

6. CONSERVATION AND ENHANCEMENT OF THE ENVIRONMENT

6.1 EN - GENERAL

Objections

See Appendix A18

Issues

- a. Matters relating to First Deposit Draft (FDD) Policies NE2, NE3, NE5 and paras.2.15-2.16, 4.3 and 5.19 of the FDD.
- b. Matters raised in connection with the Inset Maps.
- c. Whether a policy concerning protected species is required.
- d. Whether the Plan should contain more protection for wildlife habitat on disused sites.
- e. Whether new development should be required to incorporate biodiversity features.
- f. Whether a review of historic buildings is required, with the aim of having more 'listed'.
- g. Whether all the Council's actions which might affect the historic environment should progress through the same procedures as they would if they required planning permission.
- h. Whether a policy to reflect the historic character of the area through the choice of street names and control the siting of street name signs is required.
- i. Whether an additional policy relating to the conservation and enhancement of streetscapes in conservation areas should be included in the Plan.
- j. Whether an additional policy, relating to the conservation of the water environment in Spalding should be included in the Plan.
- k. Whether a policy concerning the development of energy generating infrastructure or power stations should be added to the Plan.
- l. Whether an additional policy is required in order to promote public access to local sites of nature conservation interest
- m. Whether an additional policy concerning historical and cultural landscapes is justified.
- n. Whether policies should be included or development briefs prepared for the specific sites mentioned.

Inspector's Note

It appears to me that in the Council's analysis an overlap has arisen between issues allocated for consideration under 'EN – General' and others, which would have sat happily under that heading, included under Policy EN1. I have dealt with them as they stand. I have made the necessary changes to ensure my recommendations are coherent and consistent.

Inspector's Reasoning and Conclusions

- 6.1.1 **Issue a.** The FDD has been comprehensively rewritten so that a number of representations made in respect of matters at that stage have been overtaken by events. Some objections are no longer applicable or have been resolved. FDD Policy NE2 no longer appears in the Plan. It should however be noted that The Wash is an

internationally protected area. FDD Policy NE3 has also been deleted. This would satisfy one objection which quite rightly points out such a policy is unnecessary – see also my comments at issue c – and the references to local Biodiversity Action Plans in paras.6.14 and 6.17 of the Plan would to a degree appear to address the other objections raised in relation to this deleted policy.

- 6.1.2 FDD Policy NE5 was concerned with trees, hedgerows and woodlands and has been deleted. The related objection seeks its re-instatement. I agree however with the Council that adequate protection is already provided by LSP Policy NE4, which is entitled “Trees, Woodlands, Hedgerows Protection”. The development plan includes the LSP. There is therefore no need to repeat its provisions. Furthermore, when granting planning permission for any development, local planning authorities are under a duty, where appropriate, to impose planning conditions to ensure adequate provision is made for the protection or planting of trees, and to make Tree Preservation Orders (TPOs) as appear necessary in the circumstances. Taken together with the requirements of Plan Policies SG18 – *Landscaping of New Development* and EN2 – *Wildlife Corridors and Other Areas*, I am content no change is necessary.
- 6.1.3 Turning to paras.2.15-2.16 of the FDD, the objector has suggested the beginning of the Chapter needs to be strengthened by re-using this deleted material. The Council has responded by proposing PIC54. I have no objection to the change which would appear to satisfy the objection.
- 6.1.4 Para.4.3 of the FDD is now re-numbered as para.6.29 of the RDD. The objector is seeking a change to the effect that the Plan’s strategy must never be at the expense of the District’s environment or heritage. There is no justification for adopting such a prescriptive approach as a matter of principle. PPG15: *Planning and the Historic Environment* explains that the objective of planning processes should be to reconcile the need for economic growth with the need to protect the natural and historic environment. PPG15 continues, “... the historic environment of England is all-pervasive, and it cannot in practice be preserved unchanged. We must ensure that the means are available to identify what is special in the historic environment; to define, through the development plan system, its capacity for change; and, when proposals for new development come forward, to assess their impact on the historic environment and give it full weight, alongside other considerations.” It is preferable for the Plan to reflect national guidance in this respect rather than for it to be open to challenge as being unreasonably restrictive. The later suggestion to substitute “...this should not be...” instead serves no purpose. Finally, para.5.19 of the FDD has been deleted, thus resolving any disagreement over the period the Fens had been drained.
- 6.1.5 **Issue b.** Several queries have been raised about the Plan’s various maps. With regard to what is shown, the Council has confirmed that the Long Sutton Conservation Area boundary is correct. PIC83 proposes removal of the scheduled monument symbol shown at St Guthlac’s Lodge, which would meet the objector’s concern. As for whether further details should be added, I consider it unnecessary for the inset maps to show the District’s 500+ listed buildings. It would not be practicable at the scale of the various maps to show them accurately and if that could not be achieved, it would be unwise to attempt such a task. Keeping such a record up to date would of course also be difficult. Finally, while it is appropriate for a proposals map to show existing Conservation Areas, that would not be the case for a *proposed* Conservation Area, as in the instance of Sutton Bridge. It would be an unnecessary detail, serve no planning purpose and, until designation, there would be no certainty as to the eventual boundary.
- 6.1.6 **Issue c.** Many individual wildlife species receive statutory protection under a range of

legislative provisions. PPS9: *Biodiversity and Geological Conservation* advises that specific policies in respect of these species should not be included in local development documents. It would therefore be inappropriate to re-instate FDD Policy NE3 as suggested by the objectors.

- 6.1.7 **Issue d.** Para.6.12 and the revision to Policy EN2 under PIC55 would appear to meet the objector's concern.
- 6.1.8 **Issue e.** Incorporating biodiversity features into new development is an important matter. The Council has, rightly in my view, responded to the criticism by proposing an additional criterion to Policy SG14 as part of IC46. This would satisfy the objection.
- 6.1.9 **Issues f-g.** A policy or statement indicating the Council's aspiration, or intention, to undertake its own review of historic buildings within the District with the aim of having more 'listed' would add nothing to the Plan and is unnecessary. That does not of course prevent the Council carrying out such work if it should so wish. Likewise, a decision by the Council to adopt the procedures suggested by the objector for all its actions would be an administrative act, not one of planning policy. It is simply not a matter for a Local Plan and does not therefore concern me. I recommend no change in either case.
- 6.1.10 **Issues h-m.** A number of objectors question whether a range of additional policies should be added to the Plan. It is not of course the purpose of the Plan to seek to provide exhaustive or unnecessarily detailed policy coverage; that would only make for an unwieldy and overly complex document. Rather, the Plan should contain an integrated set of policies that derive from, and relate to, the specific need and circumstances of the area. I have found no compelling evidence in the arguments of the various objectors to support the conclusion that the environmental needs of the District have not been satisfactorily addressed by the suite of policies advanced by the Council such that further Plan policies are required. The Council is quite right in my view to seek to avoid the production of a compendium of use-related development control policies.
- 6.1.11 More specifically, therefore, I do not believe there is any reasonable basis to include a policy on the development of non-renewable energy generating infrastructure, or power stations. With regard to the choice of street names and the siting of street name signs, this is not a relevant subject for a Local Plan. The conservation of the water environment in Spalding is in my view sufficiently protected by existing Plan policies. If necessary, a more detailed consideration of the conservation needs of the River Welland through Spalding and the Coronation Channel could be addressed elsewhere. The possible inclusion of such a topic in the forthcoming Area Action Plan for Spalding seems to me an appropriate response.
- 6.1.12 I think the significance of the streetscape in a conservation area is an important point, but there is no need for specific reference to it beyond what is already included in Policy EN7. Works within the public realm often do not require planning permission. Policies for treatment of such areas are thus best addressed through supplementary planning documents which provide a detailed and particular appraisal of the approach to be adopted in a conservation area. As for a policy to promote public access to local sites of nature conservation interest, this is a complex issue that would raise a number of important and, possibly, competing considerations, which I think best left to the owners and managers of a site. It should not be made a requirement and as an aspiration serves no purpose in a land use policy. Finally, while I do not doubt the value of a fuller understanding of the wider historic and cultural landscape of South Holland, there seems to me as yet no sound evidential basis to support the inclusion of such a policy in the Plan at this time.

