

## 5. ECONOMY

### 5.1 EMPLOYMENT: AN OVERVIEW

5.1.1 The introductory paragraphs of the Economy Chapter of the Plan set out the Council's overall strategy for employment land provision. The general aim is to maintain and enhance the economic prosperity of the District by ensuring that there is sufficient readily available land to meet economic development needs, in locations which accord with sustainable development objectives and in a manner that would not undermine the quality of the District's environment and heritage.

#### Strategic Context

5.1.2 The strategic context for the Plan is set out within national guidance, RSS8 and the LSP. The thrust of national policy guidance, as expressed for example in PPS1: *Delivering Sustainable Development*, is that planning should facilitate and promote sustainable patterns of urban and rural development by, amongst other things, making suitable land available for development in line with economic, social and environmental objectives and contributing to sustainable economic development. PPG4: *Industrial and Commercial Development and Small Firms* advises that there should be a variety of sites to meet differing needs, taking into account wider issues of sustainability. It also states that sufficient land should be available which is readily capable of development and well served by infrastructure. PPS7: *Sustainable Development in Rural Areas* offers guidance on considering proposals for rural diversification.

5.1.3 RSS8 advises that there is an apparent over-supply of allocated industrial land in the Eastern Sub-area of the Region, particularly in the north of the Sub-area – although not necessarily an adequate supply of serviced land that can be developed by the market. The LSP affirms the view that there is a large supply of land and premises for industrial and commercial uses within Lincolnshire. The regional priorities for employment land are therefore to focus on having the right quantity and quality of employment land to meet current and future requirements – by the allocation and de-allocation of employment land and by bringing forward good quality allocated employment sites to meet the specific requirements of potential investors. The LSP supports this approach by advocating an assessment of allocated sites, while noting the importance of maintaining an adequate portfolio of sites for employment use in the County.

5.1.4 Against this background, the principal considerations raised by objectors in connection with the Plan's policies for employment development focused upon 2 main issues. First, the sufficiency of employment land provision, as well as its adequacy in terms of distribution, size and quality. And, second, the Plan's approach to the rural economy, in terms of the suitability of its policies to allow rural employment development and diversification.

#### Employment Land Provision

5.1.5 The Plan identifies 6 sites for employment use. They are located in Spalding (at land off Wardentree Lane and Spalding Road, Pinchbeck and off West Marsh Road – hereafter referred to generically as the Spalding Major Employment Area) and within the Area Centres of Crowland, Donington, Holbeach, Long /Little Sutton and Sutton Bridge. In response to objections, the Council has advanced as PIC46 a further employment allocation at Barrier Bank, Spalding for a 'high quality business park' that may also

include 'a high quality hotel with complementary conference and leisure' facilities.

- 5.1.6 Neither RSS8, nor the LSP, provide figures for the amount of employment land to be provided within South Holland. Objectors however expressed divergent views about the adequacy of employment land provision in terms of its quantum. One view was that Spalding maintained a supply of employment land far beyond local requirements. In contrast, others believed there to be a case for allocating additional land for employment use at Spalding.
- 5.1.7 The Council's position is that there is the need for a continuing, adequate range and supply of land to accommodate not only the needs of the food, agriculture and distribution sectors but also to attract new enterprises to encourage diversification of the economy [CD/SH/36 para.6.3]. I recognise the importance of ensuring businesses have a choice of location and premises. Nonetheless, the Council accepted that the employment allocations in the District did appear generous [CD/RT/48]. Certainly on the face of it, that would appear to be the case.
- 5.1.8 The land identified for Major Employment Proposals within the Plan amounts to some 234 ha [CD/SH/53] – this is divided roughly 45:55 between the Spalding Major Employment Area and the Area Centres. However, the figure for the Area Centres is significantly inflated by proposals at Sutton Bridge, Wingland (54 ha) and Long/Little Sutton (45.2 ha). The site at Sutton Bridge, Wingland is also referred to as the Wingland Enterprise Park.
- 5.1.9 Between 1997 and 2005, 37 ha of land was developed on allocated sites, at an average of 4.1 ha per annum [CD/SH/36]. Thus, in simple quantitative terms, South Holland District would appear to have 57 years supply of employment land within its allocations – which has a certain resonance with the calculation made by the LSP that Lincolnshire currently has a 45 year supply – and in any terms a more than generous figure in relation to the 2021 end date of the Local Plan.
- 5.1.10 I turn therefore to examine the employment land provision in some more detail. I consider provision by reference to the Spalding Major Employment Area and land allocated within or adjacent to the Area Centres, since in my view they are distinct, identifiable components of the market within the District. In a number of cases where there are site-specific objections, the sites are considered more fully later in this report.

### ***Spalding Major Employment Area***

- 5.1.11 Spalding was described by the Lincolnshire Employment Sites and Premises Study of March 2005 as an area of medium to high demand within the Fens market area [CD/LC/15]. That all but 0.29 ha of the 37 ha of land developed in South Holland in the Major Employment Areas during 1997-2005 was located within the Spalding Major Employment Area [CD/SH/53] would appear not only to support that description, but also underline the importance of this area for the maintenance and enhancement of the economic prosperity of the District.
- 5.1.12 The undeveloped area of land within the Spalding Major Employment Area considered available at 31 March 2005 was nearly 106 ha. However, discounting sites where development has subsequently been started or completed, or where detailed planning permission had been granted to local companies for extension/expansion, there is now approximately 59 ha of land available. Of this there are potential contaminated land issues to resolve on one site of 15 ha, as well as a settling pond that would require levelling [Site F CD/SH/53 & 54], although on the available evidence that is no reason to disregard such a substantial site.

- 5.1.13 Therefore, it appears to me that arithmetically the Spalding Major Employment Area would provide for about 14 years supply at the historic take-up rate, close to the remaining years of the Plan period. Other evidence, within a submission from the Council's Economic Development Strategy Task Group in reference to the Spalding Employment Area advises in minutes dated May 2004 that "...the rate of employment development actually constructed appears to be averaging 2.1 hectares per annum, based on the last three years..." However one interprets that statement, it seems to suggest a slowing down of development for employment purposes. The effect would be that the supply figure has a degree of flexibility built into it.
- 5.1.14 My view is that the Plan makes realistic provision for employment proposals within the Spalding area such that there is no immediate need for further provision of employment land. Moreover, there appears to me to be sufficient variety and choice of sites within this area, and no servicing constraints on the development of land here. Overall, therefore, I am satisfied as to the adequacy and quality of the Plan's provisions for major employment in a sustainable location within the Spalding market area. In that context I do not believe the addition of Barrier Bank to the portfolio of sites can be supported on a quantitative basis.

*Barrier Bank*

- 5.1.15 I deal in more detail with the Barrier Bank omission site in section 5.3 below. However, since it raises a more general issue of 'quality', I address that matter here. The issue of quality in the District's employment land portfolio, more specifically the lack of a quality business park, is not one that exercised the mind of the Council in drawing up its Plan until it was raised in representations by 2 objectors to the RDD. Leaving aside any reservations that I might have regarding the introduction of a site of the size of Barrier Bank (27 ha) as a Pre Inquiry Change, the emergence of a major proposal at such a late stage in the plan preparation process in the absence of any material change in higher level policy must in my view cast serious doubt upon the need for the development.
- 5.1.16 I recognise that the Regional Employment Land Priorities Study (RELPS) of 2003 did not identify any site in South Holland as being above average quality [CD/SH/17]. There is however no convincing evidence to suggest that from a regional perspective any different description would be afforded the Barrier Bank site.
- 5.1.17 The approach of the RSS is to ensure there is an adequate supply of good quality land for office and industrial uses available for development in sustainable locations (Policy 22). I think that has been achieved within Spalding and, as I conclude below, the wider area.
- 5.1.18 In my opinion the Council is misguided in saying the allocation of a site for high quality business use is needed because there is no such site in the District [CD/SH/31]. In local terms, parts of the Spalding Major Employment Area are more than capable of fulfilling that requirement and so help in diversifying the economy of the District. Indeed, the development brief for the Spalding 'Enterprise Park and Industrial Area' [CD/SH/45] describes the area north of Wardentree Lane as "Business park – Quality image, low density of development, generous landscaping". Furthermore, the Brief considered that two thirds of a site north of Wardentree Lane identified as Area A was "...suitable for Class B1 Business...". That development brief was prepared in 1993, but the judgements contained within it are still soundly based in my view.
- 5.1.19 I accept that a location within or adjacent to the Spalding Major Employment Area would not be as highly visible as Barrier Bank. But it would nonetheless be favourably located in relation to the main road network. Moreover, development of a site on the Spalding Major Employment Area would align positively with the sequential approach

of the RSS and LSP. Land north of Wardentree Lane is perfectly capable of providing the quality of surroundings deemed necessary for this style of development. A quality business park could readily be provided here, backed by an updated planning brief. Certainly I would not regard the variety of activities undertaken on the Spalding Major Employment Area as an impediment to creating quality in this location. The allocation for Barrier Bank does not preclude B2 or B8 uses as part of its concept.

- 5.1.20 I find the reasoning behind the need for a freestanding business park is substantially lacking. I also think it misleading to believe the Spalding Major Employment Area cannot provide for quality business park accommodation.

### ***Area Centres***

- 5.1.21 Area Centres are at the next level of the settlement hierarchy and a reasonable and realistic level of allocations would permit them to continue to provide for employment and commercial development to support their roles as service centres for surrounding rural areas.
- 5.1.22 **Crowland.** Turning first to the site at Crowland (7.2 ha), no land has been developed since its allocation in the 1998 Adopted Local Plan. My understanding is that a substantial part of the site is owned by a house building company. Considering this, I have serious reservations as to its genuine availability for employment purposes. The Council proposes to keep the allocation under review, which I consider a reasonable approach at this stage in the absence of any competing site.
- 5.1.23 **Donington.** The Donington site (10.6 ha) is a new greenfield allocation at the edge of the settlement. Although potentially an attractive, large and level site directly alongside the A52, the Council reports that there has been little interest in this site thus far [CD/SH/31]. While there are no known constraints to its development [CD/SH/53], without further detailed appraisal I have little confidence it would make an early contribution to employment provision within the Plan period.
- 5.1.24 **Holbeach.** At Holbeach, the allocation (10.1 ha) is part of an urban extension, along with residential, community infrastructure and open space. The Council is to prepare a development brief for the whole of the urban extension to guide the disposition of the various uses, the phasing and other relevant matters. Although, the location of the employment allocation, adjacent to the A17/A151 junction, is not anticipated to be changed by the brief, there will undoubtedly be a significant lead-in time before the site is serviced and available for development. Therefore, the first occupation of any premises appears likely to be towards the end of the first phase of the Plan (2004-2011).
- 5.1.25 **Long Sutton.** A site at Long/Little Sutton was included within the adopted Plan. Despite outline permission having been granted for industrial/warehousing/transport development on a significant proportion of the site and subsequently renewed in November 2003, no development has materialised. It is now proposed to extend the allocation substantially (by 22 ha) southwards to the A17. The major employment proposal here would thus have a total site area of 33.6 ha. Although some land could be readily developed from Bridge Road, opening up the larger site is heavily reliant upon the construction of a major new access onto the now de-trunked A17.
- 5.1.26 I am aware that LCC has not objected to this allocation. I am nonetheless concerned that such a substantial, speculative allocation should be made given the recognition within RSS8 and the LSP of the generous supply of employment land in Lincolnshire. No business appraisal or market assessment of this scheme appears to have been undertaken, notwithstanding the Council's view that extending the site would improve its commercial attractiveness. The information before me on development costs in this area

and rental values would strongly suggest that public sector intervention would be needed to facilitate development in any event [CD/LC/15]. In the absence of such a commitment, I consider it inappropriate to include an untested site of such significance in the Plan without consideration having been given to the delivery of its development.

