a. Whether the policy approach to development in Other Rural Settlements is justified.
- b. Whether settlement boundaries should be reintroduced for Other Rural Settlements' in order to preserve clarity and to remove policy loopholes which may allow undesirable development.
- c. Whether Policy SG3 should be altered in order to allow more flexibility regarding the development of previously developed land outside settlement boundaries, especially in relation to former horticultural buildings, near to Spalding, and where the criteria of other policies are met.
- d. Whether para.3.17 is deficient in that no mention is made of shopping and tourism, and consequently whether additional text is required in order to rectify that deficiency.
- e. Whether para.3.18 needs to be amended to refer to the continuing need for cross border links.
- f. Whether Pinchbeck should be treated as part of Spalding for planning purposes.
- g. Whether the villages of Deeping St Nicholas, Cowbit and Weston should be at a lower level in the hierarchy, due to their proximity to Spalding.
- h. Whether Fleet Hargate should be replaced on the list of 'group centres' by Quadring.

- i. Whether Sutton St James should be at a higher level in the hierarchy (in the FDD), to permit additional development.
- j. Whether Gedney Dyke should be at a higher level in the hierarchy, to permit additional development.
- k. Whether Gosberton Clough and Gosberton Risegate should be at a higher level in the hierarchy, to permit additional development.
- l. Whether Surfleet should be included in the list of 'group centres'.
- m. Whether a settlement boundary for Lutton should be reintroduced in order to allow a limited amount of residential building.

Inspector's Reasoning and Conclusions

- 3.5.1 **Site-specific objections.** A number of site-specific objections have been made to this policy, seeking housing allocations. However, the purpose of Policy S3 is to define the settlement hierarchy and to establish the broad principles of development at each level of the hierarchy. It is not to allocate individual sites. Therefore, the site-specific objections are dealt with in the Housing chapter.
- 3.5.2 **Issues a-c.** The broad principles of the settlement hierarchy and of settlement boundaries are discussed above in the Overview. I support the use of settlement boundaries in the Group Centres and larger settlements. They are clearly defined and are used as a means of regulating the provision of housing in relation to the strategic requirement. As such, it is not intended that they be applied flexibly. It is always open to a prospective developer to make out a case that a site should be treated as an exception to policy but the policy should not, of itself, permit exceptions. It is conceivable that such exceptions may occur on previously developed land, where this is in a sustainable location, although this would be subject to other considerations, such as the overall supply of housing. A site containing horticultural buildings would not be regarded as previously developed land.
- 3.5.3 The removal of settlement boundaries from Other Rural Settlements is a logical reaction to the need to restrain the historic over-supply of housing in the rural area, in line with strategic policy. Because of the dispersed nature of many of the smaller settlements, it would be difficult to draw realistic boundaries that did not offer the apparent prospect of infill development, thereby compounding the over-supply. Although the criteria applicable to the limited forms of housing envisaged in these settlements in Policies HS9, HS12, HS16 and HS17 entail a degree of judgement, they are sufficiently clear for proper control to be exercised; I see little scope for 'loopholes'.
- 3.5.4 **Issue d.** Para.3.17 focuses on Spalding's sub-regional characteristics and I see no need for additional reference to shopping and tourism here.
- 3.5.5 **Issue e.** Para.3.18 defines the characteristics of Area Centres. It recognises cross border links but there would be little purpose in amplifying this topic here.

Issues f-m – Individual settlements.

- 3.5.6 The Council's rationale for the settlement hierarchy is set out in the Core Strategy Topic Paper (CD/SH/30), which, in turn relies on the Services and Facilities Background paper (CD/SH/11). Settlements were ranked according not only by the number of key services and facilities but also by judgement of their characteristics and suitability for development.
- 3.5.7 **Spalding/Pinchbeck.** The Vernatt's Drain is the traditional boundary between these two settlements, which are closely related geographically. The fact that much of Spalding's major employment area is north of the Drain does to some extent blur the distinction. However, I believe this employment area is quite properly treated as part of Spalding. I note that the settlement boundaries of both settlements are contiguous to the east of Spalding Road. However, the large area of open countryside to the west of Spalding Road accentuates the division. At the present time, and in the absence of the need for further expansion of Spalding over and above that provided for in the Plan, I remain satisfied that the 2 settlements are appropriately treated separately. Pinchbeck is at an appropriate level in the hierarchy, having regard to its range of services and facilities.
- 3.5.8 The Local Development Scheme includes an Area Action Plan for Spalding, to commence in 2007. This will be able to have regard to the emerging RSS and to local factors, such as the construction of the new hospital and, to my mind, is the appropriate forum for consideration of the Spalding/Pinchbeck issue. PIC17 would make an appropriate reference to this plan.
- 3.5.9 **Deeping St.Nicholas, Cowbit and Weston.** All three are classed as Group Centres, which are intended to serve as focal points for the local community. Their range of services and facilities make them suitable for modest growth within defined settlement boundaries. However, the objector believes they should be downgraded because of their proximity to, and reliance upon, Spalding. Deeping St.Nicholas has historically been regarded as a 'main village' and has been the subject of considerable recent development. It has 9 of the 10 identified key services and there is potential for a bus route between Spalding and Peterborough to serve the village. Cowbit also has 9 of the 10 key services, plus petrol filling station and a mother and toddlers play group. Weston is smaller than the others and only has 8 out of the 10 key services. However, its leisure and employment facilities justify its elevation in the hierarchy.
- 3.5.10 I have seen no compelling evidence that these settlements fail to perform their function as focal points for the rural communities and therefore each appears to merit its position in the hierarchy. Moreover, the reduction in the number and geographical spread of Group Centres would appear to weaken that part of the strategy which seeks to support the rural economy.
- 3.5.11 **Fleet Hargate and Quadring.** The objector argues that Fleet Hargate should be downgraded to an Other Rural Settlement because of its proximity to Holbeach. This is a case where the settlement has one fewer than the required number of key services but a judgement was made that the primary school at nearby Fleet Church End is sufficiently close to serve as part of Fleet Hargate. Whilst it is debateable whether it serves many surrounding rural settlements,

the quality of the bus service makes it a reasonably sustainable location for modest growth. Whilst Quadring has 9 of the 10 key services, the primary school and church are some distance from the village. Moreover, it is sandwiched between 2 settlements, Donington and Gosberton, which are clearly of a higher order and which appear to serve the local rural settlements. Therefore, I do not agree with the objector that Quadring should be elevated to a Group Centre.