6.1.13 **Issue n.** I see no sound reason to question the Council's view that the sites mentioned in the objection do not raise specific planning issues that need addressing by separate planning policies. As for the preparation of any planning brief, supplementary planning guidance does not form a part of the Plan and so the Council would not be prohibited from preparing such a document if it saw fit to do so.

6.1.14 See my comment in support of IC18 in section 4.2 above.

RECOMMENDATION

R.6.1. I recommend that the Plan be amended in accordance with PICs 54 and 83, and IC18.

6.2 EN1 - DEVELOPMENT AND SITES OF NATURE CONSERVATION VALUE

Objections

See Appendix A19

Issues

- a. Whether the policy should be revised to reflect government policy with regard to the level of protection that each tier of nature conservation site designation should be afforded.
- b. Whether the policy should be extended to protect habitats and species which do not have specific protection
- c. Whether the policy should include landscape protection.
- d. Whether the reasoned justification should remove the reference to rural development.
- e. Whether the words, '(as amended)', should be added after, 'Wildlife and Countryside Act 1981' in para.6.9 and whether other amendments to paras.6.9 and 6.16 are required.
- f. Whether terminology relating to nature conservation site designations needs to be made consistent or amended in order to give a wider definition to the SLNCIs.
- g. Whether the policy should be amended in order to give protection to undesignated wildlife sites where agreed criteria are met.
- h. Whether the Plan should promote the provision of large scale wildlife habitat sites.
- i. Whether the Council should retain discretion in deciding whether to monitor the success of species translocation schemes.
- j. Whether the various changes suggested to paras.6.1, 6.2, 6.4, 6.7, 6.8 and 6.13 are necessary.
- k. Whether paras.6.14 and 6.17 should be altered to give more detail of the activities of the Wash Estuary Strategy Group and the documents which it produces.
- l. Whether para.6.6 should include a reference to the Wash European Marine Site designation.

Inspector's Reasoning and Conclusions

6.2.1 **Issues a-b.** The Plan has been re-written since the FDD version and thus a good number of the representations made in connection with this policy have been overtaken by

events. Additionally, PPS9: *Biodiversity and Geological Conservation* was published in August 2005, leading the Council to significantly recast its policy. The predecessor to PPS9 established an approach to the protection of nature conservation sites based upon the tiered protection of designated sites of international, national and local importance. PPS9 however makes clear that since they enjoy statutory protection, specific policies in respect of international sites should not be included in local development documents.

- 6.2.2 The Council has therefore proposed IC49 whereby Policy EN1 would be deleted and replaced with two new policies; one, new Policy EN1 would be concerned with the two SSSIs in the District which are outside the Wash Special Area of Conservation (SAC); and the second, Policy EN1A, would deal with local sites. IC49 would also include the necessary adjustments to the reasoned justification. Internationally designated nature conservation sites will continue to feature on the Proposals Map, in accordance with para.6 of PPS9.
- 6.2.3 I do however consider it would be appropriate, as suggested in at least one representation to the RDD version of the Plan, to make explicit reference in the policy to the role of planning obligations and planning conditions. Such an addition would be consistent with para.6.14 of the reasoned justification. It would also reflect the advice in para.8 of PPS9 that local authorities should use conditions and/or planning obligations to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest. I therefore recommend an addition to Policy EN1.
- 6.2.4 Following on from that, with regard to the suggested addition of a third criterion to Policy EN1A in a further response, the use of compensation or mitigation is clearly contemplated within PPS9, as I have already said above. One of the key principles of national policy is that "...local planning authorities should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where a planning decision would result in significant harm to biodiversity and geological interests which cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused." Whether such measures would be appropriate would thus be a matter to be judged in the process of considering the individual proposal, but the reference sought would be consistent with PPS9. I therefore recommend a change to Policy EN1A to mirror the suggested amendment to Policy EN1.
- 6.2.5 Habitats and species which do not have specific protection under Policy EN1 or EN1A are safeguarded by LSP Policy NE3: *Species Protection* and Local Plan Policy EN2 – *Wildlife Corridors and Other Areas*.
- 6.2.6 With regard to the additions proposed in the further response from one objector, I see no need or advantage for the proposed change to para.6.7 to refer to biodiversity information, since that would not change the manner in which the policies would be applied.
- 6.2.7 **Issues c-e.** Reference to landscape protection would dilute the thrust of Policies EN1 and EN1A where the focus is the nature conservation value of sites. I do not support any change. Protection is afforded the landscape and landscape features elsewhere in the Plan. On the other hand, the reference to rural development – now in para.6.6 – is entirely appropriate since development does not only take place in urban areas. The use of the term 'need' in the second sentence of para.6.6 is acceptable in this context. Replacing it with "pressure" would to my mind make little difference.