- 5.1.27 I am concerned also that when taken together with the Wingland Enterprise Park and allocation for port-related activities at Sutton Bridge, the Plan thereby makes provision for over 100 ha of employment land at the eastern edge of the District, all within 5km of each other. To my mind, this has the potential to create or lead to an imbalance of population and jobs, even allowing the possibility of provision for workers' accommodation within the Little Sutton site. Additionally, making so much land available to the market could simply result in problems of promoting and developing competing sites. All things considered, I recommend the site at Little Sutton should not be enlarged.
- 5.1.28 **Sutton Bridge.** There are 2 sites at Sutton Bridge. That at the port (12.7 ha) is specifically provided for the expansion of port-related activity. I would thus regard it as a separate, safeguarded component of the employment land supply, rather than land to be considered as generally available. Part of the Wingland Enterprise Park site was included in the adopted Local Plan and then extended in the current Plan to reflect the outline planning permission granted by the Secretary of State in January 2001. It covers 54 ha. Further infrastructure investment would be needed to support the fuller development of the site. I consider the amount of land readily available here in the short term would need to be heavily discounted, with perhaps only 25 ha being available in the medium term. Matters of land ownership could prove an obstacle to the fullest land release, certainly in the short term.
- 5.1.29 Notwithstanding my reservations about the viability of some of the sites, I do not believe it is unreasonable for the Plan to make provision for employment land within the Area Centres both to help achieve sustainable and balanced communities, and as a means of supporting the rural economy within the hinterlands of these settlements. The Area Centres – apart from Crowland – fall within what the Lincolnshire Employment Sites and Premises Study [CD/LC/15] characterised as an area of medium to low demand within the Fens market area. And, in this context, it seems to me that a degree of fluidity in supply is justified in order to offer a choice of sites to attract new enterprises or enable existing businesses to expand. I consider individual allocations to the Area Centres of about 10 ha not unreasonable in this respect. The size of the sites should allow for considerable flexibility in the provision of a range of unit sizes, including starter units and follow-on units, as well as accommodating larger employers.
- 5.1.30 Furthermore, in broad terms, I regard their distribution as being consistent with the Plan's strategy to consolidate development in the most sustainable locations, while reinforcing Spalding's role as the major employment centre of South Holland. The allocated sites all appear capable of accommodating large users, with the Spalding Major Employment Area most readily able to provide for a range of size of sites and buildings, and capable also of accommodating smaller users. I regard the sites as suitable for uses within Classes B1, B2 and B8, as defined.

### ***Other Land***

- 5.1.31 There are, of course, many other employment sites outside the major employment areas of Spalding and the Area Centre which contribute significantly to the range of sites and premises used for business purposes. Policy EC3 is generally supportive of proposals for new employment development at existing employment premises, with redevelopment or change of use to non-employment uses only being permitted exceptionally.

## **The Rural Economy**

- 5.1.32 The role of traditional agricultural activity, including horticulture, and related businesses is recognised by the Plan as having long been a significant element of the local economy. However, as RSS8 advises, it is vital that the economic base in rural areas is broadened, thereby reducing the exposure to external shocks, enhancing wealth generating capacity and employment opportunities. Consistent with this aim the Plan seeks to encourage a more broadly based economy. One element of that is to promote continued diversification and further development of the rural economy, where those aims are consistent with creating a sustainable pattern of development and the environmentally sound management of the countryside.
- 5.1.33 This is to be achieved principally through Policy EC4 which deals with farm diversification, including the re-use of redundant rural buildings, but a raft of other policies are also relevant – most obviously EC11 (Farm Shops). I note that the National Farmers' Union generally considers the issue of the rural economy is adequately dealt with in the Plan. I see no reason to disagree.
- 5.1.34 In wider terms, as noted above, the Plan makes provision for new employment development by allocations in or near each of the Area Centres – the local service centres. Its policies would also allow some limited development in, or next to, those rural settlements that are designated as Group Centres – Cowbit, Deeping St Nicholas, Fleet Hargate, Gedney Hill, Gosberton, Moulton, Moulton Chapel, Pinchbeck, Sutton St James, Weston and Whaplode. These are villages that offer more localised services and facilities and act as a focal point for the rural communities. The Group Centres all have defined settlement limits. Policy EC2 would permit proposals for employment development within or immediately adjacent to settlement limits, subject to certain provisos. I consider this a satisfactory means by which local business and community needs might be met and the vitality of these communities maintained.
- 5.1.35 Furthermore, Policy EC3 takes a positive approach to the development of employment premises for employment purposes, while seeking to protect existing premises from redevelopment to non-employment uses. The policy is not directed specifically to rural areas, but does state within the reasoned justification that employment uses within the District's villages and countryside provide valuable opportunities for jobs close to where people live, and benefit the local economy. Taken together, I consider the suite of economic policies within the Plan would enable appropriately scaled growth of new and existing rural business, thereby helping to promote sustainable patterns of development and sustainable communities in rural areas.

## **Overall Conclusions**

- 5.1.36 In brief, I have reached the following general conclusions:
- i. The Plan's general approach to the distribution of employment land between Spalding, as the only Main Town in the District, and the Area Centres is broadly consistent with RSS8 and the LSP.
  - ii. Within the Spalding Major Employment Area the Plan's proposals make appropriate provision of employment land to meet foreseeable demand, yet keep the forward supply of land within reasonable limits, and create a balanced portfolio of readily-available industrial land offering a variety and choice of sites. Land within this area is capable of meeting the desire for land for the provision of a high quality business park environment.
  - iii. The Plan makes satisfactory provision for employment development in terms of the quantity, distribution, size and quality of sites in the remaining area of the District that is

likely to be sufficient to meet needs during the Plan period.

- iv. In its wider approach, the Plan advances appropriate policies to satisfy the objectives of national and strategic policy in respect of the rural economy.

5.1.37 The conclusions set out in this overview will underpin my recommendations later in this report concerning objections to both policies and specific sites.

## 5.2 EC – GENERAL

### Objections

See Appendix A15

### Issues

- a. Whether land at Harvester Way/ Crease Drove, Crowland should be reinstated as an employment allocation.
- b. Whether the definition of employment development should include B1 uses.
- c. The Plan needs to refer more explicitly to the advantages of Wingland.
- d. The Plan should refer more to cross-border initiatives.
- e. Whether a new policy needs to be added to permit some employment development in rural villages.
- f. Whether the Plan should do more to provide for development of small and medium size businesses.
- g. Whether the Spalding defined settlement limit should be amended to include land adjacent to the A16/A151.
- h. Whether the Plan need to be more specific on how to broaden and strengthen the District's economy.
- i. Whether the land to the east of West Marsh Road forming part of the power station consent should be shown for employment proposals on Inset 15.

### Inspector's Note

A large number of the issues originally listed by the Council under the heading 'EC-General' are not directed principally to matters relating to employment, as defined, but are concerned with "shopping and town centres" topics. In the interests of clarity and coherence, I deal with these matters and the related objections under Policy EC5 (007/002, 119/005, 119/011, 119/012, 141/001, 144/015, 144/018, 144/019, 144/020, 309/003, 321/084, 321/085, 524/003 & 578/007).

### Inspector's Reasoning and Conclusions

- 5.2.1 **Issues a-b.** These matters were raised in connection with the FDD. They have largely been addressed by the RDD version of the Plan – the site at Harvester Way/Crease Drove, Crowland is now shown as an employment proposal and class B1 has been included within the definition of 'employment development' at para.5.9.
- 5.2.2 **Issue c.** The Plan is not a marketing document. Adequate reference is made to the Wingland Enterprise Park site elsewhere.

- 5.2.3 **Issue d.** It is not clear what cross-border initiatives the objector has in mind. In any event, a local plan is not a suitable vehicle in itself to initiate such a programme. Rather, it is preferable those matters which involve cross-border consideration are first established at regional or sub-regional level if co-operation or joint working between districts on a particular project is to be fruitful.
- 5.2.4 **Issue e.** I considered the issue of employment development in rural villages within my Employment Overview above, where I concluded Policies EC1-EC4 in particular would enable appropriately scaled growth of new and existing rural business. I therefore see no need for any additional policy in response to this objection.
- 5.2.5 **Issue f.** The related objection raises an arguable point, but not one demanding any modification. The Plan seeks to encourage all business, both in framing positive policies and by ensuring that there is sufficient and readily available land to meet economic development needs. I am content the Plan performs that function.
- 5.2.6 **Issue g.** Some amendments to the defined settlement limits may appear logical in terms of defining the form of the settlement. However, their principal purpose is as a policy device to restrain development in line with the spatial framework. The defined settlement limit in the Plan in the area of the A16/A151, in the vicinity of land identified by the objector as is in the ownership of Geo. Adams & Sons (Holdings) Limited, is identical to the 'development boundary' shown in the 1998 Adopted Local Plan. There has been no change and I see no grounds to recommend any (see also my comments at para.5.4.3 of this report).
- 5.2.7 **Issue h.** Reading this section as a whole, I believe the Plan is satisfactory in the manner it addresses the economic development of the District and that there is no need for any modification in response. I would however note that the Council is currently reviewing its Economic Development Strategy, which would enable it and other organisations to consider further how the District's economy might be broadened and strengthened. I would therefore envisage the objector's point being addressed within that forum. This work should, in due course, inform the LDF process.
- 5.2.8 **Issue i.** Part of this site was developed as a compound in connection with the planning permission for the existing power station; its notation as a 'proposal' would therefore be inappropriate. The remaining area is undeveloped land that adjoins the compound. It is however relatively small in extent and constrained, so that to show it allocated for 'Major Employment Proposal' would be inappropriate in my view. The Council has explained the approach it would take to employment development on this land, which seems eminently reasonable and sensible. No change to the Plan is merited as a result.

## RECOMMENDATION

### R.5.2 I recommend no amendment to the Plan.

<b>5.3 EC1 - MAJOR EMPLOYMENT AREAS - SITES ALLOCATED FOR EMPLOYMENT USE</b>
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## Objections

See Appendix A16

- a. The amount of land provided at each site under policy EC1 should be specified.

- b. The text and policy variously require clarification and strengthening.
- c. The policy should allow for other uses that could enhance the viability of development.
- d. Does the Plan provide adequately for the protection of residential amenity as part of employment development?
- e. Is there an oversupply or insufficient land for employment development in Spalding?
- f. Are the Spalding and Wingland employment allocations appropriate and adequate to meet demand for the Plan period?
- g. All new industrial development in the eastern part of the District should be on the allocated sites at Wingland and Little Sutton.
- h. Should Wardentree Lane and Enterprise Way area be considered part of Pinchbeck rather than part of Spalding?
- i. Whether Springfields should be designated a major employment/leisure/tourism destination.

***Spalding***

- j. Whether the various omission sites in the Spalding area advanced by objectors should be allocated for employment purposes in preference or addition to allocations proposed in the Plan and PICs?
- k. Whether the site at Barrier Bank should be allocated for a business park/employment development?

***Holbeach***

- l. Does the Plan make an appropriate level of provision for employment development at Holbeach?
- m. Should the Plan include a guarantee of improvements to the A151 between Spalding and Holbeach and of the A17/A151 junction as a requirement of development of the Major Employment Area at Holbeach?

***Crowland***

- n. Is the site adjacent to the A1073 suitable for allocation, having regard to its visual impact?
- o. Does the Plan make sufficient provision for employment development at Crowland in terms of available land? Is the site at Crease Drove appropriate and suitably accessed?

***Long Sutton / Little Sutton***

- p. Should the employment allocation at Long Sutton (Little Sutton) be deleted from the Plan? And, should other sites in the area advanced by objectors be allocated for employment in preference or addition?
- q. Whether there is already an adequate range and supply of employment land at Long Sutton and whether the development of the objector's mixed use proposal (at Long Sutton) and the provision of infrastructure for the major employment proposal adjacent can be linked.

***Sutton Bridge***

- r. Is the Plan correct to provide for Port expansion?
- s. The policy should be less restrictive on the range of employment uses permissible at the port and allocate additional employment land at the Port?
- t. Should Policy EC1 refer to environmental assessment specifically for the Port?