- 3.5.12 **Sutton St.James.** Sutton St. James is now classified in the Plan as a Group Centre. This should result in an appropriate level of growth, as sought by the objector.
- 3.5.13 **Gedney Dyke.** Gedney Dyke appears to be quite properly classified as an Other Rural Settlement due to its relative lack of key services and its proximity to larger and more sustainable settlements. The strategy for the Rural Area requires development to be focused on the more sustainable locations and Gedney Dyke does not appear suitable for the level of development envisaged by the objector.
- 3.5.14 **Gosberton Clough and Gosberton Risegate.** Having regard to the number of key services provided and the linear extent of this settlement, it is appropriately classified as an Other Rural Settlement. A settlement boundary would be inappropriate and somewhat impractical. The Plan is sufficiently flexible to make provision for local needs housing to help sustain the community, which should address much of the objector's concern.
- 3.5.15 **Surfleet.** Although Surfleet possesses a sufficient number of key facilities to be classified as a Group Centre, it does not appear to act as a service centre for other villages. Moreover, its physical characteristics weigh against its being suitable for the level of development appropriate to a Group Centre. It is a linear village, nearly 2km long, with the facilities widely dispersed such that it has no recognisable centre. The main road is winding and has only intermittent footways. I agree with the Council that Surfleet is appropriately classified as an Other Rural Settlement.
- 3.5.16 **Lutton.** Lutton has neither the range of key facilities nor the characteristics to justify its being elevated above an Other Rural Settlement. Nevertheless, the Plan does allow for housing to meet identified local needs. Whether this would encompass the objector's desire to live in the village would be a matter for the Council to determine, in the event of a planning application.

RECOMMENDATION

R.3.5. I recommend that the Plan be amended in accordance with PIC17.

3.6 SG4 – DEVELOPMENT IN THE COUNTRYSIDE

Objections

See Appendix A5

Issues

- a. Whether the last twelve words of Policy SG4 should be deleted.
- b. Whether Policy SG4 should be altered in order to allow more flexibility regarding the development of previously developed land outside settlement boundaries, especially near to Spalding, and where the criteria of other policies are met.
- c. Whether the policy needs to be amended in order to resolve the apparent contradiction between the stated object of protecting the rural character of the countryside, while allowing development.
- d. Whether Policy SG4 should be amended to remove any 'loopholes' which may allow development in the countryside.
- e. Whether the Plan needs to be altered in order to delete a reference to the countryside being protected for its own sake.
- f. Whether Policy SG4 should be 'strengthened' by the change of wording promoted by the objector, elaborating on the character of the countryside.
- g. Whether the Plan makes adequate reference to landscape character and whether Policy SG4 (and/or its reasoned justification) should be altered to include more explicit protection to the character of the landscape.
- h. Whether para.3.25 should be amended in order to refer to the possibility that schemes of diversification of the rural economy can lead to an overall decline in vehicle mileage.
- i. Whether para.3.26 should be amended in order to give a fuller and more accurate account of the Government's position regarding the protection of agricultural land from flooding and whether the word 'protection' should be replaced by the word 'preservation'.
- j. Whether the last sentence of para.3.28 should be 'strengthened' by the change of wording promoted by the objector.
- k. Whether the word 'unduly' should be deleted from the last sentence of para.3.34 in order not to give the impression that some harm to the rural character might be acceptable.
- l. Whether the Plan needs to be altered in order to introduce restrictions on the type of goods to be sold in farm shops.
- m. Whether the reasoned justification should refer positively to development allowing the creation of new wildlife habitat on agricultural land.
- n. Whether the reasoned justification should include a statement to the effect that holiday chalet, and large scale caravan and camping sites could not be developed in the countryside.
- o. Whether the Plan should allocate land for a 'green cemetery'.

Inspector's Reasoning and Conclusions

3.6.1 **Issues a-g.** It is national policy to promote sustainable development in rural

areas. Therefore, whilst the open countryside should continue to be protected for the benefit of all, including the need to have regard to the landscape character and other attributes of the countryside, such as its wildlife and historic qualities, the economic and social needs of rural communities must also be properly addressed.

- 3.6.2 Policy SG4 seeks to provide the necessary balance. On the one hand, it would prevent inappropriate development in the countryside, thereby complementing Policy SG3 in directing development to the most sustainable locations. On the other, it would support the rural communities and their economy. In seeking to avoid inappropriate development in the countryside, it is not necessary to introduce into the policy itself the flexibility to include previously developed land; the Planning and Compulsory Purchase Act 2004 already allows for other material considerations to be taken into account, thereby providing sufficient flexibility. In any event, brownfield sites in the rural area may not be in sustainable locations.
- 3.6.3 The policy clearly only seeks to avoid development inappropriate to a countryside location. It would not unduly restrict appropriate forms of development and it would not provide loopholes for inappropriate development.
- 3.6.4 Relevant matters such as wildlife appear to be covered by other policies in the Plan and IC44 would introduce an appropriate additional reference to wildlife habitat and coastal flood defences in para.3.29. However, the Council has recognised the Plan's deficiency in having inadequate reference to landscape character. PIC18 would introduce substantial additional text referring to this matter, including reference to the 2003 Strategic Landscape Capacity Study. I note that the County Council and others are undertaking further detailed work on landscape character assessment, as envisaged in RSS8, and agree with the Council that it would be prudent to await the outcome of such study to achieve a co-ordinated County-wide approach. This should, in due course, inform the LDF process.
- 3.6.5 Whilst PIC18 is welcome, it does not go far enough. To my mind, the policy needs to be re-worded to make its purpose clear and to ensure landscape character is properly taken into account. I agree that it is not necessary to refer to other policies, as the Plan is to be read as a whole.
- 3.6.6 **Issues h & i.** The objections would be met by PIC18, which I support.
- 3.6.7 **Issue j.** Simply 'advising' the avoidance of developing high quality land does not appear consistent with Policy SG5. A variation of the objector's stronger wording, phrased in the positive, would be preferable and I recommend accordingly.
- 3.6.8 **Issue k.** The use of 'unduly' is appropriate as all development is capable of giving rise to *some* harm. The decision-maker must balance any harm against the benefits of the development.
- 3.6.9 **Issue l.** Policy EC11 deals with farm shops and its reasoned justification makes suitable reference to the goods that may be sold.

