

**Examination of the East Lindsey Core Strategy and the East Lindsey Settlement Proposals Development Plan Document (DPD)**

**Inspectors' matters, issues and questions (MIQs)**

**Stage 1 – Core Strategy**

26 May 2017

*Note: The MIQs for Stage 2 relating primarily to the Settlement Proposals Development Plan Document and 5 year supply of housing will be made available separately. Some cross-cutting issues relating to both plans will be considered in Stage 1.*

*Abbreviations:*

*ADM – additional minor modification proposed by the Council*

*CS – Core Strategy*

*Framework – National Planning Policy Framework*

*Regulations – The Town and Country Planning (Local Planning) (England) Regulations 2012*

***The Council's answers are in italics with any suggested modifications in red italics***

**Matter 13: Inland employment, centres and shopping; and inland tourism and leisure (Policies SP13, SP14 and SP15)**

**Main issue: Are Policies SP13 and SP14 based on a robust assessment of the need for land for employment and retail uses? Have the assessments been carried out in accordance with national policy and guidance? Are particular clauses of Policies SP13, SP14 and SP15 sufficiently clear that they would be effective in achieving their aims?**

Questions

*SP13: Inland Employment*

1. Paragraph 5, page 61 of the Core Strategy states that the need for additional employment land has been established using a trend based calculation. How do the calculations for the relevant settlements in the Employment Sites Review 2016 take account of all the factors for consideration set out in the Planning Practice Guidance (appended to the Review)? If they don't, why not?

*The Sites Review (CD41) is formulated on the evidence of land supply including vacancies on sites in terms of unbuilt allocations, planning permissions (including their implementation), rates of take-up and an overview of the quality of provision. Although it currently only assesses the requirement in*

*terms of site area it is considered that it broadly satisfies the methodology of paragraph 003 of the PPG.*

*However, by using the Sites Review records and the information available from the Business Database, employee density has been calculated based on unit and plot sizes.*

- a) Taking Plot 14 (a newly developed site) at Louth as a yardstick it is calculated that the average employment density for a plot with small workshop- type units at Louth (of up to 100 sq m) is 1 employee per 24 sq metres of developed floorspace. This is equal to 228 jobs per ha. Although it should be noted that in some cases not all employees will work on site.*

*The Employment Sites Study indicates there are 23.3ha of employment land in Louth (made up of vacant plots and allocations). At 228 jobs per hectare this could accommodate 5312 workers assuming all provision was at this density.*

- b) In contrast, using the employment density figures for the larger sites, (i.e. with a floor space of between 1000 and 5000sqm), that have an average density of 1 employee per 319 sqm or 31.4 per ha.); the allocated land including vacant plots in Louth could generate 730 jobs. On the 59.6 hectares allocated across the District, it is calculated that 1849 jobs could be supported.*

*At the district-wide level The East Lindsey Baseline Study (2015) (CD42) provides information on how many businesses there are in East Lindsey, their size, scale, how productive they are; and which sectors are growing or declining. It also uses market intelligence from the Local Enterprise Partnerships Strategic Economic Plan (CD44) to provide an insight into the needs of local businesses.*

*The Council has also commissioned the Steam Report (CD52) to give it a greater insight into the impact of tourism on the coast looking not only into the employment but also accommodation and visitor numbers It is considered that in combination with the sites review, these documents provide the additional intelligence required to respond to the particular needs of the District set out in the Planning Policy Guidance at paragraph 30.*

*The Council's strategy for economic development over many years has developed out of recognition of the constraints that the pattern of development in its centres and the economic base place on future growth. For several decades that has focussed on directing major new development to dedicated employment sites that provide serviced land businesses that either cannot be accommodated in the town centres or, wish to relocate into purpose built/modern accommodation away from more central locations.*

*The sites are located at the edge of settlements and are unconstrained by the tight -knit pattern of their historic cores. As part of that development the*

*Council has recently delivered high quality, purpose built office/workshop units on sites in a number of locations to meet the identified need for fledgling businesses. These sites are manned by dedicated staff. One of the outcomes of that approach is to ensure that would-be developers can find good quality sites that are well-related to transport and population hubs to locate their businesses.*

2. Has projected job creation as a result of population growth been factored into the employment need calculations? (Paragraph 4.2 of the ELR suggests this could be up to 124 jobs per annum).