- u. Should the policy for the port be reworded to cover environmental considerations?
- v. Is the allocation at an unacceptable risk of flooding?
- w. Should the Plan seek provision of a new road from the port to the A17 or refer to the possibility of creating a railhead to the Port?
- x. Is sufficient suitable land allocated at Wingland as proposed for change?
- y. Should the Wingland site be included within the employment allocation or is it so constrained that another employment site is required?

### ***Donington***

- z. Should the employment allocation be amended or an alternative site allocated south of the A52?
- aa. Should development of the Donington employment allocation include a requirement for closure of the adjacent public footpath level crossing?

### **Inspector's Reasoning and Conclusions**

- 5.3.1 I deal first with objections that are seeking quite specific changes to the supporting text or wording of Policy EC1, before considering those which raise rather broader concerns with regard to the application of the policy or the supply and distribution of employment land. I then turn to cover detailed, site specific issues grouped geographically under the headings of 'Spalding' and the various Area Centres.
- 5.3.2 **Issue a.** The Plan is the source document. The Council's Annual Monitoring Report (AMR) provides the vehicle for monitoring the take up of land identified within the Plan. It is quite fundamental therefore that for this function to be undertaken the extent of each 'Major Employment Proposal' provided for under Policy EC1 should be specified within the Plan. One should not have to look to the AMR for such basic information and I recommend that the appropriate figures are inserted.
- 5.3.3 **Issue b.** As it stands the current wording of para.5.2 and Policy EC1 properly reflect the process by which planning applications are to be considered. Any harm that would arise as a result of development would be a material consideration, requiring the advantages and disadvantages of a scheme to be weighed in the balance. No change is merited on this basis. The Council does however accept the criticism of para.5.11 and has suggested a revision to the wording of the second sentence in its response – which I support. Further change is unnecessary.
- 5.3.4 **Issue c.** The policy deals with sites allocated for employment use. The definition of 'employment' is now consistent with that adopted by the LSP. Consequently, and because there is no apparent reason why the definition should be extended in South Holland to include commercial uses, I see no reason for any further revision. If a proposal for roadside services, or a hotel, or leisure and/or retail development were to come forward, on its own or as part of a mixed use proposal, other policies within the Plan provide a suitable context for considering such projects.
- 5.3.5 **Issue d.** The Plan does not propose any expansion of the employment allocation along Wardentree Lane at the western edge of the Spalding Major Employment Area, and none is recommended below. The direct impact of employment uses within the Major Employment Areas upon amenity is identified within Policy EC1 as a factor against which proposals would be measured. Additionally, Policy SG17 deals with the protection of residential amenity. I recommend no change in response to this objection.
- 5.3.6 **Issues e and f.** In line with my conclusions above, I am satisfied the Plan makes
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adequate and acceptable provision for employment within the Spalding area, that it is commensurate with its status as the Main Town within the District and keeps the forward supply of land within appropriate limits. As for the Wingland Enterprise Park, the objector's position appears to be that it is unsuitable for employment purposes and suggests it be allocated for a use within Class C2. Whatever the objector's reservations, its allocation is grounded in the Secretary of State's decision in January 2001 to grant planning permission for uses within Class B1(b) and (c), B2 and B8. There has been no material change in circumstances that would lead me to judge those uses should now be considered unacceptable.

- 5.3.7 **Issue g.** Certainly major new industrial development in the eastern part of the District will be focused on the allocated sites of Wingland Enterprise Park and Little Sutton – as recommended for amendment. It would however be inappropriate and unreasonable to prohibit industrial development from taking place elsewhere and the Plan's policies rightly provide the necessary flexibility.
- 5.3.8 **Issue h.** While land north and west of Vernatt's Drain is within Pinchbeck Parish, I agree with the Council that it is entirely appropriate for the purposes of the Local Plan that the major employment area be regarded as part of Spalding, as the Main Town within the District.
- 5.3.9 **Issue i.** Springfields is not an 'employment' area, as that term is defined within the Plan and thus its designation as a Major Employment Area would not be appropriate. Policy EC1 is not concerned with leisure or tourism. PIC92 would in any event appear to have satisfied the objector's concerns. I have no objection to the change.

### *Spalding*

- 5.3.10 **Issue j.** The need or otherwise for the allocation of additional employment land is discussed more fully in section 5.1 of this report. However, in brief, I am of the view that the Plan makes appropriate and adequate provision of land for employment proposals in the Spalding area within the Spalding Major Employment Area.
- 5.3.11 **Land to the north of Wardentree Lane.** Following on from what I have said immediately above, I consider this allocated site – adjoined by an existing dwellinghouse to the west, Blue Gowt Drain to the north and existing employment on its eastern boundary – an important component of the employment land supply and one that should be retained for that purpose. The site is in an accessible, sustainable location and well related to a range of facilities. It extends to just over 8 ha, is flat, with no known constraints to its development and already has provision for vehicular access from Wardentree Lane. Peripheral landscaping has also been undertaken and the site has the advantage of a strong visual presence alongside Wardentree Lane.
- 5.3.12 Given its qualities, and having regard to my earlier conclusions that there is an adequate supply of housing land in both quantitative and qualitative terms to meet the LSP requirement in accordance with the Plan's strategy, there is no justification to support the re-allocation of this site from its current 'Major Employment Proposal' designation. Indeed, this is the site identified by the estate development brief as Area A [CD/SH/45] and which was regarded as a suitably high profile site for a 'business park' development (see my comments also at para.5.1.18).
- 5.3.13 **Land to the south of Wardentree Lane.** This is a 5.1 ha greenfield site, with a limited frontage to the southern side of Wardentree Lane, just beyond the western edge of the current allocated area. It is flat, featureless area of agricultural land – although I am given to understand not used productively for some time. Its northern and western boundaries adjoin the rear gardens of residential properties that face Wardentree Lane

and Spalding Road.

- 5.3.14 The site is embedded within the town's physical fabric, close to residential areas in Pinchbeck and the northern suburbs of Spalding. It is linked by a cycle route to the town centre and close to well serviced bus routes running along Spalding Road/Pinchbeck Road and Wardentree Lane. A food superstore is within easy walking distance and the site is close to other facilities. Certainly the site has a lot to commend it for a planned business park development that could provide modern, well equipped and serviced surroundings for new business starts, for businesses relocating to Spalding or the expansion of existing local businesses. Another benefit to the local economy could be the encouragement of cluster businesses.
- 5.3.15 Nonetheless, I do not support the allocation of this site for employment purposes at this time. I am of the view that the Plan already makes appropriate and adequate provision of land for employment proposals in the Spalding area within the Spalding Major Employment Area. Moreover, while I am prepared to accept that the site's relationship to the mature landscaping within the rear gardens of neighbouring residential properties may be of benefit in developing a sensitively attuned modern, campus style business park, such a setting would not be a necessity. I do not regard this perceived advantage as being of great importance. To my mind, the presently undeveloped site on the opposite side of Wardentree Lane – as well as other allocated land alongside Elsom Way – would be equally capable of accommodating a well designed, sympathetically landscaped, high quality business park development.
- 5.3.16 Additionally, I have considered the matter of the Spalding and Pinchbeck gap. It would appear common ground that the objection site is less important to the maintenance of the visual separation of Spalding and Pinchbeck than is the land to the west of Spalding Road. The Council has indicated by PIC17 its intention to prepare an Area Action Plan for Spalding which will have regard to the physical relationship with Pinchbeck and policy options for the area of the current gap between the two settlements. I think that is the appropriate forum for the role and future of this site to be considered.
- 5.3.17 **Land north of Wardentree Park, off Elsom Way.** This is a greenfield site that is situated outside the defined settlement limit. It lies just beyond the Blue Gowt Drain, is roughly triangular in shape and extends to approximately 12 ha. The site is bounded to the west by a disused railway line, to the south by the Spalding Major Employment Area and to the north by a site for Elsom's proposed company headquarters, where planning permission was granted in April 2003 for new offices, seeds processing, laboratories and associated warehousing. Subsequently permissions have been granted for other, associated developments – an agricultural store, glasshousing and polytunnels. Thus, although open land, it would be moderately well contained by existing and proposed development.
- 5.3.18 The site could be readily accessed and, as I understand, there are no infrastructure problems. It is positioned close to the A16 and conveniently located for a range of facilities. It would form a logical, well-proportioned and economic extension to the Spalding Major Employment Area. I have no doubt this would prove an attractive site for potential investors. Indeed, on the basis of the information before me, it would appear already that most of the undeveloped, allocated land in this area on either side of Elsom Way has a 'sale agreed'.
- 5.3.19 That sales have been agreed on a not insubstantial area of land does not however lead me to resile from my early conclusion that the Plan makes appropriate and adequate provision of land for employment proposals in the Spalding area within the Spalding Major Employment Area. The land in question remains to be developed. It would not
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be prudent in my view to discount it simply because it is about to be sold. Furthermore, the forward supply of land needs to be kept within reasonable limits, rather than follow demand. Too much land can result in more sustainable (brownfield) sites that are less attractive to the market being ignored. An oversupply can lead to underused sites, marketing problems and potentially piecemeal uncoordinated urban extensions – and, I would add, wasted resources.

- 5.3.20 In any event, a significant area of brownfield and greenfield land would still be available elsewhere within the Spalding Major Employment Area. If it appeared the take-up of employment land is now outstripping the historic rate, and there is no convincing evidence of this – rather the opposite, in fact – the application of the ‘plan, monitor, manage’ approach through the medium of the AMR would allow an adjustment to be made within the LDF.
- 5.3.21 The promoters of both the preceding objection sites have sought to draw a favourable comparison between the merits of their individual sites and Barrier Bank, the site supported by the Council in PIC46 and PIC91. Insofar as I find any need to address that issue in light of my rejection of the allocation of Barrier Bank for employment, I do so briefly. Let me make plain also that my comments should not be read as a comparison of the sustainability credentials of the 2 sites on the edges of the Spalding Major Employment Area with each other, only of both in general terms to Barrier Bank.
- 5.3.22 Both sites – to the south of Wardentree Lane and north of Wardentree Park – are greenfield sites. Even so, I consider them to be in sequentially preferable locations to Barrier Bank in terms of Local Plan Policy SG2 and LSP Policy S2. They adjoin the urban area, are better related to existing residential areas, to a range of social and community facilities, and to public transport routes. Their development would not in my opinion have a significant, harmful impact on the character and appearance of the surrounding landscape, in contrast to the development of the site at Barrier Bank. Overall I see no justification to believe these 2 sites are anything but sequentially superior to Barrier Bank.
- 5.3.23 **Land north of the Vernatt’s Drain and east of Spalding Road.** The omission of this site from the adjacent Spalding Major Employment Area has been overtaken by events. Planning permission has been granted for the new Spalding Hospital on this site.
- 5.3.24 **Lands east of Spalding Drove and north of Clay Lake Bank.** These 2 contiguous sites are both open, greenfield sites in agricultural use. Although located to the west of the A16, and with a large former turkey factory site to the north, this land is poorly related to the settlement. It lies some way south of Coronation Channel beyond the edge of the built-up area of Spalding and its defined settlement limit. The sites have poor road access and are identified by the Council’s Strategic Flood Risk assessment as being within a zone at high risk of flooding [CD/SH/12]. There is no compelling reason in my view to support the allocation of either site for major employment proposals under Policy EC1 in preference to land within the Spalding Major Employment Area.
- 5.3.25 **Former turkey factory, Spalding Drove.** This is another omission site. It is previously developed land, outside Spalding’s settlement limit but on the periphery of the built-up area immediately beyond Coronation Channel. The site was identified as a Major Employment Area within the 1998 Adopted Local Plan “...because it is in existence...” [CD/SH/43 para.5.16]. Then, as now, there are reservations about accessibility in terms of its relationship to the town. I note also the site lies within a potential rapid inundation zone.
- 5.3.26 The Council has responded that Policy EC3 dealing with Existing Employment Areas/

Premises – which is what we have here – provides a suitable context for the consideration of any proposals for the re-use or redevelopment of the objection site. Site constraints, including infrastructure and flood risk, and any proposals to address them can be considered at that time in the context of specific development proposals. This would appear to be a sound argument. The Plan makes adequate provision of land for major employment proposals. Accordingly, I am not persuaded there is any need, or advantage, in allocating this site as a major employment proposal under Policy EC1 in preference to better located land within the settlement limit on the Spalding Major Employment Area.