- 3.6.10 **Issue m.** IC44 would add suitable text to make it clear that wildlife habitat creation may also be appropriate.
- 3.6.11 **Issue n.** The development of chalets and caravan sites would appear to fall under the remits of Policies LT1 and LT7 respectively. I see no justification for additional text here prohibiting them from the countryside as a matter of principle; each case should be considered against the appropriate policy.
- 3.6.12 **Issue o.** Para.3.31 refers to cemeteries as being acceptable, in principle, in the countryside. Therefore, there appears to be no need for a specific allocation. Each case could quite properly be considered on its merits.

RECOMMENDATION

R.3.6. I recommend that the Plan be amended as follows:

- i. In accordance with PIC18 and IC44;**
- ii. By replacing the final 20 words of para.3.28 with “... but the development of high quality land in the countryside will only be permitted if there are no other suitable sites available.”; and**
- iii. By replacing Policy SG4 with:-**

“Planning permission will only be granted for development in the open countryside which is essential in the proposed location and cannot reasonably be accommodated within defined settlement limits. Development proposals that would result in an unacceptable impact upon the landscape character of an area, either individually or cumulatively, will only be permitted where

 - 1) The need for the development in that location outweighs its impact; and**
 - 2) Where no other site or solution exists to accommodate the proposed development.”**

3.7 SG5 – NON-AGRICULTURAL DEVELOPMENT ON AGRICULTURAL LAND

Objections

011/003	F	National Farmers Union
308/002	F	Country Land and Business Association
501/002	R	RSPB
532/009	R	Government Office for the East Midlands
574/004	R	Councillor Chris Brewis
598/005	R	Mr and Mrs J S Pond

Issues

- a. Whether the policy could be more clearly expressed.

- b. Whether Policy SG5 should contain a reference to the acceptability of leisure development taking place on the highest grades of agricultural land, where that development does not involve the permanent loss of that land to agriculture.
- c. Whether Policy SG5 should be amended in order to allow a greater range of development where it is related to an agricultural business.
- d. Whether Policy SG5 would require amendment to provide for development on the objection sites to the east of the A16.
- e. Whether the reasoned justification to policies SG4 and SG5 should refer positively to development allowing the creation of new wildlife habitat on agricultural land.
- f. Whether the reasoned justification should include an amended statement regarding the protection of agricultural land from coastal flooding.

Inspector's Reasoning and Conclusions

- 3.7.1 **Issue a.** The Council acknowledges the lack of clarity and PIC18 would suitably re-word the policy, to include reference to the actual grades of land.
- 3.7.2 **Issues b & c.** Because the policy is intended to address all forms of non-agricultural development, it would become unduly wordy if all envisaged types of development were specified. It is preferable for examples to be given in the reasoned justification and para.3.30 makes reference to leisure development. A number of other policies, such as EC4, EC11 and LT1 provide for farm diversification and I see no need for further reference here.
- 3.7.3 **Issue d.** The objection sites are to the east of the A16 and are quite rightly regarded as outside the Spalding settlement boundary. They are considered in other sections of this report where I come to the view that they should not be allocated for development. I see no need to amend Policy SG5.
- 3.7.4 **Issues e & f.** These matters are dealt with in section 3.6 above.

RECOMMENDATION

R.3.7. I recommend that the Plan be amended in accordance with PIC18.

3.8 SG6 - COMMUNITY INFRASTRUCTURE AND IMPACT ASSESSMENT

Objections

See Appendix A6

Issues

- a. Whether the policy needs to be re-drafted in accordance with legislation and Government advice.

- b. Whether the final sentence of the policy should be deleted in order to acknowledge that it is the responsibility of the Local Authority, rather than the prospective developer to assess impact on physical and social infrastructure.
- c. Whether the provisions of Policy SG6 and its reasoned justification need to be altered in order to remove any indication that developers will need to make financial contributions even though existing community infrastructure is adequate.
- d. Whether the provisions of Policy SG6 and its reasoned justification need to be altered in order to give more details about how the scheme of developer contributions will work in practice.
- e. Whether the provisions of Policy SG6 and its reasoned justification need to be altered in order to remove any indication that developer contributions are seen as an alternative to the provision of services and infrastructure by the relevant statutory body.
- f. Whether the Plan should be amended to remove reference to a 10 house threshold to trigger the provisions of Policy GEN3 (now Policy SG6).
- g. Whether the wording of para.3.37 adequately reflects Circular 1/97 (now Circular 05/2005).
- h. Whether, the reference to the production of SPD in para.3.40 should be deleted.
- i. Whether detailed area briefs for the towns are necessary, and should land be allocated for community facilities.
- j. Whether para.3.39 should be deleted or, if not, should it refer to flood and sea defences, fire and rescue facilities, public art, wildlife habitat, rail freight facilities and CCTV.
- k. Whether the Plan should include a specific provision for industrial developers to pay a financial contribution to an A151 by-pass scheme for Whaplode and Moulton.
- l. Whether the relevant policy should make direct reference to the requirements for education infrastructure and whether the provision of advice to developers by the County Council on this topic should be mentioned in the reasoned justification.
- m. Whether Policy SG6 or its reasoned justification need to be altered in order to ensure that health care provision is considered before planning permission is granted for future housing developments.
- n. Whether Policy SG6, or its reasoned justification, needs to be altered in order to refer to the appropriate phasing of the provision of community facilities.
- o. Whether the reference in the Plan to Environmental Impact Assessment (EIA) is correctly located and whether the provisions of the paragraph relating to EIA should be 'strengthened' in the ways suggested by the objectors.
- p. Whether the issue of site viability should be addressed by the policy or in its reasoned justification.