- 6.2.8 Notwithstanding the views expressed by the objector and Council with regard to the reference to the Wildlife and Countryside Act 1981, now in para.6.9, it is not my understanding that the title of the Act has changed. It is correct that amendments have been introduced to some sections by certain provisions within the Countryside and Rights of Way Act 2000 but the context here – the protection of species – has not been changed and does not therefore demand the addition of ‘as amended’ in parentheses. The meaning is in any event perfectly clear.
- 6.2.9 As for the various word changes suggested by the objector, in para.6.9 “...at threat...” is now found in the Plan. In the same paragraph, the need or otherwise for a survey to be undertaken is a matter of judgement, the retention of “...may...” is therefore to be preferred. Similarly, the retention of “...where appropriate...” in para.6.16 allows the Council the flexibility to consider the balance of advantage between retention, creation or enhancement and safeguarding habitat areas of wildlife and nature conservation as part of large developments. The judgement will not always be the same. There is no reason to believe ‘and’ is used other than in a conjunctive sense in para.6.16 – as opposed to disjunctive – and so I envisage no difficulty with its interpretation as it stands. In fact, it is to be preferred to the objector’s supplementary suggestion.
- 6.2.10 **Issues f and g.** I do not find the use of the term ‘Site of National Nature Conservation Interest’ on the Proposals Map unduly confusing, since it is made quite clear that it applies to SSSIs and NNRs, which are identified within para.6.6. I do however agree with the Council that there does indeed appear to be some flexibility in the terminology employed at various policy levels. Indeed, one representation reports that SLNCIs “...have various names across the county”. I recommend no change at this time since the policy in the Plan seems internally consistent. Nonetheless, I am in no doubt that the credibility of the designations and appreciation of their effect would be enhanced by a consistent approach. That consistency should initially be sought outside the Plan – which brings me to the second part of issue f. I have a good deal of sympathy with the related objection. Nonetheless, as many of the wildlife sites/SLNCIs have not been visited recently their identification on the Proposals Map could not be justified. Consistent with that view I support PIC84. However, I do not regard this as a satisfactory situation and therefore do so with some reluctance. And, were it not for the inclusion of Policy EN2, my recommendation would have been different.
- 6.2.11 As I understand, work is on-going within the Biodiversity Action Plan Partnership Steering Group to agree the criteria against which sites would be assessed to determine their status in terms of their importance for nature conservation. Once reviewed, the Group is proposing that those sites which meet the new criteria are termed ‘County Wildlife Sites’. I believe this is the correct approach to the proper consideration of candidate sites and their designation. I have noted it is expected most previously selected sites will meet the criteria, but their inclusion in the Plan in advance of that work would serve only to weaken the credibility of the policy. On the other hand the authority and integrity of the proposed County Wildlife Site designation will be enhanced by an agreed methodology that would be consistent across the County’s administrative area and supported by an up-to-date survey. The alternative is to require this work be done before adoption of the Plan, but the consequences for nature conservation interests would in my opinion be less satisfactory. I do not therefore support the objection. Although a number of sites would not benefit from formal recognition within the Plan at this time, that would not prevent them enjoying policy protection at some later stage upon designation or by virtue of Policy EN2. Of course, the nature conservation interest of a site, even though not identified by the Plan, would still be a material consideration in the determination of a planning application.

- 6.2.12 I note here *for information* that the Policy reference on the Proposals Map alongside SLNCI should be EN1A.
- 6.2.13 **Issue h.** The Council accepts this point and proposes IC44 as an acceptable response. As a promotional statement within the justification to Policy SG4 it may be of some value. I have no objection to its inclusion.
- 6.2.14 **Issue i.** The translocation of species is a complex undertaking. If such a measure is ever approved as part of a development, the management and implementation of the translocation *must* be monitored. This could be made a requirement of a planning permission, or might be the subject of agreement, and would be the responsibility of the developer. I fail to see how this would present any difficulty for the local planning authority. I support the objection and recommend a change to para.6.15 to address the matter.
- 6.2.15 **Issue j.** Various detailed criticisms have been levelled at the wording of a number of paragraphs in the reasoned justification to Policies EN1 and EN1A. However, neither the deletion of "...the most..." from para.6.1, or the insertion of 'remaining' before "...trees..." at the end of para.6.4 would offer any material improvement to the Plan. With regard to the importance of undesignated areas for nature conservation, their value is satisfactorily recognised within the Plan by Policy EN2 and paras.6.8-6.11.
- 6.2.16 In a further objection to PIC54, which is generally supported, it is suggested the wording be strengthened by deleting the words "where possible" on the 3 occasions they appear in the paragraph added below para.6.2. The Council has proposed IC48 in partial response – removing 2 of the 3 references. I think the third reference is however also unnecessary; not just because resistance to the loss of irreplaceable environmental assets is always possible, but chiefly because it weakens the aim to enhance the countryside.
- 6.2.17 As for the opposing views expressed in connection with para.6.8, since the list of sites included here does not purport to comprise an exhaustive list, I see no need to include a reference to 'brownfield sites' as sought by one objector – especially as such a reference is made within Policy EN2 in line with PIC55. I do not support the alternative view, that para.6.8 should be deleted, which appears to me to be based upon a misreading of the effect of the policy. I agree however that the reference to 'nucleated sites' is not helpful to the general reader. It is not necessary, even if I did accept the Council's definition of this term. I recommend a change to para.6.8.
- 6.2.18 Turning to para.6.13, I see no benefit from the inclusion of a reference to the contribution that could be made by the voluntary sector. Furthermore, if there is any difference in the wording suggested by the objector, I see no reason to prefer it over the Plan's reference to a "...suitably qualified person or recognised authority...".
- 6.2.19 **Issues k and l.** PIC55, which I support, would provide a suitable response.

RECOMMENDATION

R.6.2. I recommend that the Plan be amended:

- i. in accordance with PIC55, PIC84 and IC49;**
- ii. in accordance with IC48, except that the words 'where possible' be deleted from the fourth sentence of para.6.2, after "...environmental assets...";**
- iii. by revising para.6.8 to read: "Other areas, though not specifically identified within the plan, may nevertheless be of value for nature conservation; these include: (then list the features as written);**

- iv. by substituting “will” for “may” in para.6.15; and
- v. by the addition of the following statement after criterion 3) of Policy EN1, and after criterion 2) of Policy EN1A,
“Where development is permitted, planning conditions may be imposed and/or planning obligations sought to ensure the protection and enhancement of the site’s nature conservation interest and to provide appropriate compensatory measures.”

6.3 EN2 - WILDLIFE CORRIDORS AND OTHER AREAS

Objections

025/010	F	English Nature
257/009	F	Abbey Developments Ltd
308/017	F	Country Land and Business Association
532/002	R	Government Office for the East Midlands
532/034	R	Fiona Forgham, Government Office for the East Midlands
557/003	R	English Nature
576/017	R	Lincolnshire Wildlife Trust

Issues

- a. Whether the wording of the policy should be revised and whether a reasoned justification should be added.
- b. Whether the policy should be amended in order to address issues of management of wildlife resources, conservation through development, and the inclusion of specific habitat types within the body of the policy itself.
- c. Whether the policy should be made more precise, or alternatively, deleted.
- d. Whether the policy should be made less protective of wildlife habitat, and incorporate recognition of mitigation measures.