- 5.3.27 **Issue k: Barrier Bank.** The Barrier Bank site lies to the south of Spalding where the A16 meets the A1073. It extends to 27 ha. The land is described by its promoters as a site that has long been identified as an important site – although it is not clear exactly where it has been described as such – and regarded by all as at the southern gateway to Spalding. Part of the site is previously developed land. Planning permission was granted in 1995 for its development for a truckstop with overnight parking, fuel sales and restaurant facilities. The permission was renewed in September 2003.
- 5.3.28 Barrier Bank emerged as the preferred location for a high quality business park following what I would regard as a limited comparison exercise. Only one other site was considered by the Council – a site adjacent to the existing employment allocation at Wardentree Lane between existing residential and employment land, likewise promoted by a developer (see my comments at paras.5.3.13-16). From the information it is not clear what appraisal was undertaken and how this led to the choice of Barrier Bank. However, in my opinion, having judged its Plan to be deficient in this respect, such an important decision should have merited a more thorough, wide-ranging exercise being carried out to ascertain the most sequentially preferable location before a site was allocated in the Plan.
- 5.3.29 The sequential approach to development form is at the heart of planning strategy and underpins RSS8 and the LSP. A business park development and hotel should be directed to locations in accordance with the priority order established within Policy 2 of RSS8 and LSP Policy S2. Both policies would direct such schemes initially to suitable sites within urban areas and then sequentially to locations adjoining urban areas before sites outside of urban areas.
- 5.3.30 Barrier Bank is not in or adjacent to the built-up area of Spalding. It is fundamentally poorly related to the existing settlement form. The assessment undertaken on behalf of the promoters of the site advises a need for significant investment in transport infrastructure works – a focus of attention would be on providing shuttle bus services coupled with improvements to foot and cycleway links. Nonetheless, while measures could be taken to improve its connectivity with Spalding, Barrier Bank would in my judgement be of the lowest priority order for the selection of land for development, following the locational priorities for development established by the RSS and LSP.
- 5.3.31 Nor do I consider support for the development of the site could reasonably be garnered from RSS8 Policy 7. Policy 7 envisages the effort to consolidate medium sized market towns such as Spalding as the sub-area's secondary employment and service centres through, in part, sustainably located local employment generating development. The sustainability credentials of the site in terms of the current availability of public transport, accessibility by walking /cycling, proximity to shops and other facilities are not of a high order. Indeed, overall, it has not been satisfactorily demonstrated in my view that if there is a need for a hotel and demand for a business park style development, there are not sequentially preferable locations for such uses.

- 5.3.32 Barrier Bank is detached from the existing urban area. Indeed, the Flood Risk Assessment describes it, aptly in my view, as "...located in open countryside some 2.00km south from the urban fringe of Spalding." Any industrial or commercial development on this site would be evident for some distance. Its development would undoubtedly have a marked visual impact within this area of generally flat, open countryside. No matter how well designed or screened and softened by landscaping, the scale of development envisaged would detract from the rural character of the wider surroundings because the buildings and ancillary features, such as vehicular parking and service areas, could not be completely concealed.
- 5.3.33 Moreover, this is not of course just an employment allocation. Policy EC1 also endorses the development of a "high quality hotel" on the site "with complementary conference and leisure" facilities. Hotels, conference and leisure facilities are all identified by PPS6: *Planning for Town Centres* as main town centre uses. It is highly pertinent to note that at para.5.37 the Plan itself states that, "Town centres are seen as first priority for hotel development." Yet, there is no clear indication – and certainly no persuasive justification – that the sequential approach has been followed in selecting and allocating this site for such town centre uses.
- 5.3.34 Altogether, I am not convinced that the need for an employment site at Barrier Bank has been sufficiently or satisfactorily proven that could not otherwise be met within the current boundaries of the Spalding Major Employment Area. Even if a need were to be demonstrated, I would not consider the options have been sufficiently canvassed and tested to identify the most sustainable, available, sequentially superior location. The need for a hotel with complementary conference and leisure facilities and selection of an appropriate site has also not been adequately addressed or explained by the Plan.
- 5.3.35 For the avoidance of doubt I reject PIC46, insofar as it relates to Barrier Bank, PIC91 and IC71.

### ***Holbeach***

- 5.3.36 **Issues l and m.** The urban extension at Holbeach includes provision for a Major Employment Area/Proposal of 10.1 ha [CD/SH/31]. I consider this an appropriate level of provision. The Plan does already indicate at para.4.27 that major improvements will be expected to the A151/A17 junction to create a roundabout. That would appear to satisfy the related objection. The Plan does not however make any provision for improvements to the A151 between Spalding and Holbeach.
- 5.3.37 The improvement that a number of objectors are seeking is in fact the creation of a by-pass. And, while the Council supports the principle of a by-pass for Whaplode and Moulton, this scheme is as yet identified only under Longer Term Major Scheme Proposals in the 2nd LTP. Thus, while I acknowledge the concerns expressed by the objectors, no further development work will take place on this scheme during the 2<sup>nd</sup> LTP period unless there is a major change in national funding arrangements or opportunities to secure other funding sources arise.
- 5.3.38 Furthermore, and while I would expect the evaluation of a by-pass scheme to take account of the potential effects of planned proposals upon the highway network, there is no evidential basis upon which I might conclude the Holbeach urban extension would result in a material worsening of conditions on the A151. I note for example no objection has been voiced by the Highway Authority. Nevertheless, for example, if a transport assessment of the Holbeach proposal were to demonstrate it would have an adverse effect upon highway conditions in the locality, the Council could seek the provision of highway improvements in line with Policy SG6. In the circumstances, I

recommend no change to the Plan.

### ***Crowland***

- 5.3.39 **Issues n and o.** The proposal in the FDD for the allocation of land for employment development shown between the existing and proposed A1073 has been omitted from the Plan. Instead, the Plan now relies upon the Harvester Way/Crease Drove allocation originally made in the Adopted 1998 Local Plan.
- 5.3.40 I harbour considerable doubt that this site will come forward for employment purposes within the near future, given it is being promoted at this inquiry for housing purposes. The Plan's notation indicates an intention to keep the site 'under review' so that if it does not come forward for employment development its future will be examined afresh through the LDF. That seems to me an appropriate response at this stage. Other policies of the Plan offer sufficient flexibility to consider other employment proposals that might come forward in the interim.
- 5.3.41 The Council advises that the Harvester Way/Crease Drove site is capable of access from Peterborough Road via Harvester Way – which was designed to enable access to existing industry at Crease Drove. And, therefore, that it is not necessary to create a new access, as suggested by one of the objectors. Considering the allocation is carried forward from the Adopted 1998 Local Plan, and in the absence of a material change or any substantive evidence to the contrary, I see no reason to take any different view.

### ***Long Sutton / Little Sutton***

- 5.3.42 **Issue p.** For the reasons explained more fully in section 5.1 above, I consider it reasonable for provision for employment land to be made within the Area Centres, but I have concluded the site at Little Sutton need not, and should not, be enlarged as proposed by the Plan. There is no comprehensive information on the demand for sites in the area as recorded through enquiries with the Council or, perhaps, local agents. Nor is there any analysis before me of where the local workforce is commuting – if, indeed, it is. I am not satisfied there is a need to provide for local employment opportunities on such a scale that this represents a sustainable allocation.
- 5.3.43 It follows that I do not believe there to be any justification to make other, speculative allocations by way of substitution or in addition to the current allocation (11.6 ha). And, while I accept there are criticisms about delivery within the existing allocation, I am not persuaded there are inherent difficulties with the site such that delivery would be assured simply by allocating any of the 3 alternative sites promoted at the inquiry.
- 5.3.44 All 3 of the objection sites are greenfield sites. All lie outside the defined settlement limit for Long Sutton. The largest, generally to the south of the town centre and east of Station Road extends to just over 15 ha, far larger than the current allocation which is all I judge is required. It would have an unacceptable visual impact on this pleasant open area. Its proximity to the town centre when compared to the allocated site does not overcome these objections. I see no reason to prefer it to the allocated site.
- 5.3.45 The 2 other sites are close to the A17. The first lies alongside the Station Road/A17 roundabout; the second at the nearby A17/Wisbech Road roundabout, by the motel/petrol filling station/fast food restaurant. I have noted planning permission was granted some time ago (in 1988) for light industrial development of part of the latter site. Notwithstanding that, or their generally favourable relationship to the A17, both are situated outside the development limits of the town – well outside in the case of the A17/Wisbech Road site. Development in either location would intrude significantly into this flat, open agriculture landscape, to the detriment of the character and appearance of

the surrounding area.

- 5.3.46 Insofar as options have been suggested for both sites, no need has been demonstrated for the use of the Station Road/A17 site for roadside services (see my comments also at section 8.5 of this report) nor leisure use of the A17/Wisbech Road site. Furthermore, and in any event, there is nothing to indicate that more sustainable, sequentially superior locations are not available having regard to the priority order for the selection of land for development established by the RSS and LSP.
- 5.3.47 One related objection has expressed a preference for an undefined site to be found north of Bridge Road, where, it is suggested, the owner is more likely to bring the land forward for employment uses. There is no persuasive evidence that land ownership is an obstacle to the release of the land south of Bridge Road. I see no reason for any change in response to this objection.
- 5.3.48 **Issue q.** The Adopted Plan showed a small allocation to allow for the extension of the existing development of starter units in Bridge Road. Given that the Council did not dispute the evidence that there is a demand for starter units and medium sized follow-on units in Long Sutton, the removal of this allocation from the Plan is curious, although it does not appear to be the subject of an objection. However, in section 5.1 above I note that the size of the employment allocations in the Area Centres give them the flexibility to accommodate a wide range of units; the funding and delivery of such units appears to be more of a problem, which needs to be addressed by the Council. I am not persuaded of the merits of the objector's proposal for a mixed use development to the west of the major employment allocation (see section 4.5 of this report). The residential element would be far better located within the more sustainable location of Long Sutton, rather than in the countryside, and I am far from convinced that a development of affordable housing would generate sufficient profit to 'pump-prime' starter employment units.

### ***Sutton Bridge***

- 5.3.49 **Issue r.** Sutton Bridge is one of Lincolnshire's two active ports – Boston is the other. Its development would be consistent with Policy 43 of RSS8 and LSP Policy E8. The former refers to making better use of the opportunities offered by existing ports, among other things. The latter advises Lincolnshire's ports should be protected and improved. The provision for port-related development made within the Plan is an appropriate response. As to whether Boston is the more appropriate focus for future port development, that is not the approach currently advocated by the RSS or LSP.
- 5.3.50 **Issue s.** I do not believe it would be appropriate for a wider range of employment activities or uses to be permitted at the port at Sutton Bridge. There are limitations that could restrict the capacity of the port for development. Policy EC1 directly identifies access and highway considerations, the amenity of any nearby residential properties and environmental matters as issues to be considered in the determination of any planning applications for port-related development. If land were made available for more general employment use, the scope for port growth could be constrained. Port growth is and must remain the strategic priority. That objective is properly secured by the Plan as it stands. There is moreover sufficient land available nearby at the Wingland Enterprise Park for general employment land needs. Taken together, the provisions made within Policy EC1 do in my view broaden the economic and employment base of the area and secure the long term future for the port.
- 5.3.51 As to the need for the allocation of additional land, I am given to understand that planning permission has been granted for the port-related development of the allocated land on Inset Map 16. Or, rather, the Economy Topic Paper states that 6.9 ha of the 12.7

ha allocation for port-related activity has permission – although no development has yet taken place [CD/SH/31]. In any event, it is thus a commitment. Normally, therefore, it would not be necessary to show the land on the Proposals Map. The explanation to LSP Policy E8 does however note that the availability of land suitable for port use and expansion is limited and “...therefore requires identification in local plans”. Exceptionally, it seems to me this statement provides some justification to retain the notation as a ‘provision’ for the port. I agree with the Council however that the commitment of this site does not indicate there will be insufficient provision to enable the objective of developing the port to be realised. Neither, in my view, does the existence of the planning permission of itself support the argument that the appropriate response is to allocate more land. In light of the constraints described above, this is a situation in my view where the implementation of the permission should be monitored and the need or otherwise for additional land managed accordingly.