*Job creation as a result of population growth, has not been factored into the employment needs calculations historically. However, based on an assumed projected need of 124 jobs per annum sufficient land will be needed for 1860 workers and as the figures above show, the capacity does exist to accommodate that number although this will of course depend on the nature of the business and their specific land requirements.*

*Accordingly, the Council considers that based on employment densities there is sufficient land allocated and/or committed across the District to meet projected need.*

3. What is the overall need for additional employment land in the plan period and should this be set out in the Core Strategy? Together, do the Core Strategy and Settlement Proposals DPD provide sufficient land to meet this need? Will the proposed employment land support the jobs growth forecast in the East Lindsey Economic Baseline 2016 (Document CD42 – page 77) of 240/year averaged over a 25 year period?

*The projected need for additional employment land to complement the vacant land on the employment sites inland is 24 hectares. In addition there is a further 39.5 hectares allocated at Skegness that has the benefit of planning permission.*

*In addition, opportunities to develop businesses elsewhere are provided for by the policy, and whilst the Council is happy to set out the amount of land available for employment uses in the Plan, it does not consider that setting a value for overall need is a realistic option given the diversity of the and geographical spread of businesses.*

*In response to Q1 above the Council has shown that depending on the type of development that is forthcoming, it is anticipated that the allocated sites can provide for sufficient land and job numbers to meet projected demand.*

*Although that data sample was based on Louth the average for the district show that on sites up to 250sqm and between 250 sqm and 1000sqm the jobs density is 212 per ha and 82 jobs per ha respectively.*

Over 62% of businesses are operating from premises smaller than 1000sqm. As a proportion of the allocated land it would amount to 27.97 ha (out of the 41.9 allocated).

If 41% of the total were to be given over to units of less than 250sqm (based on the figures for Louth) it is calculated that 3714 jobs could be accommodated on less than half the allocated land, and would be sufficient to meet the higher forecast of 240 per annum (3600 in total)

Given the expected distribution of jobs referred to above the Council considers the allocations including existing vacant sites will be sufficient to meet the 240 per annum level.

The Baseline Study (CD42) anticipates that the greatest growth will be in the sectors shown in the table below. Although not all these activities are suited to being located on the allocated employment sites, they are not incompatible with the B1, B2 and B8 uses already on the employment sites

	Jobs 2012	Sector al Change	Net Impac t to 2036
Total	40,500		6,000
17 : Health (Q)	5,400	0.29	1566
18 : Arts, entertainment, recreation & other services (R,S,T and U)	2,000	0.68	1360
14 : Business administration & support services (N)	2,300	0.47	1081
9 : Accommodation & food services (I)	6,000	0.17	1020
13 : Professional, scientific & technical (M)	1,500	0.59	885
4 : Construction (F)	1,700	0.42	714
7 : Retail (Part G)	5,100	0.12	612

4. For what types of employment use is land required? Should this be defined in the Core Strategy? Should the policy provide more direction in relation to the type of employment sought to ensure that the land provided will support the Council's aim to diversify the economy and upskill the District's workforce?

The Council is eager to encourage new enterprises to the area and the employment sites are home to wide range of different activities. They are occupied primarily by B1, B2 and B8 uses and it is suggested that this should be clarified in paragraph 6 the text by amending the last sentence to read;

"Land is allocated for the expansion of B1, B2 and B8 business uses alongside the existing employment sites in the main towns as follows;-"

*Paragraph 11 of the Plan indicates the importance the Council places on the development of 'knowledge based industries' alongside the benefits of a high quality working and living environment. The Council is aware that it is competing with surrounding authorities to attract new businesses and uses its Economic Development arm to promote the benefits that the area can offer.*

5. The Council has responded to the risk of the Horncastle allocation not coming forward by proposing to allocate additional land in Louth. Is Louth the right location for this contingency land, or would it be better found closer to Horncastle? Representors suggest that land is available in Woodhall Spa. Has the Council fully considered whether the existing vacant employment land in Louth remains suitable and viable for employment use (ref. Rep Associated British Foods)?