Inspector's Reasoning and Conclusions

- 6.3.1 **Issue a.** The Council proposes PIC55 as a suitable response. The reasoned justification for Policy EN2 is combined, rather unconventionally, with that for EN1 and EN1A, which may explain the misunderstanding on the part of the objector.
- 6.3.2 **Issue b.** Again, the criticisms of objectors are recognised by the Council and PIC55 advanced in response. Although all the features listed in para.6.8 are not included in the policy wording I regard that as unnecessary. One objector also points to a requirement for plans to include policies encouraging the *management* of landscape features which are of importance for wild flora and fauna. Article 10 of the Habitats Directive (implemented by Regulation 37) does indeed require Member States to endeavour to encourage the management of such features which are of major importance to wild fauna and flora. There is appropriate reference to this responsibility at para.6.14 of the Plan, but the reasoning has not found suitable expression in the policy itself. The matter is not adequately covered in my opinion by PIC55. Accordingly, I recommend an addition to the policy.
- 6.3.3 **Issues c and d.** I find the reworded policy, as recommended for change, precise and

reasonable. It would not be feasible to identify wildlife corridors and landscape features of value for nature conservation on the Proposals Map. PPS9: *Biodiversity and Geological Conservation* does however point out the importance of networks of natural habitats. Such landscape features can link sites of biodiversity importance by providing 'stepping stones' for the migration, dispersal and genetic exchange of species in the wider environment. Given the stance adopted by PPS9 in consideration of the importance of such sites, it states that local authorities should aim to maintain networks by avoiding or repairing the fragmentation and isolation of natural habitats through policies in plans. It continues, "Such networks should be protected from development, and, where possible, strengthened by or integrated within it." The policy is entirely consistent with this aim. I therefore see no justification to make the policy less protective of wildlife habitat or to recommend it be deleted. Reference to mitigation measures is not called for within the policy itself.

RECOMMENDATION

R.6.3. I recommend that the Plan be amended:

- i. in accordance with PIC55; and
- ii. by adding the following after the last sentence of Policy EN2:
"Appropriate management of features will be sought by the imposition of conditions, by the use of planning obligations, and by concluding management agreements with landowners and developers."

6.4 EN3 - RENEWABLE ENERGY

Objections

See Appendix A20

Issues

- a. Whether the para.5.67 is biased, unsupported by the facts and should be deleted, together with Policy NE11.
- b. Whether Policy NE11 of the First Deposit Draft should be redrafted as variously suggested.
- c. Whether the burning of waste should be included in the Plan as a proper source of renewable energy.
- d. Whether the text should be amended to exclude any support for the incineration of waste for the generation of power.
- e. Whether the Policy should be amended to exclude the construction of wind turbines until more research has been completed into possible impacts on health.
- f. Whether the Policy should be amended to exclude the construction of wind turbines, on landscape and other grounds.
- g. Whether the Plan should contain an additional policy promoting development for power generation.

- h. Whether the Policy should be altered in order to acknowledge the environmental benefits of development for renewable energy.
- i. Whether the phrase, 'interests of acknowledged importance in the local environment', should be deleted.
- j. Whether the final criterion of the policy should be expanded in order to refer to built and committed developments.
- k. Whether the reference to types of renewable energy that 'are not deemed suitable' in the South Holland context, should be deleted.
- l. Whether the Policy should be altered in order to contain more detail on criteria for determining applications.
- m. Whether the supporting text should be updated to refer to the most recent renewable energy resource assessment for the region and to the Government target of electricity generated from renewable sources.

Inspector's Reasoning and Conclusions

- 6.4.1 **Issue a.** Para.5.6 from the FDD has not been reproduced in the Plan. Policy NE11 has been retained, with some changes, as Policy EN3. The retention of a policy dealing with renewable energy is consistent with PPS22: *Renewable Energy*. The key principles of PPS22 express a permissive approach to renewable energy development, provided environmental, economic and social impacts can be addressed satisfactorily. At the regional level, one of the 10 core objectives of RSS8 Policy 1 includes maximising the role of renewable energy generation. RSS8 Policy 41 deals with 'Regional Priorities for Renewable Energy'. It states that development plans (and future LDFs) should include policies to promote and encourage the delivery of the indicative targets for renewable energy set out in Appendix 6 to the RSS. And, in making provision for new development, that "... policies should be supportive of renewable energy proposals in locations where environmental, economic and social impacts can be addressed satisfactorily." The LSP also includes a policy on renewable energy – Policy NE6 – which seeks to promote and encourage a range of renewable energy sources. Against this background, I consider objectors' criticisms unjustified and see no reason to recommend any change to the Plan in response.
- 6.4.2 **Issue b.** Replacing 'provide that' with 'only if', and changing 'interests of acknowledged importance' to 'aspects of acknowledged importance' in what is now Policy EN3 would offer no significant improvement to the Plan (but see my comments below in relation to issue i). I agree with the Council that inserting 'the District's identity' into criterion 2 would be unhelpful. No change is needed in response to these objections. As for the policy being "...even more permissive than in the ..." FDD, the thrust is consistent with the approach of RSS8 and PPS22.
- 6.4.3 **Issues c and d.** The reference to the burning of waste, which appeared in para.5.64 of the FDD has been omitted from the RDD version of the Plan. Para.6.23 of the Plan does identify waste to energy as a source of renewable energy, but not one likely to be favoured in South Holland. No change is required in response to the related objections.
- 6.4.4 **Issue e.** Wind energy is not a new technology. The principle of harnessing wind energy by wind turbines is well established, and wind turbines make a significant contribution to electricity supply systems in Europe and the UK. *Planning for Renewable Energy*, the companion guide to PPS22 does note wind turbines produce electromagnetic radiation, but that this is at a very low level and presents no greater risk to human health than most

domestic appliances. No evidence has been advanced to support the objector's contention. I am therefore not aware of any justification to exclude the construction of wind turbines because of the possible impacts on health.