- 5.3.52 **Issues t and u.** The Council has responded by PIC46 to the objection raised to the last sentence of Policy EC1 – regarding the submission with a planning application of a statement of the environmental effects of a proposal for port development. I regard this as an appropriate response. I see no need to retain the final sentence of the policy. It is of course always the case that whether any individual development project should be subject to an environment impact assessment is a matter to be determined in accordance with the relevant Regulations. By definition, a statutory environment assessment can only be required where provided for by statute.
- 5.3.53 There is no need however for the rewording of the policy to cover environmental considerations. Policy EC1 already advises that environmental assets are a factor that will be taken into account in the determination of any planning applications for development associated with the port. It is a fundamental principle that the Plan is to be read as a whole. Repetition is therefore to be avoided. In this instance the policy already refers explicitly to environmental matters, as I have said. But, the importance of the environment is clearly established within the Objectives and Priorities set out within the Plan, in the Economy Chapter itself (at para.5.2) and by the addition of PIC19 within the Core Strategic and General Policies Chapter, which refers to the submission of an EIA. The text there also states that, “We will pay particular attention to the potential adverse environmental effects a proposed development might have on vulnerable or sensitive sites...”. The Wash is unquestionably a sensitive site, as confirmed in Chapter 6 of the Plan. Policy EN1 deals with Development and Sites of Special Scientific Interest. Thus, in all the circumstances, I am satisfied the Plan adequately covers environmental considerations and that there is no need for change on that count in connection with its policy for the port.
- 5.3.54 **Issue v.** The employment allocation at the port has been carried forward from the 1998 Adopted Local Plan. And now, as previously, it is explicitly identified within Policy EC1 as being for “...port related uses...” and by Inset 16 as “opportunity for employment uses to assist in the development of the port”. Given that locational imperative, and as no sequentially preferable sites have been brought to my attention, I see no reason for any change. Indeed, it is my understanding the Environment Agency does not object to the principle of the allocation of this land.
- 5.3.55 **Issue w.** Transport proposals should only be included in development plans if they are firm and with a reasonable degree of certainty of proceeding within the lifetime of the plan. They should also be identified as such in the LTP. And, ideally, they should be programmed and finance committed. None of these conditions applies to the objector’s suggestion of a new road from the port to take any future increase in traffic west of the

town to the A17. No purpose would therefore be served by any reference to it in the Plan. The same applies to the possibility of creating a railhead to the port. The Plan is to provide certainty and that would not be served by speculation.

- 5.3.56 **Issues x and y.** The extent of the Wingland Enterprise Park allocation was reduced by PICs 46 and 93. The Council has reconsidered the matter and advanced ICs 15 & 36 to address the related objections. I consider the inquiry changes a positive response, but taken together they do not in my view go far enough in addressing the objection.
- 5.3.57 While there are acknowledged constraints to development of the Wingland Enterprise Park Major Employment Area – including flood risk and electricity supply – I see no sound reason now to question its continued suitability in planning terms having regard to the Secretary of State’s relatively recent decision to grant planning permission in January 2001. With regard to the issue of electricity supply, an interim supply sufficient to serve approximately 4 ha of warehouse development has been secured, while a longer term solution to the supply problem is sought.
- 5.3.58 In this respect, I see no reason to doubt the Council’s continuing commitment to be proactive in exploring the constraints to development in order to facilitate delivery of the necessary infrastructure (para.5.13). However, by keeping such a large area under “Review” as shown by IC36, I am concerned that this introduces a degree of uncertainty that might discourage third parties from investing or supporting investment and which could thereby hinder the development of the Park.
- 5.3.59 Substantial public and private investment has already been made in the development of the estate and adjoining land. The estate road was built at public expense at a cost of £1.2m. Centenary Way, the power station access road, provides highways access to the Enterprise Park from the A17. Significant investment has been made also in the construction of a new food processing factory on neighbouring land. Given the planning history of the site, the investment already made, the positive approach of the Council and objector, I believe it would be counter productive for the Plan to take a stance that could undermine the future of the Park.
- 5.3.60 I do however support IC36 in part. There is land within the area shown for Major Employment Proposal – the ‘Dweck’ land – which I accept should be kept under review since it would appear there has been little support or interest from the current owners in securing development on this portion of the Park since the Secretary of State’s decision. I am satisfied that the text of IC15 should stand, but consider Inset 16 should be amended in accordance with the plan that accompanies the Lichfield Planning letter of 22 February 2006 on behalf of the objector, Mr R Gallagher – rather than as proposed in IC36 by the Council.
- 5.3.61 As for the matter of flooding, the River Nene Tidal Strategy Study undertaken by the Environment Agency has confirmed that this site is currently protected to the required 1 in 200 year standard. The study did identify an area of defence approximately 400 metres upstream of the bridge where the bank level is deemed inadequate to meet minimum standards of protection. This would need to be considered should development proceed. The site does nevertheless lie within an area at risk of rapid inundation should a breach of the raised defences occur. Therefore, before development, an assessment of the consequences of a breach would need to be undertaken. The Plan makes that a requirement.
- 5.3.62 Overall I consider the Wingland Enterprise Park makes adequate provision of land for employment proposals in the eastern area of the District. Although the extent of the provision that could be described as ‘readily available’ is presently limited, a

considerably greater proportion is served by an estate road and so could reasonably come on stream well within the Plan period. The allocation of this land is consistent with the Secretary of State's decision and the Council's objective to maximise returns from existing investment and infrastructure.

5.3.63 **Land adjoining Centenary Way.** In light of the above, I am consequently not persuaded there is a need to extend the allocation to include the 10 ha omission site on Centenary Way that abuts the Enterprise Park. Nor would there appear to be any advantage in allocating this additional land in preference. For instance, there is no indication that the electricity supply issue that currently frustrates development of the Enterprise Park would not also impede development of this site.

### ***Donington***

5.3.64 **Issue z.** The promoter of the allocated site argues an additional area towards the front of the site should be incorporated as a replacement for the triangular parcel of land to the north west, which would not be suitable for industrial development as it is separated from the main body of the site by a public footpath. The Council has accepted the first point and advanced a change to the allocated area by IC77, which I support. I do however consider it would also be appropriate for the triangular area beyond the public footpath, and which is treed and of an inconvenient shape, to be omitted. I recommend accordingly.

5.3.65 An alternative to the allocated site is suggested by the promoter as having the better sewerage connection and that it would not necessitate the re-location of the existing farm house, yard and agricultural buildings. It is however much larger, poorly related to the settlement and visually more open. On the whole it is far less satisfactory in my judgement than the proposed allocation, which would provide sufficient land for the plan period and is better contained physically. I do not regard any amenity benefits of the separation of the alternative site from the settlement sufficient to overcome the disadvantages described above. Besides, Policy EC1 states specifically that planning permission will be granted for employment uses provided "...the amenity of any nearby properties can be adequately protected." This would provide the means by which the living conditions of the occupiers of dwellings within the area could be safeguarded.

5.3.66 An unspecified objection has been made to the allocation. However, considering my conclusions in section 5.1 above regarding the justification of provision to support the role of Area Centres as service centres for surrounding rural areas, there is no basis for my rejecting this allocation in the absence of any credible alternative proposal.

5.3.67 **Issue aa.** Whether it would be expedient to seek the closure of the adjacent public footpath level crossing is something that would need to be taken into account elsewhere. The Council suggests this matter could be addressed either in a development brief or when a planning application is made. This seems to me a reasonable approach. It is in any event too detailed an issue for consideration within a Local Plan.

## **RECOMMENDATION**

### **R.5.3. I recommend that the Plan be amended:**

- i. by specifying the extent of each 'Major Employment Proposal' provided for under Policy EC1 in parentheses within the policy itself;**
- ii. by replacing the second sentence of para.5.11 with the following:**  
**"Investment has been increasing and there is a strong cluster, that is to say a grouping of businesses that collaborate closely and intensively for mutual**

**benefit in ways that mean that their competitive advantage relies on this collaboration. This covers procurement, packing, preparation and delivery, as well as research and development and corporate innovation.”;**

- iii. **in accordance with PIC46, insofar as it relates to paras.5.10 and 5.15, and the deletion of the last sentence of Policy EC1;**
- iv. **in accordance with PIC92;**
- v. **in accordance with IC15 and by amending Inset 16 in accordance with the plan that accompanies the letter of 22 February 2006 from Lichfield Planning on behalf of the objector, Mr R Gallagher;**
- vi. **in accordance with IC77, except that the triangular area to the north west of the line of the public footpath should be omitted from the area of the Major Employment Area/ Major Employment Proposal; and**
- vii. **by the Major Employment Area and Proposal at Long Sutton (and Little Sutton), shown on Inset 11, reverting to that on Inset 20 of the First Deposit Draft Local Plan, November 2001, and by deleting the supporting text within para.5.12 from “The site at Little Sutton ...” to “...to be included within the site”.**

#### **5.4 EC2 - NEW EMPLOYMENT DEVELOPMENT IN BUILT UP AREAS BUT OUTSIDE THE MAJOR EMPLOYMENT AREAS**

##### **Objections**

046/002	F	C R Neaverson & Sons & Mr R Barton
097/037	F	Moulton Parish Council
305/005	F	South Holland District Labour Party
314/007	F	RSPB
321/092	F	Spalding & District Civic Society
592/002	R	C R Neaverson and Sons & Mr R Barton
598/003	R	Mr and Mrs J S Pond
636/002	R	J S Halgarth Esq
683/030	R	Spalding & District Civic Society

##### **Issues**

- a. Whether the policy is appropriate for inclusion within the Plan.
- b. Should the policy contain additional wording making reference to environmental impacts?
- c. Whether the defined settlement limit on the east of Spalding should be amended.
- d. Should alternative land be allocated for employment uses in the Spalding area?
- e. Should alternative land be allocated for employment uses in the Long Sutton area?
- f. Should the Plan include a guarantee of improvements being carried out to the A151 between Spalding and Holbeach?
- g. Whether there should be a clear gap between Spalding and Pinchbeck.

##### **Inspector's Reasoning and Conclusions**

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- 5.4.1 **Issue a.** It would be unreasonable to insist and unrealistic to expect that all employment activities would migrate to, or could be accommodated within, the major employment areas. Without this policy the Council would have no clear basis for the consideration of proposals for employment development outside the major employment areas. Policy EC2 is thus an important part of the Plan's employment policy portfolio and an entirely appropriate policy for inclusion in the Plan. On the related objection, PIC47 would propose a minor change to the wording to which I have no objection.
- 5.4.2 **Issue b.** I agree with the Council that in this instance environmental considerations are adequately covered elsewhere within the Plan and there is no need for specific reference here.
- 5.4.3 **Issue c.** The related objection is to the inclusion of an area of land to the south of the George Adams factory between the Coronation Channel and A16 within the defined settlement limit. This is not however a change. The 1998 Adopted Local Plan applied the same boundary. The land in question is, I am advised, currently used as a livestock paddock in conjunction with the abattoir and provides the only option for expansion should this prove necessary. The boundary seems to me logical and consistent with the purpose of 'defined settlement limits' articulated in para.3.12 of the Plan. I recommend no change on this count. (See also my comments at para.5.2.6 of this report.)
- 5.4.4 **Issue d.** I have dealt with the majority of the various sites promoted for allocation for employment purposes under Policy EC1 above. For the site north of Clay Lake Bank, see para.5.3.24 above. With regard to the lands in the vicinity of the A16/A151 junction, the 2 parcels are situated beyond the settlement boundary, within generally open land. Considering my views on the availability of employment land elsewhere, I am not persuaded there is any need, or advantage, in their allocation for employment purposes in preference to better located land within the defined settlement limit on the Spalding Major Employment Area. Furthermore, despite the presence of the existing services at the junction of the A16/A151 – and planning permission for a hotel/restaurant/public house on land adjoining the objection sites – additional building here would consolidate the impact of development on the landscape, to the detriment of the character and appearance of the surrounding rural area, contrary to other Plan policies.
- 5.4.5 **Issue e.** I have dealt with the promotion of land for allocation for employment purposes under Policy EC1 above. For the site off Wisbech Road, Long Sutton see paras.5.3.42-46 above.
- 5.4.6 **Issues f-g.** These objections are not relevant here. With regard to the matter of a guarantee of improvements being carried out to the A151 between Spalding and Holbeach, see my response at paras.5.3.36-38 above. As to whether there should be a gap between Spalding and Pinchbeck, the Council has indicated by PIC17 its intention to prepare an Area Action Plan for Spalding which will have regard to the physical relationship with Pinchbeck.