Inspector's Reasoning and Conclusions

- 3.8.1 **Issues a - h.** The Policy is appropriate, in general terms, in that it is capable of applying to *all* development. The original threshold of 10 dwellings has now been removed. The reasoned justification, as amended by PIC19 and IC6, sets out the requirement to comply with all the provisions of Circular 05/2005 and provides examples of the types of infrastructure that might be needed as a consequence of development.
- 3.8.2 The Council accepts that the Policy is poorly worded and PIC19 would also address this matter. It is now clear from reading the Policy and para.3.37 that schemes must be individually assessed and that contributions must be directly related to the development. It must follow that, if the local infrastructure is adequate, there would be no need for a contribution. Nor should contributions be sought as an alternative to provision by the relevant statutory body. In my view, the amended wording is sufficiently clear to avoid any suggestion that the Policy could be used to secure inappropriate contributions or that planning permission may be bought or sold.
- 3.8.3 Para.3.40 states that a list of infrastructure needs will be built up as a basis for a Supplementary Planning Document (SPD) on this subject. This appears consistent with the advice of Circular 05/2005 and a 'Developer Contributions' SPD forms part of the Council's Local Development Scheme; it is intended to give further guidance relating to this Policy. Whilst it would have been preferable for the SPD to be produced contemporaneously with the Plan, the Council's approach appears acceptable, so long as the SPD does not seek to alter the tone of the Policy. Detailed area briefs, setting out local infrastructure requirements, may well form part of this process but it would not be acceptable under present national policy guidance to seek contributions to a general community pot.
- 3.8.4 The question remains as to whose responsibility it is to identify the impact of a development proposal. The local planning authority has to decide ultimately whether or not a development proposal is acceptable, on balance, taking account of both the benefits and any adverse impact of the development. However, there is clearly a significant role for the developer to play in this process and preliminary discussion between the developer and the local planning authority can help to speed up the procedure. Therefore, I am content that the amended Policy and para.3.40 strike the right balance in first, requiring the developer to submit an assessment of the impact of the scheme. In due course, the projected SPD should help to refine the process.
- 3.8.5 **Issues i - m.** I consider it perfectly acceptable for the Plan to give examples of the type of infrastructure contributions that may be needed. The list is appropriately set out in topics, rather than individual schemes. Thus, even if the Whaplode by-pass were a committed scheme, it would not have been appropriate to identify it here; the term 'highway improvements' would cover any such scheme. It appears that the Council has identified the topics which are most likely to arise. This does not mean either that the list should be seen as a 'shopping list' or that it excludes other matters that may legitimately come forward. As stated above, each development must be treated on its merits. I see no reason for the County Council to be mentioned in relation to

educational needs any more than any of the other service providers. It is a matter for the Council to co-ordinate any such requirements.

- 3.8.6 Healthcare facilities are explicitly listed as an example of infrastructure provision in para.3.39; there is no need for repetition of this topic in the Policy itself, which is deliberately general. It is a matter for the decision maker to assess whether a particular housing proposal gives rise to a need for additional healthcare facilities and whether a contribution is needed to address any undue shortfall.
- 3.8.7 **Issue n.** Para.3.41 makes it clear that the provision of infrastructure must be properly phased to be delivered when needed.
- 3.8.8 **Issue o.** The provisions of EIA stand separate from the Plan and it would not be appropriate to include a policy on this topic. Whilst it is right for the Plan to draw attention to these provisions, it can have no bearing on how they are operated. The reference to EIA is now appropriately in the Core Strategy Chapter and PIC19 would provide sufficient clarity to this issue.
- 3.8.9 **Issue p.** It is not necessary for the Plan to take the financial viability of a development into consideration; that is a matter for the developer. However, the viability of a scheme may well be a material consideration when the level of any infrastructure contribution is being negotiated.

RECOMMENDATION

R.3.8. I recommend that the Plan be amended in accordance with PIC19 and IC6.

3.9 SG7 - ENERGY EFFICIENCY

Objections

532/011	R	Government Office for the East Midlands
532/012	R	Government Office for the East Midlands
654/004	R	Councillor P M Walls
664/001	R	Boston, Spalding & District Trades Union Council
669/001	R	Councillor Espin
683/014	R	Spalding & District Civic Society
686/003	R	HBF

Issues

- Whether there should be reference to renewable energy in the Policy and its reasoned justification.
- Whether the Policy is appropriate in the light of the Building Regulations and whether they should be referred to.
- Whether the Policy is insufficiently stringent.

Inspector's Reasoning and Conclusions

- 3.9.1 **Issue a.** The Council accepts that reference should be made to renewable energy and proposes PIC20, which suitably addresses this issue.
- 3.9.2 **Issue b.** The Building Regulations contain requirements for energy efficiency, which must be met. As these are part of a separate legislative framework, I see no need to refer to them in the Plan. However, the Policy quite properly seeks to go beyond the scope of the Building Regulations in influencing layout and the use of renewable energy, which are matters encouraged in PPS22: *Renewable Energy*. Therefore, I do not agree with the objection that seeks to omit the policy.
- 3.9.3 **Issue c.** PPS22 points to the Government's targets for reducing carbon dioxide emissions and for electricity generation from renewable energy sources, both vital contributors to the sustainable development strategy. It indicates that policies in local development documents may require a percentage of their energy to come from on-site renewable energy developments. Whilst Policy SG7 seeks to move in this direction, it requires energy efficiency and use of renewable energy in 'major development proposals' but does not define this term or set any target. I note that the Council intends to produce supplementary guidance on this issue, but this needs appropriate policy backing. I agree with the objector that, if this matter is to be properly addressed, action should be taken now; the question remains to what extent.
- 3.9.4 Although the objector rightly points to the Plan period as being to 2021 and proposes stringent standards appropriate to that date, in practice the Plan will be reviewed before that and any policy ought to be capable of being implemented now, without undue burden on the developer. Future reviews of the Plan will be able to take future targets and technological advances into account. I have had regard to the policy examples provided by the objector from other development plans and there is a reasonable consistency in applying such a policy to development of over 1,000 sq.m or over 10 dwellings. Therefore, although agreeing PIC20 (with spelling corrected), I recommend a further revision to the policy.