*Louth industrial estate is the principle employment site across the inland part of district and continues to see the largest uptake of land and units of any of the other sites across the district. Between 2010 and 2016 a total of 2.38 ha of land has been developed. Fairfield Industrial Estate in Louth furthermore is situated on the strategically important A16 road unlike either the industrial units in Roughton Moor which are situated on the B1191 or the Tattershall Road Industrial Estate in Woodhall Spa which is situated on the B1192.*

*With the Councils overriding aim of increasing employment opportunities redistributing an allocation to areas which have historically had poor levels of take up, and are situated a distance from the strategic road network is felt inappropriate. Furthermore the 1.6ha granted permission in 2015 at Roughton Moor application S/141/01446/15 related to the proposed parking of commercial vehicles related to an existing employer in the area. The council sought to support the ongoing success of an established business through the grant of this permission. Outside of this application there is no evidenced demand for further industrial land or units within the Roughton Moor Area or on the Tattershall Road Site as to warrant a strategic allocation of 5ha.*

*Since 2000 there have been two applications proposing further development of the Tattershall Road, Woodhall Spa site. In 2003, an application was approved for 6 further units but this has never been implemented. The most recent, an Outline Application was made in 2010 however no further application for full permission has since been received. With such little uptake of employment land and units within the Woodhall Spa/Roughton Moor areas the Council feel Louth's Fairfield Industrial Estate remains the most viable alternative site were Horncastle's allocation to be unfeasible.*

*With regards to the viability and suitability of the Employment Land within Louth the Council recognise the Fisher Seeds site has yet to find an alternative use however demand overall on the site remains high compared to other sites across the district. Since 2010, over 50 planning applications*

*have been received for a variety of developments. Over half (26) involve proposals for significant developments (erection of new buildings) and the remaining range from extensions/remodelling and proposals for change of use, since 2010, 7 plots which were available and undeveloped have since been developed which equates to 2.38 ha of land having been developed since the 2010 survey.*

6. The supporting text refers to allocations in Skegness and Mablethorpe, but Policy SP13 relates to the inland area while Policy SP21 relates to the coastal area. Is it justified and necessary to take a different policy approach in the inland and coastal areas? If so, should reference to Skegness and Mablethorpe be moved to SP21? Is there a policy which allocates the employment sites in Skegness?

*The Council agree reference to Skegness and Mablethorpe Industrial land allocations would be better served in Policy SP21. Policy SP21 will need to be amended accordingly as to allocate employment sites in Skegness. Therefore it is proposed that both the supporting text to Policy SP13 and SP21 along with Policy SP21 itself are modified accordingly.*

*The Council propose a modification to remove the 5<sup>th</sup> and 6<sup>th</sup> bullet point under paragraph 6 of the supporting text of Policy SP13 which relates to the evidenced need for employment land within Mablethorpe and Skegness and strengthen the corresponding paragraph 1 of Policy SP21.*

*Paragraph 1 of Policy SP21 will need amending to add reference to Mablethorpe as it currently relates solely to employment land in Skegness. It is therefore proposed that Paragraph 1 of Policy SP21 be modified as to read as follows:*

*"The Council has assessed the need for additional employment land through its Employment Land Review. The Employment Land Review indicates that the anticipated demand in Skegness over the Plan period can be met through the Allocated Site on Wainfleet Road (approx. 30ha) and a site on Burgh Road site (approx. 9.5ha). It is proposed to identify the latter as an allocated site. Both sites have the benefit of planning permission and access roads have been provided. The Council will support any proposals to bring the sites forward. Within Mablethorpe evidence shows that there is no need to consider making a further allocation for employment land. Inland employment is dealt with in Strategic Policy 13 (SP13 – Inland Employment.)"*