## RECOMMENDATION

**R.5.4. I recommend that the Plan be amended in accordance with PIC47.**

## 5.5 EC3 - EXISTING EMPLOYMENT AREAS/PREMISES

### Objections

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592/003 R C R Neaverson and Sons & Mr R Barton

### Issues

- a. Should alternative land be allocated for employment uses in the Long Sutton area?

### Inspector's Reasoning and Conclusions

5.5.1 The objection is not relevant here. See my comments at paras.5.3.42-46 above.

### RECOMMENDATION

**R.5.5. I recommend no amendment to the Plan.**

## **5.6 EC4 - FARM DIVERSIFICATION INCLUDING RE-USE OF REDUNDANT RURAL BUILDINGS**

### Objections

See Appendix A17

### Issues

- a. Should criterion 1 should be removed or re-worded?
- b. Should the policy refer to the need to protect the character of historic buildings?
- c. Is the Policy and wording of the justification too restrictive, or should it be relaxed to encourage diversification schemes?
- d. The wording of the policy should be changed to refer to the need to preserve as many barns as possible.

### Inspector's Reasoning and Conclusions

- 5.6.1 **Issues a-b.** Dealing initially with the changes advanced by the Council in response to representations, PIC48 which is concerned with farm diversification would appear to deal satisfactorily with the justifiable objection to the original wording of criterion 1. An understanding of the revised criterion would not however be enhanced, or even assisted, by including within it a reference to para.3.34. I also support the addition of new criterion 4 by IC72, which recognises the need to protect the character of historic buildings.
- 5.6.2 **Issue c.** A number of objectors complain that the policy wording and text is too restrictive. Others believe that it is not restrictive enough. Dealing first with the concerns of those in the latter camp, the text already recognises that proposals should not "...result in excessive expansion and encroachment of building development into the countryside." The Policy in my view is appropriately framed to address this point and other environmental and amenity considerations arising from the development and growth of diversification projects. No change is necessary in response to the related objections.
- 5.6.3 Returning to the concerns of those who believe the policy too restrictive, the stance of PPS7: *Sustainable Development in Rural Areas* is that development plans should support well conceived farm diversification schemes that are consistent in their scale with their

rural location. And, in most respects, the Council's approach in paras.5.24-5.29 appears to me to find the balance between the need to protect the countryside from unsuitable development and the diversification of the rural economy. Even so, I do consider that there are instances where some amendment is required to achieve fuller consistency with national guidance if the supportive tone in PPS7 regarding the importance of non agricultural activity to the viability of many farm enterprises is to be fully reflected by the Plan. Consequently, I support the related objections to the rather restrictive tone and doctrinaire approach found within para.5.30 and criterion 2, which could without good reason frustrate the realisation of schemes that would otherwise prove acceptable.

- 5.6.4 On my reading I think the Council has perhaps briefly lost sight in criterion 2 and para.5.30 that the policy is concerned with farm diversification projects. The examples found within para.5.29, while not exhaustive, are a long way from the scale of activity the Council appears to believe in its composite response that this policy would address – "...large scale developments ... in isolated locations with poor highway infrastructure, no public transport and remote from their labour supply". That is not a description I would recognise of a farm diversification project. I recommend the deletion of criterion 2 and amendments to para.5.30, by the deletion of the first sentence and the unjustified wholesale rejection of any farm diversification proposal within Class B2. I am satisfied what remains would provide an appropriate level of control over the impact of any farm diversification proposal.
- 5.6.5 With regard to the criticism levelled at para.5.29, it is quite apparent by referring to "Examples of projects...include..." that the Plan is not seeking and does not purport to provide an exhaustive list of farm diversification projects that are acceptable in principle. Indeed, any attempt to do so would no doubt not only become out of date over time, but also require several long and detailed qualifications such that it would be only of very limited value for development control purposes. Accordingly, I see no reason for change on this count.
- 5.6.6 **Issue d.** Preserving as many barns as possible is not directly relevant to Policy EC4. However, the policy does support the re-use of redundant rural buildings, which could of course include 'barns', in connection with farm diversification projects.

## **RECOMMENDATION**

### **R.5.6. I recommend that the Plan be amended:**

- i. in accordance with PIC48, insofar as it relates to criterion 1 of Policy EC4, and IC72;**
- ii. by the deletion of criterion 2, with the following criteria being renumbered accordingly; and**
- iii. by the rewording para.5.30 to read as follows:**

**"Planning permissions for farm diversification projects may need to limit the range of acceptable uses if some other possible developments within the use class of the project would be unacceptable. Significant expansion proposals by businesses which started as farm diversification projects will need to be examined critically to avoid conflict with the overall strategy and sustainability considerations."**

## 5.7 EC5 - DEVELOPMENT WITHIN RETAIL TOWN, DISTRICT AND LOCAL CENTRES

### Objections

096/005	F	Councillor Chris Brewis
141/002	F	Westry Developments Ltd
141/003	F	Westry Developments Ltd
144/012	F	Councillor P M Walls
144/021	F	Councillor P M Walls
323/004	F	Lincoln Co-Operative Society
578/004	R	Thornfield Springfield Developments Ltd
682/015	R	John Hayes MP
683/032	R	Spalding & District Civic Society
685/003	R	English Heritage

### Issues

- a. Whether the Plan should allocate various sites in Spalding for mixed use proposals or redevelopment.
- b. Should the Plan include policies to avoid Spalding town centre losing trade to Springfields Retail Outlet Centre?
- c. The Springfields Retail Outlet Centre should be included within the defined settlement limit of Spalding.
- d. Further expansion of Springfields Retail Outlet Centre should not be permitted.
- e. Whether there should be policy for creating improved linkage between the Holland Markets area and the historic core area of Spalding
- f. Should the Plan include proposals for the relocation of Spalding Bus Station?
- g. Para.5.42 should refer to the need for additional retail development at Long Sutton and land at Station Yard allocated for a supermarket.
- h. Does the Plan require a policy to protect local facilities?
- i. Should the Local Plan commit the Council to carrying out a study on the impact of various non-retail uses in town centres?
- j. Should the wording of paras.5.33, 5.35 and paras.5.40-5.43 be changed and additional wording dealing with primary shopping areas added to the Policy?
- k. Should the defined centres on the proposals maps delineate more than existing retail areas?
- l. Should the defined centre for Spalding be amended to include land up to the railway line?
- m. Reference should be made to the Crime and Disorder Act 1998.

### Inspector's Reasoning and Conclusions

- 5.7.1 **Issue a.** The Council has indicated there may be difficulties bringing forward the objector's suggested site at Francis Street/Abbey Path/Gore Lane, Spalding. Sites allocated in the Plan should have a realistic prospect of being developed within the Plan

period. If there are doubts as to whether sites are realistic, they should not be included as allocations. There is no reason to believe current policies would provide an inadequate basis for the consideration of any proposal that might emerge in advance of the LDF. As for the site between The Crescent and Priory Road, Spalding planning permission has been granted for its redevelopment [CD/SH/31 para.8.6] and work has now started.

- 5.7.2 **Issues b-d.** It is suggested by the objector that the town centre is losing trade to Springfields Retail Outlet Centre. The Council on the other hand advises that, at worst, it is having a neutral effect on town centre trade overall. In the absence of any convincing case to the contrary, I see no need to recommend any change to the Plan as a result. As to whether the Springfields Retail Outlet Centre should be included within the defined settlement limit of Spalding, PIC92 would appear to have addressed the objection, which is conditionally withdrawn. I have no objection to the change. Dealing with issue d, there is no evidence to justify such a prescriptive approach towards the expansion of the Springfields Retail Outlet Centre throughout the plan period. This section of the Plan and its attendant policies does however provide the context and means by which all planning applications for retail development might be considered, including any proposals to expand the Springfields Retail Outlet Centre. I see no reason for any change.
- 5.7.3 **Issue e-f.** The related objections raise a number of questions about the future development of Spalding town centre, in terms of the linkages between the Holland Markets area and the historic core area of Spalding, car parking provision and options for traffic routing. The level of detail necessary to address such matters in a thorough and fully researched manner is however too comprehensive for inclusion in a Local Plan. One of the objections states that a study of the whole area is called for – which to my mind makes the point. A Local Plan is not the right vehicle for such a study. It is unsuited to the type of area action planning that is needed to address the issues raised by objectors. The Council has indicated that at least some of the issues mentioned could be addressed within the proposed Area Action Plan for Spalding, which I endorse as an approach. As to whether it would be appropriate to relocate Spalding Bus Station, I have no reason to comment since there is no such proposal in the Plan.
- 5.7.4 **Issue g.** Notwithstanding the comment within para.5.42 about the Council's intention to encourage retail development in Long Sutton, the Retail Capacity Study Update undertaken on the Council's behalf shows no scope for additional convenience goods floorspace in the District by 2009 – expenditure capacity is only forecast to rise shortly thereafter [CD/SH/15]. As a result, it would not be appropriate to show land at Station Yard or, indeed, anywhere else for a supermarket. The Plan does however indicate at para.5.44 that a need is anticipated "...to consider potential allocations as part of preparing our Local Development Framework..." which I consider a sound approach in light of the Study evidence. I see no conflict between para.5.42 and 5.44, since the full reference in the former is to "...appropriate retail development...".
- 5.7.5 **Issue h.** I have considered whether the Plan requires a policy to protect local facilities at section 3.2 above.
- 5.7.6 **Issue i.** Whether a study of the impact of various non-retail uses in town centres is necessary is a matter for the Council to decide; it does not need to be referred to in the Plan, although I have no objection to the changes suggested to para.5.36 by way of IC16. See also my comments at section 5.12 below on the same point. The underlying purpose of the objection, as expressed in the additional text suggested for inclusion within Policy EC5, is to maintain a suitable mix of retail outlets in town, district and local centres. I think that concern is however already addressed by the terms of the policy, in the second

sentence. The Council proposes additional text via IC17, which I support, as it helps to explain the approach the policy will adopt. I do not believe further adjustment to the policy necessary.