RECOMMENDATION

R.3.9. I recommend that the Plan be amended in accordance with PIC20 (replacing "practicle" by "practicable") and by replacing the last sentence of Policy SG7 with:

"All development with a floor space of 1000 sq.m or more, or 10 or more residential units, will be required to demonstrate good practice in energy efficiency and to incorporate renewable energy production equipment to provide at least 10% of its predicted energy requirements."

3.10 SG9 – DEVELOPMENT AND FLOOD RISK

Objections

041/003	F	Holbeach and District Civic Society
128/001	F	Councillor Paul Espin
588/003	R	The Environment Agency
588/004	R	The Environment Agency
654/005	R	Councillor P M Walls

Issues

- a. Whether the phrase 'Indicative Fluvial Floodplain' which appears in a map on page 59 of the FDD, should be clarified.
- b. Whether the reference to the Environment Agency's maps in para.5.50 of the FDD fails to recognise the work done by internal drainage boards.
- c. Whether greater reference needs to be made to the sequential approach as in PPG25.
- d. Whether para.3.47 should be amended to read: "The Environment Agency Flood Zone Map identifies much of the District as being at a high risk of flooding".
- e. Whether the Plan should contain a policy to address managed re-alignment of the Wash shoreline.

Inspector's Reasoning and Conclusions

- 3.10.1 **Issues a & b.** Both of these objections have been met in the Re-deposit Plan.
- 3.10.2 **Issues c & d.** PIC22 and IC45 would introduce changes to para.3.47 which would directly meet the major part of these objections. This appears consistent with Policy SG2, which takes account of the sequential test for various forms of development, including windfalls. I support the change to the Policy which would require measures to reduce the *consequences* of flooding. With this added to the second sentence of the policy, I see no need for the objector's suggested wording to the end of the Policy, concerning mitigation; reference is already made to mitigation in the 2nd paragraph of the Policy.
- 3.10.3 **Issue e.** In my view, it is not a matter for a local plan to introduce a policy for the managed re-alignment of the Wash shoreline. Even if it were a land use planning matter, the Wash shoreline affects a number of administrative Districts and such a decision would need to be made at a strategic level.

RECOMMENDATION

R.3.10. I recommend that the Plan be amended in accordance with PIC22 and IC45.

3.11 SG10 - WATER QUALITY

Objections

025/011 F English Nature
669/002 R Councillor Espin

Issues

- a. Whether the policy should define 'long term levels of acceptable performance'.
- b. Whether a new policy should be added which refers to land/soil and air pollution.

Inspector's Reasoning and Conclusions

- 3.11.1 **Issue a.** It would be unmanageable and unduly wordy to attempt to introduce such a definition into this Policy. It is a matter which it is quite appropriate for the local planning authority to determine on a case by case basis, taking account of the advice of its statutory consultees.
- 3.11.2 **Issue b.** This objection is now met by the introduction to the Plan of Policy SG13.

RECOMMENDATION

R.3.11. I recommend no amendment to the Plan.

3.12 SG11 - SUSTAINABLE URBAN DRAINAGE SYSTEMS (SUDS)

Objections

574/006 R Councillor Chris Brewis
588/005 R The Environment Agency
683/015 R Spalding & District Civic Society
686/004 R HBF

Issues

- a. Policy SG11 should be re-worded to highlight the fact that new development increases run-off and can therefore have an impact on surface water drainage and that sustainable urban drainage systems are the preferred option for dealing with this. Suggest alternative wording for the policy.
- b. The wording of the first line of Policy SG11 should be amended to read; 'For any proposal, whether residential or commercial, that the Council deems would lead...'
- c. Propose that, until suitable mechanisms for adopting SUDS schemes are in place, the policy should either '*encourage* the use of SUDS' or 'seek the implementation of sustainable drainage systems wherever practicable' rather than '*require*' in all circumstances.
- d. Whether the wording of the reasoned justification should include reference to the close cooperation between the District Council, Environment Agency and the Internal Drainage Boards.

Inspector's Reasoning and Conclusions

3.12.1 **Issues a – c.** It is clear that SUDS are intended to be the preferred drainage option, where practicable. This would include consideration of local soils and geology and the reassurance that the system would be properly maintained in the long term. Although the HBF indicate potential adoption problems, that is apparently not an issue in South Holland and I am content that a 'requirement' for SUDS, wherever possible, sets the appropriate tone. Although the Council proposes PIC23 to meet some of the objections, the Environment Agency has proposed an alternative form of words which, to my mind, express the intention of the policy with greater clarity. The last sentence of the policy would remain, to apply to those situations where SUDS are not possible.

3.12.2 **Issue d.** Para.3.61 already refers to the need to consult these bodies and I see little purpose in adding to this reference.

RECOMMENDATION

R.3.12. I recommend that the Plan be amended by the replacement of the first sentence of Policy SG11 with:

“Development generating surface water run-off, likely to result in increased flood risk, will be permitted provided that:

- 1) The development’s surface water management system accords with sustainable development principles and has been designed as part of the development layout; and**
- 2) The system will effectively control and adequately mitigate or attenuate any adverse effects from surface water run-off on people, habitats of acknowledged importance and property; and**
- 3) Developers can ensure long term maintenance of the drainage systems, where necessary through planning obligations.”**

3.13 SG12 - SEWERAGE AND DEVELOPMENT

Objections

- 588/006 R The Environment Agency
588/007 R The Environment Agency

Issues

- a. Whether additional text should be added to para.3.63 to refer to drainage assessments.
- b. Whether additional wording should refer to the possibility of upgrading, where existing facilities are inadequate.

Inspector's Reasoning and Conclusions

3.13.1 **Issue a.** PIC24 would add appropriate wording to para.3.63 and would meet

this objection.