- 6.4.5 **Issue f.** Such a prescriptive approach would be unreasonable. There is no support within national or regional policy to exclude the construction of wind turbines on any grounds as matter of principle. PPS22 notes that the landscape and visual effects of particular renewable energy developments will vary on a case by case basis according to the type of development, the location and the landscape setting. It acknowledges that of all renewable technologies, wind turbines are likely to have the greatest visual and landscape effects. However, "...in assessing planning applications, local authorities should recognise that the impact of turbines on the landscape will vary according to the size and number of turbines and the type of landscape involved, and that these impacts may be temporary if conditions are attached to planning permissions which require the future decommissioning of turbines." RSS8 advises that, "Much of the region could be suitable for the location of wind turbines subject to a number of criteria..." Furthermore, it makes plain at para.4.3.58 that "Planning authorities should not ... adopt policies that would in effect impose a blanket ban on on-shore wind energy projects."
- 6.4.6 With regard to the effect of a proposal on local house prices, I see no justification for change on this ground. *The Planning System: General Principles*, a companion document to PPS1: *Delivering Sustainable Development*, explains that, "The basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest."
- 6.4.7 Energy reduction measures, and using energy more efficiently, are important elements of a sustainable approach, but would not negate the contribution to be made to electricity generation from renewables.
- 6.4.8 **Issue g.** The Plan does not include a specific policy for non-renewable energy generation. Large scale conventional energy generation developments are however the subject of LSP Policy NE8(A). Should a planning application arise, this and other policies within the Plan should in my view prove sufficient to consider such a proposal on its merits.
- 6.4.9 **Issue h.** PPS22 sets out a number of key principles. It states that development plans should contain policies designed to promote and encourage, rather than restrict the development of renewable energy resources. I do not however consider it necessary as a result that the wording of Policy EN3 should be altered in order to acknowledge the environmental benefits of development for renewable energy in the manner proposed by the Council. This is a material consideration in any event, as is made clear at para.1(iv) of PPS22. The supportive approach that is advocated in the RSS and national guidance should be exhibited through the design of the policy, with the wording adopting a more neutral stance. I do not therefore support the change to the policy wording arising from PIC56 and IC50. I have no objection to the new wording being retained as an indication of the Council's support for the development of renewable energy, but recommend it be relocated to para.6.21 where, to my mind, it sits more comfortably as part of the reasoned justification.
- 6.4.10 The objector has suggested a form of wording that I regard as unduly mechanistic. I have recast the policy, as a permissive policy in favour of renewable energy development. However, in order to highlight the breadth of other relevant matters mentioned by the objector, in accordance with Key Principle 1(iv) & (viii) of PPS22, I

believe the policy should indicate that “development proposals should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures”. The effect of this addition would be to make criterion 4) redundant.

- 6.4.11 **Issue i.** My conclusion above would also satisfactorily address issue i. I agree with the objector that the phrase employed here is unhelpful in a policy because of its ambiguity, but it is also unnecessary when followed by the more detailed considerations set out in the policy criteria.
- 6.4.12 **Issue j.** PPS22 states at para.21 that, “Planning authorities should take into account the cumulative impact of wind generation projects in particular areas. Such impacts should be assessed at the planning application stage...” It would not seem inappropriate therefore for the cumulative impact of renewable energy projects to be a factor in the Council’s consideration. I agree that developers could realistically only be expected to assess the cumulative impact of their scheme alongside those which had been built or granted planning permission and do not believe criterion 5 (which would become criterion 4 in my recommended rewording of the policy) could be interpreted to require any more.
- 6.4.13 **Issue k.** Notwithstanding the guidance in PPS22 that local planning authorities should not make assumptions about the technical and commercial feasibility of renewable energy projects, I think paras.6.22 and 6.23 are valuable in setting out for local people the range of renewable energy sources that might be available in their District. Furthermore, the retention of para.6.22 could not be justified if 6.23 were to be deleted, and its positive tone would therefore be lost. Since the dogmatic approach of para.6.23 would be moderated by IC50, I support the retention of para.6.23.
- 6.4.14 **Issue l.** I am satisfied that as recommended the policy would focus on the key criteria that would be used to judge planning applications. More detailed issues should be dealt with by supplementary planning guidance. Indeed, specifically on the decommissioning of wind farms, this matter is covered within the Council’s adopted SPG on Wind Energy [CD/SH/28].
- 6.4.15 **Issue m.** I am content that the addition of IC50 alongside para.6.20 ensures the Plan is consistent with RSS8 and acknowledges the Government target, and thereby does not need to be updated further.

RECOMMENDATION

R.6.4. I recommend that the Plan be amended:

- i. in accordance with IC50 insofar as it relates to the additional paragraph between paras.6.20 and 6.21, and the changes to para.6.23;**
- ii. by relocating the first paragraph of Policy EN3, as revised by PIC56 and IC50, to para.6.21 after “...the earth’s natural resources.”; and**
- iii. by rewording Policy EN3 to read:**

“Policy EN3 – Renewable Energy

Proposals for the development of renewable energy schemes will be permitted in locations where environmental, economic and social impacts can be addressed satisfactorily. In assessing proposals for renewable energy schemes, the Council

will have particular regard to the following issues:

- 1) the immediate and wider impact of the proposed development on the landscape;
- 2) the need to protect features and areas of natural, cultural, historical and archaeological interest;
- 3) the measures that would be taken, both during and after construction, to minimise the impact of the development on local land use and residential amenity; and,
- 4) the cumulative effect of proposals.

Development proposals should demonstrate any environmental, economic and social benefits as well as how any environmental and social impacts have been minimised through careful consideration of location, scale, design and other measures.”

6.5 EN4 - DEVELOPMENT AFFECTING LISTED BUILDINGS

Objections

308/020	F	Country Land and Business Association
574/022	R	Councillor Chris Brewis
682/018	R	John Hayes MP
683/051	R	Spalding & District Civic Society
683/052	R	Spalding & District Civic Society
683/053	R	Spalding & District Civic Society
683/PIC57	P	Spalding & District Civic Society
683/PIC58	P	Spalding & District Civic Society
687/019	R	Wash Estuary Management Group

Issues

- a. Whether Policy EN4 of the Redeposit Draft should be amended in order to support the appropriate change of use of listed buildings.
- b. Whether the Plan should be amended in two places in order to state a commitment to the completion of a conservation scheme for Sutton Bridge.
- c. Whether the Plan should be amended to accommodate additional or corrective historical detail.
- d. Whether a church can be given as an example of a listed building.
- e. Whether the policy and its reasoned justification would be strengthened and improved by the alterations proposed by the objector.
- f. Whether an additional policy is now justified, concerning historical and cultural landscapes.
- g. Whether additional wording should be added to emphasise the protection of listed buildings.

Inspector's Reasoning and Conclusions

6.5.1 **Issue a.** It appears to me that the objection is already fully met by paras.6.39 and 6.40 of the Plan.

6.5.2 **Issue b.** I leave it to the Council to decide whether it wishes to commit itself to the completion of a conservation scheme for Sutton Bridge. It would however be inappropriate to include such a commitment within the Plan, since it is not a matter of planning policy.

6.5.3 **Issues c and d.** There is no basis upon which I can resolve the conflict between the Council and objector over the detailed matters raised under issue c. However, I consider the disagreement to be of very limited importance to the Plan's policies. As convention dictates, the benefit of my judgment rests with the Plan. I recommend no change. Places of worship are listed as buildings of special architectural or historic interest. The reference to a church as an example of a listed building is not therefore misleading. I regard the suggested amendment to the last sentence of para.6.36 as unnecessary.

6.5.4 Insofar as further representations to PIC58 have raised a concern about the effect of telecommunications equipment, specifically the defacing of listed buildings by the fixing of a 'rash of satellite dishes', I am not led to change my view. Additional changes to PIC58 are simply unnecessary. One satellite dish may constitute permitted development depending on size under Class H of Part 1 to Schedule 2 of the Town and County Planning General (Permitted Development) Order, but the second would require planning permission. Both, however, would require listed building consent as works to a listed building. Para.C.68 of PPG15: *Planning and the Historic Environment* deals with minor additions to listed buildings. It states, "There are some standard external fixtures that require listed building consent when they affect the character of a listed building. These include satellite dishes, meter boxes, burglar alarms, security and other floodlighting, video cameras, and central heating and other flues, both standard and balanced. Only undamaging and visually unobtrusive positions for such fixtures should be agreed." The objector's concern is satisfactorily addressed by revised Policy TC3.