- 5.7.7 **Issue j.** IC73 would amend para.5.33 to reflect the publication of PPS6: *Planning for Town Centres*. It would also advance a revision to para.5.35. Although not identical to the wording sought by the objector, I am satisfied the amendment has a similar direction of travel and would correct the factual misrepresentation that this paragraph formerly contained. I support the change.
- 5.7.8 The supporting text in para.5.40-5.43 is quite clear as to the town, district or local centre status of the larger settlements. They are moreover defined upon the proposals maps. I see no reason for any confusion. As for the suggested addition to the wording of the policy, that would be unnecessary. The Plan has to be read as a whole. Policy EC6 deals with development in primary shopping areas. The 2 policies are in any event explicitly linked by the reference in EC5 to "...the policies in this plan...".
- 5.7.9 **Issue k-l.** The Plan's policy approach is founded upon the concept of a hierarchy of town, district and local retail centres. These retail centres are identified upon the Inset Maps. I found this somewhat confusing, primarily because the term 'retail centre' is not defined within the Plan. But also because there is a reference, somewhat loosely it would appear, to Holbeach having a "...town centre boundary..." in para.5.41, which would appear to be incorrect. Furthermore, a Council response refers to the designation as enabling retail planning policies to be applied within the "...town centre area". But the Plan does not show the town centre areas, it shows the retail centres. There is no assistance in the Plan's glossary at Appendix 4. 'Out-of centre retailing' is defined as being outside the defined town centres – but, I repeat, the Plan does not define the town centres.
- 5.7.10 'Retail centre' would appear to be equivalent to the existing retail areas. It is not coterminous with the town centres of the larger settlements within the hierarchy. A town centre is a defined area, including the primary shopping area and areas of predominantly leisure, business and other main town centre uses within or adjacent to the primary shopping area (Annex A, Table 2 of PPS6).
- 5.7.11 I consider the Council's approach at odds with PPS6. Apart from the clue in its title, a key objective of PPS6 is to promote the vitality and viability of town centres. PPS6, para.2.16, states that one of the roles of plans at the local level is to "...define the extent of the primary shopping area and the town centre, for the centres in their area on their Proposals Map". I do not understand therefore why the Council has adopted what I would regard as a different stance to PPS6.
- 5.7.12 I note that the County Council has certified the Plan is in general conformity with the LSP. Even so, some adjustment would appear in order to fully reflect the guidance in PPS6. The extent of the town centres of the larger settlements within the hierarchy should be defined on the Inset Maps. That would include whether the defined town centre for Spalding should contain land up to the railway line promoted by the objector. I am however satisfied this would most usefully be undertaken in conjunction with the preparation of the LDF, where the Council has acknowledged it would be necessary also to identify specific sites for convenience and comparison shopping. In the interim period, if the site is outside the defined retail centre it would be a matter of judgement to consider, on a case by case basis, whether it was within the town centre. But, given Policy EC5 clearly indicates a preference for a centre location – albeit a retail centre – I do not believe this would prevent a consistent application of policy in line with national guidance.
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5.7.13 **Issue m.** The Crime and Disorder Act 1998 is referred to within para.5.49. Section 17 relates to the exercise of functions by a local planning authority. The Secretary of State is not however under the same duty to have regard to it. Nevertheless, although Section 17 itself is not a material consideration as far as the Secretary of State is concerned, its subject matter – crime prevention – can still be a material consideration in determining an appeal. There is therefore no need, or benefit, for any further reference to be made within this policy.

## RECOMMENDATION

**R.5.7. I recommend that the Plan be amended in accordance with PIC92, IC16, IC17 and IC73.**

## 5.8 EC6 - DEVELOPMENT IN PRIMARY SHOPPING AREAS

### Objections

119/007	F	Spalding Town Centre Partnership
532/028	R	Fiona Forgham, Government Office for the East Midlands

### Issues

- a. The policy should refer to viability as well as vitality.
- b. Should the policy be amended so that changes of use to non-retail in Primary Shopping Areas will be an exception?

### Inspector's Reasoning and Conclusions

- 5.8.1 **Issue a.** PIC49, which I support, would add a reference to viability and would address the first issue.
- 5.8.2 **Issue b.** The primary shopping areas are defined frontages within the retail centres of Spalding and Holbeach. It is clear from the text that such ‘areas’ would not be exclusively in Class A1 use. That would be consistent with national guidance. Primary shopping frontages are locations that PPS6 advises are likely to include a high proportion of retail uses. There is therefore no justifiable reason to adopt an ‘exception’ test as suggested by the objector. As framed the policy provides an entirely adequate basis upon which to consider changes to non-retail use.

## RECOMMENDATION

**R.5.8. I recommend that the Plan be amended in accordance with PIC49.**

## 5.9 EC7 - RETAIL DEVELOPMENT OUTSIDE DEFINED RETAIL CENTRES

### Objections

056/003	F	Long Sutton Parish Council
141/004	F	Westry Developments
532/029	R	Fiona Forgham, Government Office for the East Midlands

683/034 | R | Spalding & District Civic Society

### Issues

- a. Whether the wording of Criterion 3 should be changed to refer to public transport and whether Criterion 5 should be deleted.
- b. Whether the word 'local' should be inserted in the policy after 'identified'.
- c. Whether a site for retail development should be identified or allocated in Long Sutton.

### Inspector's Reasoning and Conclusions

- 5.9.1 **Issue a.** I see nothing inherently unacceptable about using the phrase "...a choice of means of transport..." in criterion 3 since it is commonly employed within PPS6. I do however agree with the criticism of criterion 5. Section 38(6) of the Act obliges authorities to make decisions in accordance with the development plan unless material considerations indicate otherwise. So, the development plan strategy as expressed through the policies and proposals in the Plan – that is as a whole – will be taken into account when applying section 38(6). Criterion 5 thus serves no purpose and is unnecessary.
- 5.9.2 **Issue b.** 'Local' has no significance in this context demanding any modification.
- 5.9.3 **Issue c.** See section 5.3 of this report.

### RECOMMENDATION

**R.5.9. I recommend that the Plan be amended by the deletion of criterion 5 of Policy EC7.**

### 5.10 EC8 - SMALL SCALE RETAIL DEVELOPMENT

#### Objections

139/009	F	Countryside Agency East Midlands Region
574/020	R	Councillor Chris Brewis

#### Issues

- a. Whether changes should be made to the wording of the policy to allow retail uses with a wider market appeal.
- b. Whether either the wording of the supporting text or policy should be changed to allow larger retail developments in villages.

### Inspector's Reasoning and Conclusions

- 5.10.1 **Issue a.** The changes sought by the objector would not in my view promote a sustainable and inclusive pattern of development. Sustainable development is the core principle underpinning planning policy. As currently framed I agree with the Council that the policy is consistent with that national imperative.
- 5.10.2 **Issue b.** There is no compelling evidence to call into question the threshold of 200m<sup>2</sup> chosen by the Council to distinguish small scale retail development. I therefore see no reason for any change in response to this objection. Larger retail development would not in any event be precluded from villages without defined retail centres, but such proposals

would be determined in accordance with Policy EC7 and, of course, any other material considerations.

## RECOMMENDATION

**R.5.10. I recommend no amendment to the Plan.**

### 5.11 EC9 - TOWN CENTRE EVENING ECONOMY

#### Objections

683/035 R Spalding & District Civic Society

#### Issues

- a. Whether the wording of para.5.51 should be changed to refer to the avoidance of light pollution.

#### Inspector's Reasoning and Conclusions

5.11.1 The issue of excessive lighting is usually raised in connection with its effect in rural areas, but there is no reason why it might not also be an amenity problem in urban areas. PIC51 would address this matter, would be consistent with Policy SG13, and I support the change.

## RECOMMENDATION

**R.5.11. I recommend that the Plan be amended in accordance with PIC51.**

### 5.12 EC10 - HOT FOOD TAKE-AWAYS

#### Objections

682/015	R	John Hayes MP
683/036	R	Spalding & District Civic Society
687/011	R	Wash Estuary Management Group

#### Issues

- a. Whether the policy should make specific reference to littering or replace 'restrict' in the final sentence of the Policy with 'specify'?
- b. Whether criterion 2 should be amended to safeguard the viability of remaining A1 shops?
- c. Should the Local Plan commit the Council to carrying out a study on the impact of various non-retail uses in town centres?
- d. Reference should be made to the Crime and Disorder Act 1998.

#### Inspector's Reasoning and Conclusions

5.12.1 **Issue a.** The problem of litter being dropped by prospective customers is often raised as

an issue in proposals concerning this type of establishment. Litter is capable of being a material planning consideration, notwithstanding that it may also be controlled through other legislation. A reference to littering would not therefore be inappropriate. However, since the reasoned explanation to the policy already does so, and littering could quite reasonably be construed as ‘anti-social behaviour’ – which is referred to in the policy – I see no particular benefit to be obtained by including a specific reference within the policy. Finally under this issue, a limitation on the hours of use – which is what the policy indicates – is a restriction. No change is necessary.

- 5.12.2 **Issues b-c.** The related objection to issue b raises a legitimate point. Indeed, it is a concern also raised in connection with issue c. I accept the Council’s view that the vitality and viability of the primary shopping areas is adequately protected by Policy EC6. Hot food takeaways are however more usually found outside primary shopping frontages. And, while the main concern with a concentration of such uses is most often their environmental impact – and that is already covered in criterion 2 – there may be cases where a concentration outside the primary shopping frontages could also be detrimental to the vitality of an area.
- 5.12.3 I am thinking in particular where the effect might undermine the shopping function of an area; for example, where the choice of local convenience shops to serve the daily requirements of local people would be unacceptably reduced. It is arguable the vitality and viability of a retail area is covered already by the reference at criterion 2 to “...the character of the area...”, but I propose a change to make it explicit. This would call for the application of planning judgement, but that is no different to what is required in many instances. Even so, given the number of times that judgement would have to be exercised on this narrow point, I am satisfied further research would not be necessary. In that respect, a study of the impact of various non-retail uses in various locations might no doubt be useful research, but it is not needed to justify the terms of this policy. It is anyway for the Council to decide how it should commit its funds, not me.
- 5.12.4 **Issue d.** Reference to the Crime and Disorder Act 1998 is already made at para.5.49. There is no need for it to be repeated here. See also my comments at section 5.7 above.

## **RECOMMENDATION**

### **R.5.12. I recommend that the Plan be amended:**

- i. by adding the following to the reasoned justification, before the last sentence of para.5.54;**  
**“In some instances they may reduce the choice of local convenience shops to serve the daily requirements of local people.”; and**
- ii. by substituting the following for criterion 2);**  
**“2) the proposal would not lead to a concentration of such uses within a particular area which would cumulatively harm the amenity of local residents by reason of noise and general disturbance, or anti-social behaviour, or be likely cumulatively to harm the character or the shopping function of the area;”**

### 5.13 EC11 - FARM SHOPS

#### Objections

144/013	F	Councillor P M Walls
216/005	F	Mr Robert Congreve

#### Issues

- a. Whether the policy should be deleted.
- b. Whether the wording of the policy should be changed to strengthen the distinction between primary and ancillary sales.

#### Inspector's Reasoning and Conclusions

5.13.1 **Issue a.** The Plan certainly does not suggest that farm shops are "...an answer to the present financial crisis in agriculture..." Nonetheless, diversification into non-agricultural activities is vital to the continuing viability of many farm enterprises, as PPS7: *Sustainable Development in Rural Areas* recognises. And, farm shops can meet a demand for local produce in a sustainable way and contribute to the rural economy (PPS6: *Planning for Town Centres*). No amendment is necessary in response to this objection.

5.13.2 **Issue b.** If a farm shop is used for the sale of unprocessed goods produced on that farm with a minimal quantity of other imported goods, that is a use ancillary to the main use as a farm and does not require planning permission. Farm shops that sell a significant amount of produce from elsewhere constitute a separate use and will therefore require permission. Where that distinction falls is very much a matter of fact and degree and it would not therefore be appropriate for the Plan to attempt to set out a general definition. Similarly, I consider it would be equally inappropriate to require that a specified proportion of the goods to be sold through a farm shop should have been produced on the holding. I can envisage difficulties with the definition, and the universality of its application, as well as problems with enforceability, depending upon the circumstances. All in all I do not believe a reference to this matter is necessary in the Plan.

#### RECOMMENDATION

**R.5.13. I recommend no amendment to the Plan.**

### 5.14 EC12 - GARDEN CENTRES

#### Objections

144/014	F	Councillor P M Walls
313/001	F	Thornfield Properties Plc
532/030	R	Fiona Forgham, Government Office for the East Midlands
654/019	R	Councillor P M Walls

#### Issues

- a. Whether any changes should be made to the policy to delete a reference to plants grown off the premises.
- b. Whether any changes should be made to either the policy or supporting text to address the concerns raised by the objector.
- c. Whether the wording of the policy should be changed to refer to the need and sequential tests set out in PPS6.