*As currently SP21 does not make provision for the allocation of the 9ha of employment land at Skegness it is proposed the following text is added as a modification to clause 3 to the policy.*

*The Council will support growth and diversification of the local economy by:*

- *identifying and protecting 9ha of additional land for employment in the Settlement Proposals Development Plan Document for Skegness.*

7. Have the employment allocations been made in accordance with the sequential and exception tests for flood risk as required by paragraph 100 of the NPPF? Do any of the allocations fall within Flood Zones 2 or 3? (Please see question 1 under SP16 below and provide a cross-reference to your answer if appropriate to avoid duplication).

*Due to all of the inland allocated employment sites falling outside of flood zones 2 and 3 there is no requirement for the undertaking of the sequential or exceptions tests. Furthermore the 9ha allocation of employment land in Skegness on Burgh road has received planning permission and has been subject to the necessary flood risk tests at the planning application stage.*

8. Is proposed amendment ADM24 an additional/minor amendment or is it necessary to make the plan sound?

*The proposed amendment ADM24 is an additional/minor amendment and was not intended to create soundness, the Council believe the policy met the four tests of soundness prior to the amendment being made but see the additional text as adding clarity to the policy.*

#### *SP14: Town/Village Centres & Shopping*

9. Why do the Retail and Economic Assessment 2014, and the Core Strategy, only cover retail need in the town centres of Alford, Horncastle and Louth? Does the table on page 67 of the Core Strategy identify the scale of retail "need" in those settlements to 2028 rather than a "capacity" to accommodate retail as suggested in paragraph 8? How will the plan ensure that this is met in full as sought by paragraph 23 of the NPPF? Is it to be met through allocations or non-identified sites within centres? Has the need for non-retail uses in these or other centres been considered and provided for by the plans? *The 2014 Retail & Economic Assessment (CD46) was commissioned in response to specific concerns relating to capacity issue. Studies have not been commissioned for Coningsby/ Tattershall, Skegness and Mablethorpe in part because permissions are in place to increase the floorspace and/or additional floorspace is being developed, and because as a consequence of economic conditions those permissions have not been implemented (although the sites remain available). A review of requirements for Spilsby is scheduled to be undertaken over the next 5 years as part of the ongoing update of the Council's evidence base.*

*The Assessment indicates that these figures are the theoretical capacity of the towns to support additional shopping floor-space. It is the quantitative capacity*

*based on projected levels of available expenditure, and on this basis it is considered that paragraph 8 is correct.*

*The Plan does not allocate sites for retail development across its lifetime because:-*

- a) There is no requirement for additional floorspace identified at Louth or Horncastle until after 2018 and the Council plans to review need across the District within 5 years when the recovery of the housing market is established and potential expenditure levels can be re-calculated.*
- b) Options are available in both Louth and Horncastle for additional floorspace to be provided at existing stores if alternative sites (such as Louth cattle-market) do not progress.*
- c) at Alford the community is preparing its' own Neighbourhood Plan, and consequentially this Council is not making any allocations. If the community fails to allocate the Council will have to review their proposals in line with the Memorandum of Understanding that they have signed.*

*The Plan makes provision for other uses elsewhere in the town centres in accord with the expectations of the NPPF through the policy framework, rather than by site specific allocation. However, the Councils' ability to fully meet the provisions of the NPPF is severely limited by the compact nature of our historic town centres. That character, and the existence of Conservation Area status constrains the delivery modern office and other commercial floorspace but, vacancy rates for properties in the town centres are comparatively low (average 5.49) compared to 9.4% nationally at March 2017.(Data from the Councils Town Centre Vacancy Overview).*