6.5.5 **Issue e.** The Council has responded to criticisms of the wording of Policy EN4 and the reasoned justification by advancing PIC58. This would not meet all the suggestions made but I believe it satisfies the objection insofar as it is reasonable so to do. I do not favour a change to indicate that listed buildings should be given 'the highest protection'. That would be unnecessary and inappropriate in light of existing statutory provisions under Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which require, in considering development affecting a listed building, or its setting, that special regard be had to the desirability of preserving the building, or its setting, or any features of architectural or historic interest it possesses.

6.5.6 **Issue f.** PIC57 has addressed the criticism of the section title. However, as I have already stated in section 6.1 of this report, there seems to me as yet no sound evidential basis at this time to support the inclusion in the Plan of a policy concerning historical and cultural landscapes. Dealing here with the objection to PIC57, it may have been preferable to have referred to 'local heritage buildings' in para.6.32 to be consistent with 6.31, where 'non-listed historic buildings' has been employed. But, otherwise, para.6.32 reads acceptably for what is a general review and I find no need for any further changes in response to the objection.

6.5.7 **Issue g.** The Council has responded by suggesting IC19. It adds little of value to the Plan but, in that it may offer comfort to the objector on the approach to be adopted by the Council in the management of its enforcement activity in respect of listed buildings – which appears to be the nub of the concern – and I have no objection to its inclusion. I see no reason in this instance to prefer the alternative wording of the objector.

RECOMMENDATION

R.6.5. I recommend that the Plan be amended in accordance with PIC57, PIC58 and IC19.

6.6 EN5 - ALTERATION, EXTENSION AND CHANGE OF USE OF LISTED BUILDINGS

Objections

307/002 F Mrs Annette Faulkner
683/054 R Spalding & District Civic Society
683/055 R Spalding & District Civic Society

Issues

- a. Whether Chapter 6 of the Plan should be amended in a number of places in order to draw attention to the vulnerability of protected species to works to older buildings.
- b. Whether an additional criterion is required relating to bats and owls.
- c. Whether changes should be made to the wording of para.6.44 and the policy.

Inspector's Reasoning and Conclusions

6.6.1 **Issues a and b.** It is not the function of a Local Plan to draw attention to the vulnerability of protected species to works to older buildings. I note that there is in any event already a strategic policy – LSP Policy NE3 – which deals with the matter. Repetition is unnecessary. From the Plan’s perspective, therefore, I see no need for any change.

6.6.2 **Issue c.** PIC59 would address the objection and is supported.

RECOMMENDATION

R.6.6. I recommend that the Plan be amended in accordance with PIC59.

6.7 EN6 - DEMOLITION OF LISTED BUILDINGS

Objections

058/003 F Mr Keith Abbiss
308/021 F Country Land and Business Association
321/051 F Spalding & District Civic Society
532/035 R Fiona Forgham, Government Office for the East Midlands
683/056 R Spalding & District Civic Society
683/057 R Spalding & District Civic Society
685/006 R English Heritage
685/007 R English Heritage
685/PIC60 P English Heritage

Issues

- a. Whether Chapter 6 of the Plan should be amended in order to make the point that the construction of modern, well designed buildings is to be welcomed in replacement for demolished historic buildings.
- b. Whether paras.6.46 and 6.47 or Policy EN6 need to be amended in order to point out the possible difficulties which may arise for owners in finding new uses for, or selling, their disused listed buildings.
- c. Whether para.6.49 needs to be amended in order to be more specific about the nature of the statutory powers that can be brought to bear.
- d. Whether criteria for the grant of listed building consent can be included in a local plan policy.
- e. Whether an additional criterion is required relating to bat roosts.
- f. Whether para.6.47 should be amended in order to give a more accurate account of the procedure for recording listed buildings.
- g. Whether para.6.46 should be amended in order to record the need to consult English Heritage regarding applications to demolish listed buildings.
- h. Whether the policy needs to be amended in order to refer to the importance of the building in relation to repair costs.
- i. Whether the policy needs to be amended in order to refer to 'significant efforts' to save the building.
- j. Whether the third criterion of the policy needs to be amended in order to refer to the possible incorporation of the building in a site redevelopment scheme.

Inspector's Reasoning and Conclusions

- 6.7.1 **Issue a.** The point is well made. Certainly the Council does not dispute the broad thrust of the argument advanced in the representation. However, while I would expect the demolition of a listed building to be a rare event, it would be inappropriate in my view for the Plan to express a preference for any particular style of replacement. I see the suggested changes in text as unnecessary.
- 6.7.2 **Issue b.** It is not the purpose of the Plan to point out the possible difficulties which may arise for owners in finding new uses for, or selling, their disused listed buildings. No modification is required in response to this objection.
- 6.7.3 **Issue c.** The Secretary of State's policy as expressed in PPG15: *Planning and the Historic Environment* is that privately owned historic buildings should, wherever possible, remain in the private sector. Thus, to highlight a specific power without explaining the other statutory powers which are available seems unbalanced. Reference to 'including compulsory purchase' in this context in para.6.49 is unnecessary and unwarranted.
- 6.7.4 **Issue d.** The Council accepts the reference to listed building consent should be deleted. PIC60 and IC51 together would achieve this in a satisfactory manner.
- 6.7.5 **Issue e and f.** PIC60 would amend the wording of para.6.46 as suggested in the related objection. No additional criterion is required relating to bat roosts – see my comments above in sections 4.18 and 6.6 of this report. PIC60 would also amend the wording of para.6.47 as suggested by the objector.
- 6.7.6 **Issue g.** Certain categories of applications for listed building consent have to be notified to English Heritage. But, it is not the purpose of the Local Plan to set out which body or
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bodies are to be consulted upon various types of applications made to the local planning authority. If that were so, for example, there are six specified national amenity groups which aim to protect different aspects of the built heritage that must be notified of applications for the demolition or alteration, including partial demolition, of a principal building. I agree with the Council; if the Plan were to record all the consultations that need to take place it would become unwieldy. There is also no purpose in the Plan repeating various procedural provisions from national policy statements.

- 6.7.7 **Issue h.** I agree with the objector that reference to the importance of the building in relation to repair costs would form an important component in the balance of the decision makers' consideration under criterion 1). I support the objection and recommend a modification to include the additional words suggested by the objector.
- 6.7.8 **Issue i.** IC51 proposes a further change to the wording of criterion 2), although I note this does not wholly satisfy the objector's concern. Given that it is a planning permission that is being considered here and that development involving demolition of a listed building would only be granted in exceptional circumstances, the additional change sought by the objector is not needed in this instance.
- 6.7.9 **Issue j.** I am content the revision proposed to criterion 3) by PIC60 would adequately address the point raised in the related objection. I have no objection to this change.