### Inspector's Reasoning and Conclusions

- 5.14.1 **Issues a-b.** The policy has undergone substantial changes since the FDD such that the objection raised under the first issue would now appear to be satisfactorily addressed. The revised wording has however also clarified the range of goods that might be sold from such outlets. Along with the ability to impose conditions, I believe the policy capable of achieving the Council's aim of "...protecting the overall strategy for retailing generally...", subject to my comments on issue c.
- 5.14.2 **Issue c.** IC74 has inserted a reference to Policies EC7 and EC8. I doubt EC8 is really relevant given the limitation on scale. That aside, the purpose of the change is to encompass the requirements of PPS6 so that any proposal would now only be permitted "...where there is an identified need..." and, in line with criterion 1 of EC7, where it is consistent with the sequential approach to site selection. I think however that aim would be better achieved by omitting "...the retail impact of..." from IC74, since I would consider assessing the need for a development and applying the sequential approach additional tasks to assessing the (retail) impact of a proposal on the centres within a development's potential catchment.

### RECOMMENDATION

**R.5.14. I recommend that the Plan be amended by adding the following paragraph at the end of Policy EC12:**

**"Where a site is outside the defined retail centres, all proposals will be assessed in accordance with either Policy EC7 or EC8."**

### 5.15 EC13 - THE NORTHERN EXPANSION AREA, SPALDING

#### Objections

149/009	F	BT
354/PIC52	P	Somerfield Stores
532/031	R	Fiona Forgham, Government Office for the East Midlands
655/010	F	Broadgate Homes Ltd
683/037	R	Spalding & District Civic Society
683/PIC52	P	Spalding & District Civic Society

#### Issues

- a. The Policy should be changed to read as a land use policy, with criteria to encourage the right type of mixed use development.
- b. The wording of the Policy should be changed to refer to a range of suitable town centre uses, with only peripheral residential development.

- c. 'Prepare' should be substituted for 'consider preparing' in para.5.60.
- d. Should Policy EC13 and 14 be combined?
- e. Convenience retailing is not appropriate in this location.
- f. There is no justification for continuing the retail use for this site.

### Inspector's Reasoning and Conclusions

5.15.1 **Issues a-c.** PIC52 has gone some way to address the concern about the application of Policy EC13 to any planning application that might be received for the development of this site. Greater guidance is now provided about some components of a suitable mix of uses, which should give comfort to those related objections that advocated a retail element and which does not rule out other suitable key town centre uses. I do not believe a residential element would be inappropriate either. Certainly the Policy does still lack any explicit criteria against which a proposal might be judged. However, in the absence of an appraisal to inform the policy, plucking various criteria from the air may appear reassuring but would in fact prove of little value for decision makers. I do however agree that there is little use in a Local Plan advising that the Council "...will consider preparing a development brief...". Nevertheless, the decision to prepare a brief is entirely a matter for the Council and in the absence of a commitment to do so, there is no meaningful change that I can recommend.

5.15.2 **Issue d.** Allowing the points I have made above, combining Policies EC13 and EC14 would be very unlikely in my view to achieve a single clear, succinct and easily understood policy. I do not believe such a change would be beneficial.

5.15.3 **Issues e-f.** The Retail Capacity Study Update undertaken on the Council's behalf indicates a quantitative need for additional floorspace for comparison goods in the District by 2009 [CD/SH/15]. This figure is likely to increase considerably over the remaining plan period to 2021. In contrast, the Study shows no scope for additional convenience goods floorspace by 2009 – expenditure capacity is only forecast to rise shortly thereafter. Even so, since the Local Plan is based on an end date of 2021, it seems to me that the Council is entitled to conclude that there is also a need for new convenience goods floorspace in the District in the plan period. For that reason I do not favour at this stage applying a restriction to retail development on this site to comparison goods only. Furthermore, in light of a proven quantitative need, it would be premature in my opinion to eliminate the site at this stage from consideration for any retail use when I note the Council is relying upon Development Plan Documents to identify sites for convenience goods and comparison goods shopping.

### RECOMMENDATION

**R.5.15. I recommend that the Plan be amended in accordance with PIC52.**

### 5.16 EC14 - LAND REAR OF THE WHITE HART, SPALDING

#### Objections

354/PIC53	P	Somerfield Stores
532/032	R	Fiona Forgham, Government Office for the East Midlands
685/004	R	English Heritage

### Issues

- a. Should Policy EC13 and 14 be combined?
- b. The Policy should be changed to read as a land use policy, with criteria to encourage the right type of mixed use development.
- c. The wording of para.5.61 should be changed to refer to the nearby listed buildings and the need for a development brief.
- d. The wording of the Policy as proposed for change by PIC53 could be further improved.
- e. Convenience retailing is not appropriate in this location.

### Inspector's Reasoning and Conclusions

- 5.16.1 **Issue a.** I have already responded negatively to the suggestion to combine Policies EC13 and EC14 in section 5.15 above.
- 5.16.2 **Issue b-c.** PIC53 would expand the reasoned justification to refer to the listed status of many of the nearby buildings, which would in part meet the objection. It would also amend the wording so that the policy would now have some application as a land use policy. Given the planning permissions that have been granted and the development that has already taken place, the remaining area is not so large, nor the area so sensitive or the development issues sufficiently complex that I consider it necessary for the policy to require the preparation of a development brief. As for the inclusion of development criteria within the policy, I see little benefit to be obtained from this and take the same stance on this matter as in section 5.15 above.
- 5.16.3 **Issue d.** English Heritage has suggested a change to the policy itself in further response. I acknowledge the Council's point that there are other policies within the Plan that could be relied upon and am content with the policy wording and approach as it would stand following the application of PIC53.
- 5.16.4 **Issue e.** For the same reasons explained in section 5.15 above in connection with the Northern Expansion Area, I do not support a restriction of the shopping element of the uses on this site to comparison goods retailing.

### RECOMMENDATION

**R.5.16. I recommend that the Plan be amended in accordance with PIC53.**

**APPENDIX A15**

**EC General - Objections**

007/002	F	Mr R W Green
096/008	F	Councillor Chris Brewis
096/012	F	Councillor Chris Brewis
119/005	F	Spalding Town Centre Partnership
119/011	F	Spalding Town Centre Partnership
119/012	F	Spalding Town Centre Partnership
126/003	F	Persimmon Homes (East Midlands) Ltd
141/001	F	Westry Developments Ltd
144/015	F	Councillor P M Walls
144/018	F	Councillor P M Walls
144/019	F	Councillor P M Walls
144/020	F	Councillor P Walls
189/001	F	Mr J S Pond
283/003	F	Intergen (Uk) Ltd
309/003	F	Tydd St Mary Parish Council
321/084	F	Spalding & District Civic Society
321/085	F	Spalding & District Civic Society
524/003	R	Tom Bray
578/007	R	Thornfield Springfield Developments Ltd
589/005	R	Michael Parker and Sons
595/004	R	Peterborough City Council
664/010	R	Boston, Spalding & District Trades Union Council

**APPENDIX A16**

**EC1 - Objections**

028/002	F	Long Sutton Town Centre Partnership
031/005	F	Railtrack Plc
036/002	F	Mr & Mrs M A Craven
039/001	F	Mr & Mrs K Clark
040/002	F	Hambledon Investments Limited
040/003	F	Hambledon Investments Limited
041/006	F	Holbeach and District Civic Society
046/001	F	Mr R Barton & C R Neaverson & Sons
047/001	F	Mr & Mrs S R Lowe
091/001	F	Mr Patrick Creese
092/001	F	Mrs Brenda Creese
096/006	F	Councillor Chris Brewis
097/036	F	Moulton Parish Council
116/001	F	Bernard Matthews Foods Ltd (cross reference to HS4)
118/001	F	R A Prosser
118/002	F	R A Prosser
131/001	F	Michael Parker & Sons (cross reference to HS3)
132/001	F	Mr & Mrs A L Fowler
144/023	F	Councillor P M Walls
144/031	F	Councillor P M Walls

153/002	F	Mr R Turner
176/002	F	Halgarth Esq
177/002	F	Messrs Adams & Goodwin
189/002	F	Mr J S Pond
190/001	F	Councillor Bryan Alcock
198/009	F	Whaplode Parish Council
243/001	F	Mr Benjamyn Damazer
246/001	F	Mr Philip Jackson
248/001	F	Client of J. Hancock & Associates
248/002	F	Client of J. Hancock & Associates
260/001	F	M N Tither
261/001	F	A Blackwell
262/001	F	Mr John Parnell
263/001	F	V Pringle
264/001	F	Mr Robert Pringle
265/001	F	A K Brown
266/001	F	Mrs A Williams
267/001	F	Amanda Phoenix
269/001	F	D Searle
270/001	F	Lesley Dow
271/001	F	G C Smith
272/001	F	Mr George G Brown
273/001	F	Mr & Mrs C A Willey
274/001	F	Mr Ivan Dow
275/001	F	Mr David Birkett
277/001	F	Mrs Sally Speechley
278/001	F	Mrs C M Przyszlak
279/001	F	F Barrett
283/002	F	Intergen (Uk) Ltd
291/001	F	Port Sutton Bridge Ltd
291/002	F	Port Sutton Bridge Ltd
310/001	F	Sutton Bridge Parish Council
314/006	F	RSPB
341/001	F	Councillor Paul Przyszlak
509/002	R	Mr and Mrs J Anderson (cross reference to HS5)
513/001	R	Pamela Reynolds
532/026	R	Fiona Forgham, Government Office for the East Midlands
571/004	R	St John's College
573/001	R	Economic Development Strategy Task Group
574/018	R	Councillor Chris Brewis
574/019	R	Councillor Chris Brewis
575/006	R	Sutton Bridge Town Council
575/008	R	Sutton Bridge Town Council
578/003	R	Thornfield Springfield Developments Ltd
578/005	R	Thornfield Springfield Developments Ltd
585/001	R	Port Sutton Bridge
586/001	R	Hambledon Investments Ltd
587/002	R	Southfield Business Park Ltd (cross reference to HS3)
587/010	R	Southfield Business Park Ltd (cross reference to HS3)
588/009	R	The Environment Agency
588/OS	OS	The Environment Agency (site 661)

588/PIC46	P	The Environment Agency
588/PIC91	P	The Environment Agency
590/004	R	C R Neaverson and Sons (cross reference to HS3)
636/001	R	J S Halgarth Esq
654/017	R	Councillor P M Walls
661/001	R	Ashley King (Developments) Ltd
661/002	R	Ashley King (Developments) Ltd
663/001	R	Mr R Holmes
669/004	R	Councillor Espin
670/006	R	Moulton Parish Council
681/002	R	Pinchbeck Parish Council
683/027	R	Spalding & District Civic Society
683/028	R	Spalding & District Civic Society
683/029	R	Spalding & District Civic Society
684/002	R	Simon Walton (cross reference to HS3)
684/007	R	Simon Walton (cross reference to HS3)
687/008	R	Wash Estuary Management Group
694/OS	OS	Nene Developments (site 571)
700/001	R	Mr R Gallagher
700/PIC46	P	Mr R Gallagher

## APPENDIX A17

### EC4 - Objections

011/001	F	National Farmers Union
096/009	F	Councillor Chris Brewis
107/009	F	English Heritage
139/006	F	Countryside Agency East Midlands Region
144/025	F	Councillor P M Walls
148/004	F	The Crown Estate Commissioners
216/006	F	Mr Robert Congreve
308/005	F	Country Land and Business Association
500/001	R	National Farmers Union
524/006	R	Tom Bray
532/027	R	Fiona Forgham, Government Office for the East Midlands
654/018	R	Councillor P M Walls
664/005	R	Boston, Spalding & District Trades Union Council
683/031	R	Spalding & District Civic Society