*Experience has shown that there is limited demand for additional, centrally located office space, and this has been evidenced by the difficulty found in letting the purpose built, Meridian House development situated in the centre of Louth. Originally developed in 1994/5 the building provided 11 units and has never been fully let despite constant marketing. In 2014 permission was granted (on Appeal) for the conversion of the second floor into residential flats when the Inspector concluded that 'the benefits of using vacant premises would out-weigh the potential lack of premises for office uses at some future time'.*

10. Do the plans define the extent of town centres for all the towns (for example Coningsby/Tattershall?), as well as primary shopping areas based on a clear definition of primary and secondary frontages in designated centres as required by paragraph 23 of the Framework? Are these areas shown on the policies map? (Are they shown as a solid red line rather than a broken red line as suggested by the key?). What is the reason for the Council seeking to delete reference to secondary frontages?



*Despite being separate settlements Coningsby and Tattershall operate as a single unit in planning terms, however due to their individual sizes and make up it would be difficult to meaningfully identify a town centre boundary or primary shopping frontage. All other town centre boundaries have been defined along with the primary frontages as required by paragraph 23 of the NPPF. The key as noted will need to be amended to represent a solid red line rather than the broken red it currently is, this was an oversight of the Councils. The Council previously resolved that insofar as secondary shopping frontages were concerned that there were few locations where there were sufficient retail uses along an unbroken frontage as to warrant a designation. Where shops do trade away from the main thoroughfares they tend to be smaller, independent and often specialised units interspersed with commercial uses such as offices or residential properties.*

11. Are ADM25-29 necessary to make the plan sound? Does Clause 5 (under ADM29) of the policy remain relevant if secondary frontages are deleted?

*The Council in this instance believe the changes are required and necessary in order to make the plan sound, it is felt the policy would fail to be effective were reference to secondary shopping frontages to remain given the Council in 2014 resolved that there were few locations with sufficient retail uses along an unbroken frontage as to warrant a designation. The Council recognised the oversight in not removing all reference to secondary shopping frontages when a representation was received during the pre-submission consultation of the plan.*

*The Council feel that clause 5 still remains relevant as it recognises the importance of the complementary shopping offer located outside of the primary shopping areas has on the wider economy and vitality of the town as a whole. The Council however recognise the need to remove reference to secondary frontages from clause 5 as it avoid confusion, it is therefore proposed that clause 5 be amend so that it reads as follows:*

*"Supporting housing on suitable sites and conversion of redundant shops outside of the primary shopping frontages only where it is shown that shopping is not a continued viable use. In such cases, the agent/owner will be required to show that there is no demand for the unit through re-let or resale and that it will not compromise the future development of the centre for retail and community uses."*

12. Should the policy more explicitly define a hierarchy of centres to clarify that town centres rather than village centres will be the focus for retail growth? Is the policy sufficiently clear in respect of the approach to development in village centres?

*With the exception of one or two villages within the district the remaining settlements do not have a definable core retail area making a hierarchy all but impossible outside of the towns. Furthermore due to the size of the villages many simply will not attract the necessary levels of growth as to warrant a strategic approach to their retail management. The council therefore believe the policy is sufficiently clear in its approach to development within the villages.*

*Paragraph 17 of the supporting text and clause 10 of policy SP14 are felt to show the Councils continued support for the creation of new retail businesses within the villages but also the safeguarding of those already existing.*

*For clarity the Council propose the removal of the word smaller from paragraph 17 of the supporting text as to add clarity. It is proposed therefore paragraph 17 shall read as follows:*

*"In the villages, local shops and services in the villages take on a proportionately higher level of importance than in more urban settings and proposals to reinforce provision at a locally appropriate scale will be supported. The Council considers local shops and services a key element to ensure communities, including clusters of villages, remain sustainable and therefore there is a presumption against the loss of local shops wherever possible, for once lost, they rarely reappear."*

13. How has the Council arrived at the 1000sqm threshold for the impact test? Does Clause 4 (under ADM29) adequately reflect the tests in paragraph 26 of the NPPF concerning the impact of a proposal upon committed investment and the vitality and viability of the existing centre? If not, should it be strengthened?