RECOMMENDATION

R.6.7. I recommend that the Plan be amended:

- i. in accordance with PIC60 and IC51; and
- ii. by the addition to criterion 1) of "in relation to its importance" after "... maintenance costs..." and before "...preclude..."

6.8 EN7 - DEVELOPMENT AFFECTING CONSERVATION AREAS

Objections

058/002	F	Mr Keith Abbiss
575/007	R	Sutton Bridge Town Council
583/001	R	Gosberton Parish Council
664/003	R	Boston, Spalding & District Trades Union Council
683/058	R	Spalding & District Civic Society
683/059	R	Spalding & District Civic Society
683/060	R	Spalding & District Civic Society
683/PIC61	P	Spalding & District Civic Society

Issues

- a. Whether para.6.55 needs to be amended in order to expand the intended range of buildings to be recognised as structures of 'Local Heritage Interest'.
- b. Whether the Plan should be amended in order to state a commitment to the completion of a conservation scheme for Sutton Bridge.
- c. Whether the Plan should be amended in order to state a commitment to the extension of Gosberton Conservation Area.

- d. Whether the Plan should be amended in order to include a policy statement requiring as high a standard of design quality for development in a conservation area as is consistent with the scale of that development.
- e. Whether an additional policy relating to the conservation and enhancement of streetscapes in conservation areas, and additional text, should be included in the Plan.
- f. Whether para.6.55 should be amended in accordance with the objector's request.
- g. Whether the use of the phrase, 'give the highest degree of protection to', is justified in the context of Policy EN7.
- h. Whether the suggested changes should be made to criteria 1), 3) and 4) and the deleted clause from FDD Policy BE1 reinstated.

Inspector's Reasoning and Conclusions

- 6.8.1 **Issue a.** The task of drawing up a list of locally important buildings is not constrained by the Plan in para.6.55. There is nothing to indicate such buildings must be of great age or architectural merit. This is an undertaking that the Council has already commenced. It has however indicated in its response that the selection of important local buildings will be encouraged through community involvement – in which case it would appear individuals would be able to put forward suggestions for inclusion in the local list. I do not believe any revision is needed in response to this objection.
- 6.8.2 **Issues b and c.** See my comments above in section 6.1 of this report. The principal purpose of the Plan is to set out the Council's policies and proposals for the use and development of land. Expressing a commitment to complete a conservation scheme for Sutton Bridge or extend Gosberton Conservation Area would represent a commitment to a process and would not serve that purpose. Accordingly, I do not support a change for this reason.
- 6.8.3 **Issue d.** Policy EN7 is largely consistent with the statutory duty imposed by Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. Introducing a subsidiary test or requirement is unnecessary. Additionally, including a generalised statement of the kind offered by the objector in a policy is in my judgement of doubtful value. In any event, from my uncertain understanding of its meaning, I am not satisfied it would be consistent with Section 72(1).
- 6.8.4 **Issue e.** See my comments above in para.6.1.12 of this report. Aspirational statements about corporate intentions should not be included in local plans. No change is required.
- 6.8.5 **Issue f.** PIC61 would appear to overcome the objection and is supported.
- 6.8.6 **Issue g.** The first sentence of the policy has limited value. But, largely for the same reasons expressed in relation to issue d above, I do not favour the introduction of a phrase into it that would add nothing useful to the policy and serve only to confuse an understanding of the statutory test.
- 6.8.7 **Issue h.** PIC61 would make the suggested changes to criteria 1), 3) and 4), which I support. There is however no need to re-introduce criterion 4 from FDD Policy BE1 that refers, rather intriguingly, to "...the considerate installation of plant and telecommunication equipment..." There is nothing in the evidence before me to justify highlighting a particular form of development for special consideration. Rather, as now framed, the policy quite properly deals with the factors which would be taken into account in considering planning applications for all development. Such an approach is

consistent with the guidance in PPS12: *Local Development Frameworks*. In any event, the change to para.6.50 as a result of PIC61 and criterion 5 of Policy TC3 more than adequately address the objector's concern. I am not led to a different view by my consideration of the further representations made by the objector in connection with PIC61.

RECOMMENDATION

R.6.8. I recommend that the Plan be amended in accordance with PIC61.

6.9 EN8 - DEMOLITION OF UNLISTED BUILDINGS WITHIN CONSERVATION AREAS

Objections

683/062 R Spalding & District Civic Society
683/063 R Spalding & District Civic Society

Issues

- a. Whether para.6.60 should be altered in such a way as to reduce or remove the apparent bias towards change.
- b. Whether an additional criterion is required relating to bat roosts.

Inspector's Reasoning and Conclusions

- 6.9.1 **Issue a.** A conservation area is an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance. The aim of designation – through controls that include control over the demolition of buildings – is to provide for the preservation and enhancement of the special interest of the place. Certainly I agree with the Council that the intention is not to stifle change. I therefore favour the positive tone adopted by the Council, rather than the revision advanced by the objector. The Council has recognised a weakness in the current wording, but the introduction of 'positive' via IC52 would leave the sentence still lacking balance in my view. I have therefore adopted a phrase from para.4.16 of PPG15: *Planning and the Historic Environment* which I consider suitable.
- 6.9.2 **Issue b.** See my comments in sections 4.18 and 6.6 of this report.

RECOMMENDATION

R.6.9. I recommend that the Plan be amended by the revision of the second sentence of para.6.60 to read: "The purpose of a conservation area designation is not to restrict an area to a fixed point in history. Rather, the emphasis will generally be on the controlled and positive management of change."

6.10 EN9 - SHOP FRONTS IN CONSERVATION AREAS OR ON LISTED BUILDINGS

Objections

- 575/009 R Sutton Bridge Town Council
- 683/064 R Spalding & District Civic Society
- 683/065 R Spalding & District Civic Society

Issues

- a. A number of smaller points and concerns raised.
- b. Whether development control practices such as that suggested by the objector should be included in the Local Plan.
- c. Minor wording issues.

Inspector's Reasoning and Conclusions

- 6.10.1 **Issue a.** The policy appears to address the concern of the objector at the loss of shop fronts. In any event, no change is sought to the policy as it stands.
- 6.10.2 **Issue b.** The objector is seeking an additional sentence that would, amongst other things, commit the Council to the inspection of premises where works to shop fronts or fascias are proposed. The wisdom of this practice is underscored by advice in PPG15: *Planning and the Historic Environment* at para.C.52. Considering the Council judges local circumstances worthy of the inclusion of such a policy, I am surprised at its resistance to the objector's suggestion. I note and understand the Council's wish to retain discretion over the need for a site inspection but believe the objector's further suggestion offers a suitable compromise.
- 6.10.3 **Issue c.** PIC62 would offer a suitable response and is supported.