3.13.2 **Issue b.** PIC24 would also add appropriate wording to para.3.24 which effectively addresses this issue. To my mind, the term 'whenever the opportunity exists' in criterion 1) of the Policy would cover the possibility of upgrading, where necessary, and I see no requirement for additional wording.

RECOMMENDATION

R.3.13. I recommend that the Plan be amended in accordance with PIC24.

3.14 SG13 - POLLUTION AND CONTAMINATION

Objections

075/001 F Mrs P Cass
076/001 F Mr Robert Winterton
077/001 F Mr Harold Sharman
078/001 F Mr David Kettle
112/001 F Campaign for Dark Skies
124/001 F Mr Peter Cooke

Issues

a. Whether any changes or additional wording to either a policy or supporting text need to be made to refer to the control of light pollution.

Inspector's Reasoning and Conclusions

3.14.1 **Issue a.** The objections related to the FDD Plan. Light pollution has now been included as one of the forms of pollution covered by Policy SG13 and this would appear to meet the objections.

RECOMMENDATION

R.3.14. I recommend no amendment to the Plan.

3.15 SG14 - DESIGN AND LAYOUT OF NEW DEVELOPMENT

Objections

139/001 F Countryside Agency East Midlands Region
139/002 F Countryside Agency East Midlands Region
321/053 F Spalding & District Civic Society
543/004 R Countryside Agency (East Midlands Region)
682/022 R John Hayes MP
683/016 R Spalding & District Civic Society
683/PIC25 P Spalding & District Civic Society

Issues

- a. Whether the wording of the supporting text or policy should be amended to include reference to Village Design Statements, Parish Plans and community involvement in the planning process.
- b. Whether there should be a commitment to Design Appraisals included in the policy.
- c. Whether criterion 7 should be amended by inserting 'existing and future' after 'residents'.
- d. Whether criterion 12 should be amended by the addition of 'or which does not respect the distinction between development appropriate to town, suburb, village and countryside'
- e. Whether the wording of the policy or supporting text should be changed to put more emphasis on good design in the countryside as well as built up areas.
- f. Whether a new or amended policy should be included which relates specifically to the protection of the landscape.

Inspector's Reasoning and Conclusions

- 3.15.1 **Issues a & b.** The Council recognises the merits of referring to village design statements and proposes IC46 to add the appropriate text to para.3.66.
- 3.15.2 I agree with the objector that good design can be addressed only if there is adequate material to explain and illustrate the proposal. It is for the Council to decide whether it would wish to prepare design appraisals for each housing site identified within the Plan – and more generally – in advance of any planning proposal being received. However, with effect from 10th August 2006, a measure introduced by the Planning & Compulsory Purchase Act 2004 will require planning applications to be accompanied by design and access statements. These statements must explain the design principles and concepts that have been applied to the development and how issues relating to access have been dealt with. This, I think, will address the concern of the objector. I see no justification for any change on this count.
- 3.15.3 **Issue c.** The suggested wording appears to add nothing of significance to the criterion in question; it would be normal practice to consider both existing and future residents, given the lifespan of a new development.
- 3.15.4 **Issues d – f.** The Council has indicated that the purpose of this policy is to promote high quality design which makes a positive contribution to the visual quality of the surroundings. I strongly support this purpose as being inherently desirable and consistent with the Plan's aims and objectives. The term 'surroundings' would cover all areas of the District, including the countryside. IC46 would add reference to landscape character in the reasoned justification. In any event, Policy SG4 deals with development in the countryside, including landscape character, and there is no need for further wording to cover this point, as suggested by objectors.
- 3.15.5 Criterion 12 already includes the impact on the character and appearance of the locality. The additional wording that would be introduced by PIC25 would

add nothing of significance; an appraisal of the character of a locality can not help but take into account whether it is urban, suburban or rural; it is not therefore supported. Additionally, the wording of this criterion does not match that of the other 11 and it would read better as a stand alone final paragraph, useful to justify the refusal of an unsatisfactory proposal.

- 3.15.6 Although Policy SG18 deals with landscaping, including the establishment of wildlife habitats, the additional criterion which is proposed under IC46 is supported as reinforcing an important issue.

RECOMMENDATION

R.3.15. I recommend that the Plan be amended in accordance with IC46 and by treating criterion 12 as a stand alone final paragraph to Policy SG14.

3.16 SG15 - NEW DEVELOPMENT: FACILITIES FOR ROAD USERS, PEDESTRIANS AND CYCLISTS

Objections

575/003 R Sutton Bridge Town Council

Issues

- a. Para.3.71 should include text on the layout of new footways, road nameplates and verges and green areas.

Inspector's Reasoning and Conclusions

- 3.16.1 **Issue a.** The timing of the fixing of road nameplates is not a planning issue. The other matters referred to may have a relationship to planning, but either raise points that should be directed to the Highway Authority or are not relevant to the Plan.

RECOMMENDATION

R.3.16. I recommend no amendment to the Plan.

3.17 SG16 – PARKING STANDARDS IN NEW DEVELOPMENT

Objections

058/004 F Mr Keith Abbiss
146/002 F Sustrans
321/103 F Spalding & District Civic Society
532/013 R Government Office for the East Midlands
574/009 R Councillor Chris Brewis
682/006 R John Hayes MP
686/005 R HBF

Issues

- a. Whether the wording of para.3.77 should be changed.
- b. Whether the words 'where appropriate' should be deleted from Policy SG16.
- c. Whether the maximum car parking standards in Appendix 2 are insufficient and should be changed.
- d. Whether cycle parking standards should be changed.
- e. Whether the Plan should promote the provision of adequate parking provision in association with town centre shopping.
- f. Whether a new policy relating to multi storey car parks should be included.