*The Council recognise that the NPPF suggests that when assessing applications for retail, leisure and office development outside of the town centres which are not in accordance with an up to date Local Plan the default threshold for which an impact assessment is required is that of 2,500 sq m. Given the rural nature of East Lindsey with little in the way of large scale retail, leisure or office developments a much lower threshold is felt necessary. Much of the districts retail offer is made up of smaller independent shops, so a unit of some 2,250 sq m for example outside of a main shopping area is likely to impact significantly upon the vitality and viability of the existing centre. For context the largest of the three supermarkets in the market town of Louth has only a net sales floorspace of 1424 sq m it is therefore felt the requirement for an impact assessment for schemes over 1000 sq m is justified and necessary to safeguard the districts town centres.*

*The Council believe the broad approach outlined under clause 4 does reflect the tests as set out in paragraph 26 of the NPPF but recognise the approach*

could be strengthened. The Council therefore suggest a modification to make the following amendments to Clause 4 so that it reads as follows:

*Requiring proposals for retail development in 'edge of centre', or out of centre in the towns with a floor space in excess of 1000 sq m net shall include an impact assessment which must demonstrate;*

- *that any scheme is accessible and connected to the centre;*
- *the impact of the proposal on existing, committed and planned investment in the catchment area of the proposal, and;*
- *opportunities to generate linked trips necessary to ensure the future viability and vitality of the centre.*

14. Is Clause 10 (under ADM29) clear and effective as drafted, or could it be unduly onerous? Is it clear which types of facilities would fall within its scope; and should the criteria apply if other similar provision would remain? Should a proposal be required to satisfy all three bulleted criteria?

*Evidence has shown that within the villages there is the continued reduction in the number of community facilities and therefore the Council feel it necessary that a robust justification for their loss be made satisfying the three bulleted criteria. Since 2001 the following facilities have been lost in the large and medium villages alone: 17 food shops; 16 Post Offices; 7 non-food shops; 7 Petrol Filling Stations; 3 Doctors Surgeries (outreach for main surgeries); 2 Public Houses; 1 Community Hall; and a School.*

*The Council believe that simply because there is similar provision remaining within a settlement this is no justification to allow the loss of a community asset without clear justification, a change of ownership for example can often revive a failing businesses. The marketing of such facilities allows the testing of the sustainability of the business or facility going forward. This is also a matter which residents feel is very important.*

*SP15: Widening the Inland Tourism and Leisure Economy*

15. Is paragraph 7 consistent with Clause 3 of the policy in respect of where the relevant development could be located in towns, large and medium villages? Paragraph 7 indicates that development will be acceptable in "close proximity" to these settlements where safe access is demonstrated; while the policy specifies that development should be "in or adjoining" a settlement.

*The details of paragraph 7 should have been transcribed into clause 3 of the policy so that they were consistent with each other. In order to rectify this the Council is proposing a modification to clause 3 so that it reads as follows;*

*The Council will support new and extensions to caravans, log cabins, chalets, camping and touring site development where sites are in close proximity to a*

*town, large or medium village providing it can be demonstrated that they add to the built and natural environment by provision of extensive landscaping and green infrastructure, does not cause unacceptable harm to the wider landscape, protected or important habitats, heritage assets and their settings and that they have safe access to the relevant settlement with vehicles and pedestrians being segregated.*

16. Why does the requirement that serviced accommodation should not be located in an area of flood risk not also apply to the types of development (caravans, log cabins etc) provided under Clause 3? Should either type of development be required to satisfy the sequential and exceptions tests? Is the definition of "an area of flood risk" clear in this policy?

*As this is an inland policy in the Core Strategy the reference to flood risk in clause 2 could be removed. Development would then have to undertake the sequential and exception test as set out in the NPPF. The Council would therefore propose a modification to remove the last bullet point of clause 2.*

17. Is ADM30 an additional/minor amendment or is it necessary to make the plan sound?

*This matter was raised during the consultation in that the sentence was not clear, it has therefore been amended to give clarity to the Plan.*