RECOMMENDATION

R.6.10. I recommend that the Plan be amended:

- i. in accordance with PIC62; and
- ii. by the addition of, "Development proposals for works to shop fronts or fascias will be expected to show that they have been checked for the possible survival of old features." after the second sentence of para.6.63.

6.11 EN10 - ADVERTS AND SIGNAGE WITHIN CONSERVATION AREAS AND ON OR NEAR LISTED BUILDINGS

Objections

- 683/066 R Spalding & District Civic Society

Issues

- a. Minor wording issues.

Inspector's Reasoning and Conclusions

- 6.11.1 The Council accepts the validity of the objector's point and proposes PIC63 as an appropriate response.

RECOMMENDATION

R.6.11. I recommend that the Plan be amended in accordance with PIC63.

6.12 EN12 - ANCIENT MONUMENTS

Objections

- 532/036 R Fiona Forgham, Government Office for the East Midlands
685/008 R English Heritage

Issues

- a. Whether there is sufficient justification for the inclusion of additional policy material in the Plan to protect archaeology of local or regional significance.

Inspector's Reasoning and Conclusions

- 6.12.1 The need for an additional policy appears unnecessary in light of LSP Policy BE4: *Archaeological Heritage* as it provides a comprehensive policy for development control purposes and which is, of course, also part of the development plan. The Council has proposed changes to Policy EN12 and the supporting text in PIC64, which I consider an appropriate response to the objections.

RECOMMENDATION

R.6.12. I recommend that the Plan be amended in accordance with PIC64.

6.13 EN13 - IMPORTANT SITES - GATEWAY SITES AND VISTAS

Objections

- 532/037 R Fiona Forgham, Government Office for the East Midlands
683/067 R Spalding & District Civic Society

Issues

- a. Whether there is sufficient justification for the inclusion of a policy in the Plan to protect unspecified views and vistas of particular importance to settlements.
b. Whether additional material needs to be incorporated in the policy, in order to specifically control advertising displays.

Inspector's Reasoning and Conclusions

- 6.13.1 **Issue a.** The Council asserts that the important gateway sites and vistas in the District are too numerous and extensive to identify. Yet it has not sought to support its contention that the policy has an important role to play by pointing to one example where harm was caused for want of such a policy, or explain the difficulties that have been experienced before its introduction into the RDD version of the Plan. Any proposal that would influence the appearance, character and quality of the street scene of a settlement as visitors and residents proceed into and through that settlement can already be considered perfectly adequately against Policy SG14 – Design and Layout of New Development and PPS1: *Delivering Sustainable Development*. Where a proposal is within, or affects the setting of, a conservation area then Policy EN7 would also come into play, along with the statutory duty imposed by Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. I am not persuaded this policy serves any real or useful purpose. I therefore recommend it be deleted.
- 6.13.2 **Issue b.** In response to this objection I note the Council has suggested PIC65, with a correcting IC53. Nothing of value would however be lost – given my recommendation – since Policies SG22 and 23 relating to advertisements already provide an acceptable basis for the control of advertisements.

RECOMMENDATION

- R.6.13. I recommend that the Plan be amended by the deletion of Policy EN13, and paras.6.70-6.71.**

APPENDIX A18

EN General - Objections

006/001	F	Kay Heath
025/009	F	English Nature
025/013	F	English Nature
041/002	F	Holbeach and District Civic Society
057/005	F	Long Sutton and District Civic Society
057/006	F	Long Sutton and District Civic Society
257/008	F	Abbey Developments Ltd
314/003	F	RSPB
314/013	F	RSPB
314/015	F	RSPB
321/033	F	Spalding & District Civic Society
501/003	R	RSPB
557/006	R	English Nature
557/008	R	English Nature
574/030	R	Councillor Chris Brewis
576/019	R	Lincolnshire Wildlife Trust
576/020	R	Lincolnshire Wildlife Trust
653/001	R	Dalton Warner Davis
682/019	R	John Hayes MP
683/020	R	Spalding & District Civic Society
683/038	R	Spalding & District Civic Society
683/040	R	Spalding & District Civic Society
683/041	R	Spalding & District Civic Society
683/049	R	Spalding & District Civic Society
683/050	R	Spalding & District Civic Society
683/061	R	Spalding & District Civic Society
685/012	R	English Heritage
687/018	R	Wash Estuary Management Group

APPENDIX A19

EN1 - Objections

025/008	F	English Nature
307/003	F	Mrs Annette Faulkner
308/019	F	Country Land and Business Association
314/002	F	RSPB
314/014	F	RSPB
321/054	F	Spalding & District Civic Society
321/056	F	Spalding & District Civic Society
321/057	F	Spalding & District Civic Society
321/058	F	Spalding & District Civic Society
501/005	R	RSPB
507/004	R	Kay Heath
532/033	R	Fiona Forgham, Government Office for the East Midlands
557/001	R	English Nature
576/PIC84	P	Lincolnshire Wildlife Trust

576/013	R	Lincolnshire Wildlife Trust
576/016	R	Lincolnshire Wildlife Trust
683/PIC54	P	Spalding & District Civic Society
683/039	R	Spalding & District Civic Society
683/042	R	Spalding & District Civic Society
683/043	R	Spalding & District Civic Society
683/044	R	Spalding & District Civic Society
683/045	R	Spalding & District Civic Society
683/046	R	Spalding & District Civic Society
683/047	R	Spalding & District Civic Society
683/048	R	Spalding & District Civic Society
687/012	R	Wash Estuary Management Group
687/013	R	Wash Estuary Management Group
687/014	R	Wash Estuary Management Group
687/015	R	Wash Estuary Management Group
687/016	R	Wash Estuary Management Group

APPENDIX A20

EN3 - Objections

085/001	F	Mrs McGuinness
086/001	F	Mrs E Firmager
087/001	F	Mr B D Firmager
088/001	F	Mr O J McGuinness
122/001	F	Mr Christopher Carter
128/002	F	Councillor Paul Espin
144/008	F	Councillor P M Walls
195/002	F	Sutton St Edmond Parish Council
202/001	F	Mrs V A Delve
203/001	F	T Delve
249/004	F	Etsu For Dti
280/001	F	Mrs S Bamma
281/001	F	Mrs M D Brooks
282/001	F	Mr Keith Brooks
283/001	F	Intergen (UK) Ltd
303/001	F	Boston and Spalding TUC
321/073	F	Spalding & District Civic Society
321/075	F	Spalding & District Civic Society
345/001	F	Mr John Couchman
346/001	F	Mrs Norma Couchman
533/001	R	Npower Renewables
639/001	R	Malcolm Ford
669/005	R	Councillor Espin
685/005	R	English Heritage