Inspector's Reasoning and Conclusions

- 3.17.1 **Issue a.** The clarification sought would be provided by PIC26, which I support.
- 3.17.2 **Issue b.** To my mind the policy wording as framed is unobjectionable. The second sentence in the second paragraph must be taken to relate to all development, rather than simply housing development. The latter should not be inferred by the reference to "...on a plot by plot basis..." Thus, it might not be appropriate to assess provision as an average across the development in the case of, say, a general industrial estate development. But, it would be where a housing proposal is involved – although not necessarily in certain circumstances, as the Council rightly points out. And, I would add, possibly in instances where highway safety considerations are pre-eminent. The wording is therefore entirely appropriate.
- 3.17.3 **Issue c.** The standards adopted by the Plan follow those set out within the LCC publication, "Development Guide on Transport and New Development Issues in Lincolnshire", (January 2005). In adopting a maximum standard, the Plan is not only consistent with emerging LSP Policy M7 but follows national advice in PPG3: *Housing* and PPG13: *Transport*, and the approach of RSS8. I have seen no convincing evidence to persuade me a case exists for a different approach to be followed in South Holland. Moreover, the standards were produced in conjunction with the various District Councils. I see no reason therefore to doubt that they already reflect the reality that, for many living in the rural areas of Lincolnshire, the car will remain the main means of accessing employment and other services. For my consideration of the application of the parking standards within the District, see section 10.2 of this report.
- 3.17.4 **Issue d.** Cycle parking standards also appear in Appendix 2 to the Plan. The standards are stated in *minimum* terms and so would allow for a higher level of provision in appropriate circumstances. These standards derive from the "Development Guide on the Transport and New Development Issues in Lincolnshire" and so reflect local conditions. I see no reason to prefer standards derived from elsewhere, just because the objector regards them as more rigorous.

3.17.5 **Issue e.** The point is well made. It is important to ensure that there is an adequate supply of short stay parking for shoppers and visitors in order to maintain the retail competitiveness and viability of the District's towns. However, in essence, this is about the management of parking space and, as such, is a subject for consideration within the LTP. In this connection I note in passing that the LTP does in fact report existing car parks in the large market towns operate below their full capacity [CD/LC/10]. The role of the Local Plan is to ensure appropriate parking provision is made in connection with new development – and this it does through Policy SG16 and Appendix 2 (as recommended for amendment).

3.17.6 **Issue f.** If the Plan sought to include a policy on every potential matter of land use interest, it would be far too detailed and unwieldy. There is no proposal for a multi storey car park in Spalding or anywhere else in the District. No purpose would be served by including a policy on this topic. In the event such a scheme were to emerge, I am satisfied the issues it would raise could be adequately considered within the context of other policies in the Plan.

RECOMMENDATION

R.3.17. I recommend that the Plan be amended in accordance with PIC26.

3.18 SG17 - PROTECTION OF RESIDENTIAL AMENITY

Objections

532/001 R Government Office for the East Midlands
683/017 R Spalding & District Civic Society
686/006 R HBF

Issues

- a. Whether the wording of the policy should be changed to make it read positively.
- b. Whether the Policy could help nearby residents oppose brownfield development.
- c. Whether the wording of criterion 4 should be changed to cross reference to SG13 or to include all the matters referred to in that policy.

Inspector's Reasoning and Conclusions

3.18.1 **Issues a - b.** I agree with the first objector that policies should be worded positively, wherever possible, reflecting the desirability of encouraging acceptable forms of development, including brownfield development. The re-worded policy would still enable the Council to refuse development which was, on balance, unacceptably harmful to residential amenity. The policy does not appear to me to be biased in favour of either local residents or potential developers.

3.18.2 **Issue c.** It is not necessary to cross refer to other policies, as the Plan is to be read as a whole. Whilst criterion 4 may be criticised for being on the one hand

inconsistent with, and on the other hand duplicative of, Policy SG13, I feel it conveys an appropriate range of considerations in this particular context.

RECOMMENDATION

R.3.18. I recommend that the Plan be amended by replacing the first paragraph of Policy SG17 with:

“Planning permission will be granted for development which would not cause material harm to residential amenity.”

3.19 SG18 - LANDSCAPING OF NEW DEVELOPMENT

Objections

107/006	F	English Heritage
257/010	F	Abbey Developments Ltd
314/016	F	RSPB
683/018	R	Spalding & District Civic Society

Issues

- a. Whether changes should be made to Policy NE5 to refer to the enhancement of the landscape and the contribution that integrated landscaping can make as part of new development.
- b. Whether ‘including brownfield’ should be inserted into criterion 3 of the Policy after the word ‘habitats’.
- c. Whether the Plan should contain a reference to the Hedgerow Regulations, and other ancillary legislation.

Inspector's Reasoning and Conclusions

- 3.19.1 **Issue a.** FDD Policy NE5 has been effectively replaced by SG18, which appears to meet the objectors’ concerns. I consider the policy is right to pay particular attention to the protection of attractive landscape features, including trees, as they offer ready maturity to a development. This would not prevent an alternative approach to integrating landscaping with development if it could be demonstrated to be appropriate to a particular site and scheme.
- 3.19.2 **Issue b.** The policy applies to *all* sites, whether rural or urban, brownfield or greenfield, and there is no need for the additional wording.
- 3.19.3 **Issue c.** IC49, which I support, would introduce appropriate reference to the Hedgerow Regulations in para.6.9 of the Plan.

RECOMMENDATION

R.3.19. I recommend no amendment to the Plan.

3.20 SG20 - EXTENSIONS AND ALTERATIONS TO EXISTING BUILDINGS

Objections

574/010 R Councillor Chris Brewis

Issues

- a. Whether the wording of Policy SG20 should be changed to make reference to the withdrawal of permitted development rights on new developments.

Inspector's Reasoning and Conclusions

3.20.1 **Issue a.** The objection is not directly relevant to this policy, which is concerned with existing buildings. In any event, I do not agree that the removal of permitted development rights should be promoted more generally; Circular 11/95 advises that such a course of action should be exceptional. It is right that each site should be treated on its merits and permitted development rights only removed where there is very good reason to do so.

RECOMMENDATION

R.3.20. I recommend no amendment to the Plan.

3.21 SG21 - EXTENSIONS OF CURTILAGES

Objections

574/011 R Councillor Chris Brewis

Issues

- a. Whether the wording of Policy SG21 should be changed to include the words 'will normally' instead of 'may'.

Inspector's Reasoning and Conclusions

3.21.1 **Issue a.** The objection would be satisfactorily addressed by PIC27.

RECOMMENDATION

3.21.2 I recommend that the Plan be amended in accordance with PIC27.

3.22 SG22 - ADVERTISEMENTS AND SIGNAGE GENERALLY

Objections

215/001 F Outdoor Advertising Association

Issues

- a. Whether Policy BE12 of the FDD Plan should be re-worded to read 'The District Council will grant express consent for advertisements which do not detract from the visual amenity of their setting'.

Inspector's Reasoning and Conclusions

3.22.1 **Issue a.** The objection is met by the wording of Policy SG22.

RECOMMENDATION

R.3.22. I recommend no amendment to the Plan.

3.23 SG23 - ADVERTISEMENTS OUTSIDE DEFINED SETTLEMENT LIMITS

Objections

683/019 R Spalding & District Civic Society

Issues

- a. Whether changes should be made which add a new paragraph after 3.97 referring to advertisements on trailers in fields.
- b. Whether changes should be made which change the wording of the policy to refer to highway safety and mobile advertisements.
- c. Whether changes should be made which add a new policy and supporting text relating to street naming.

Inspector's Reasoning and Conclusions

- 3.23.1 **Issue a.** The reasoned justification applies to all advertisements in the countryside, which could include trailer advertising. However, it is not open to the Plan to alter the terms of the Town and Country Planning (Control of Advertisements) Regulations 1992. It is also not necessary for the Plan to refer to enforcement against unauthorised advertisements; that is one of the Council's powers, which it may choose to exercise when expedient to so do.
- 3.23.2 **Issue b.** Policy SG22 applies to all advertisements and it is therefore not necessary to repeat the highway safety criterion.
- 3.23.3 **Issue c.** I am informed that street naming is a function of the Council's Building Control section and therefore this is not an appropriate topic for a development plan policy.

RECOMMENDATION

R.3.23. I recommend no amendment to the Plan.

APPENDIX A2

SG General - Objections

115/003	F	RMC Group Services Ltd
143/003	F	Sport England
188/001	F	Campaign for Real Ale
252/004	F	House Builders Federation
257/004	F	Abbey Developments Ltd
296/005	F	Larkfleet Ltd
321/010	F	Spalding & District Civic Society
543/001	R	Countryside Agency (East Midlands Region)
554/002	R	Holbeach Parish Council
557/004	R	English Nature
682/021	R	John Hayes MP
683/023	R	Spalding & District Civic Society
683/072	R	Spalding & District Civic Society
685/009	R	English Heritage
685/PIC14	P	English Heritage

APPENDIX A3

SG2 - Objections

015/002	F	Mr Barry Strange
057/002	F	Long Sutton and District Civic Society
257/016	F	Abbey Developments Ltd
308/015	F	Country Land and Business Association
308/024	F	Country Land and Business Association
535/001	R	Leslie Bater
564/007	R	Mr N Russell
570/001	R	South Lincs Plant Hire & Sales
586/002	R	Hambledon Investments Ltd
587/008	R	Southfield Business Park Ltd
655/014	R	Broadgate Homes Ltd
664/009	R	Boston, Spalding & District Trades Union Council
670/001	R	Moulton Parish Council
683/007	R	Spalding & District Civic Society
687/005	R	Wash Estuary Management Group

APPENDIX A4

SG3 - Objections

012/001	F	Morgan Cole
337/001	F	Sutton St James Parish Council
564/008	R	Mr N Russell
570/002	R	South Lincs Plant Hire & Sales
574/002	R	Councillor Chris Brewis

578/002	R	Thornfield Springfield Developments Ltd
581/001	R	Sharon Mountain
582/005	R	Mr and Mrs J R Blencowe
583/002	R	Gosberton Parish Council
638/002	R	Allison Homes Eastern Ltd
654/001	R	Councillor P M Walls
654/002	R	Councillor P M Walls
655/015	R	Broadgate Homes Ltd
659/001	R	Mrs E Garner
660/001	R	Mr and Mrs Asprey
665/002	R	Mr P Ruysen
670/002	R	Moulton Parish Council

APPENDIX A5

SG4 - Objections

139/005	F	Countryside Agency East Midlands Region
144/007	F	Councillor P M Walls
308/001	F	Country Land and Business Association
314/004	F	RSPB
321/067	F	Spalding & District Civic Society
532/006	R	Government Office for the East Midlands
532/007	R	Government Office for the East Midlands
532/008	R	Government Office for the East Midlands
543/002	R	Countryside Agency (East Midlands Region)
570/003	R	South Lincs Plant Hire & Sales
582/004	R	Mr and Mrs J R Blencowe
669/007	R	Councillor Espin
683/008	R	Spalding & District Civic Society
683/009	R	Spalding & District Civic Society
683/010	R	Spalding & District Civic Society
683/011	R	Spalding & District Civic Society
683/PIC18	P	Spalding & District Civic Society
685/PIC18	P	English Heritage

APPENDIX A6

SG6 - Objections

025/007	F	English Nature
029/006	F	Lincolnshire County Council
029/009	F	Lincolnshire County Council
031/004	F	Railtrack Plc
059/001	F	Townwomen's Guild
097/004	F	Moulton Parish Council
115/004	F	Rmc Group Services Ltd
144/006	F	Councillor P M Walls

252/003 F House Builders Federation
257/007 F Abbey Developments Ltd
308/010 F Country Land and Business Association
320/002 F South Holland Primary Care Group
321/027 F Spalding & District Civic Society
532/010 R Government Office for the East Midlands
547/002 R Abbey Developments Ltd
576/003 R Lincolnshire Wildlife Trust
638/003 R Allison Homes Eastern Ltd
654/003 R Councillor P M Walls
655/016 R Broadgate Homes Ltd
664/004 R Boston, Spalding & District Trades Union Council
683/012 R Spalding & District Civic Society
683/013 R Spalding & District Civic Society
686/002 R HBF