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

**Inspector’s Matters, Issues and Questions (MIQs)**

**Stage 2 – Settlement Proposals DPD**

**Matter 2 – Site Selection**

**Issue: Have the sites proposed to be allocated in the plan, particularly for housing and Gypsy & Traveller accommodation, been chosen on the basis of a robust assessment process?**

1. Is the plan based on up to date evidence regarding the location of locally designated nature conservation and geological sites? Why are the various sites referred to by the Lincolnshire Wildlife Trust and the Greater Lincolnshire Nature Partnership not included on the maps? What is the status of these sites in respect of whether or not they are formally designated? Does their status mean that they should have been taken into account in proposing site allocations? Have they been? Is it sufficient to make reference to them by way of amending the plan text at this stage, or should any proposed allocations be revised in their light? Should the relevant sites now be mapped?

(The relevant proposed modifications are: ADM47 - Burgh Le Marsh; ADM48 – Coningsby; ADM52 – Horncastle; ADM53 – Legbourne; ADM54 – Louth; ADM60 – Manby; ADM69 – Spilsby; ADM70 – Stickney; ADM72 – Tetney; ADM73 – Woodhall Spa; ADM75 Chapel St Leonards; ADM77 – Mablethorpe; ADM78 – Saltfleet; and ADM79 – Skegness).

*As discussed at Matter 17 – Natural Environment Examination Hearing, the Council has agreed to make a payment to the Lincolnshire Nature Partnership to obtain the relevant data and then map the sites. With respect to the future upkeep of the information the Council is to discuss this with a view to assessing whether it will more cost effective to employ a suitably qualified officer to also carry out a reassessment of the evidence base for biodiversity and comment on planning applications or to buy into the services of a relevant outside organisation for just the data maintenance such as the Lincolnshire Nature Partnership.*

1. Are the sites selected for housing and gypsy and traveller accommodation justified when compared to other reasonable alternatives? The Council should prepare a summary of the site selection process for each type of development. This should include:
* What evidence has informed the site selections? Where relevant, how has detailed evidence provided by site promoters been taken into account, such as Landscape and Visual Impact Assessments and site specific Flood Risk Assessments?
* Where relevant, how has the potential impact of development upon designated and non-designated heritage assets (including sites of archaeological interest) been assessed and taken into account? Will the plan ensure that such assets are conserved in a manner appropriate to their significance as required by paragraph 126 of the NPPF?
* How have the results of Sustainability Appraisal and infrastructure planning been taken into account?
* Where sites are similarly suitable, was the process for selecting one over another robust? This has been questioned in Sibsey, for example.

*In general terms for all sites, the Council holds a comprehensive digital mapping system which has numerous overlays relating to spatial matters, such as biodiversity, flood risk, footpaths, ancient monuments, listed buildings, existing planning permissions, employment sites, national designations, etc. All the sites were visited in the field and information collected about its characteristic and constraints, which helps to supplement the available desktop survey.*

***Housing***

*The sites were taken from the SHLAA excepting a few late submissions but these were dealt with in the same way as all the other sites. As set out above a desktop survey was carried out and a site visit.*

*The Council assessed each site against 3 main criteria, Suitability;*

*Availability and Viability.*

***Suitability***

*Desk top data, such as flood risk areas, archaeology, contaminated land etc, was combined with information from the site surveys and each site was assessed against common criteria to determine its suitability. Government guidance suggests that Local Planning Authorities (LPAs) should not be limited by existing policies and notations. By not constraining too tightly its potential sources of housing, it enables the Council to take a broad view of all its policy objectives at the time the Settlement Proposals were drawn up. Government guidance says that the Council should consider if sites are subject to the following:*

*• policy restrictions – such as designated or protected areas, existing planning, corporate or community strategy policies;*

*• physical problems or limitations – such as access, infrastructure, flood risk, contamination or other risks;*

*• potential impacts – including effects on landscape or conservation; and*

*• environmental conditions – which would be experienced by prospective residents.*

*The Council’s methodology refined this, and considered the following:-*

*- Does it contribute to, or detract from, the creation of sustainable communities?*

*- Previously allocated or permitted, but undeveloped, sites will generally be suitable but have circumstances changed sufficiently to reduce their suitability?*

*- Are there overriding planning policy objections or constraints?*

*- Are there overriding physical problems or constraints?*

*- Are there any overriding infrastructure constraints?*

*- Would development of the site cause unacceptably harmful impacts to people or the environment, either on or off the site?*

***Availability***

*It is important that sites both included in the SHLAA and allocated are known to be available; otherwise this does not represent a true picture of the amount of housing sites that will be delivered. Therefore, only sites nominated by the landowner and with a continuing interest in development have been considered to be available. To determine the availability of a site for development, a judgement was made on the basis of the best information*

*available at the time, including:-*

*- freedom from ownership problems, including ransom strips, multiple ownership, tenancy conditions;*

*- written commitment to development, or to sell the land for development, presented by a developer/owner;*

*- existing planning consent (although this is not, in itself, be a robust indicator of availability and this is followed up where possible to establish if applicants are still willing to develop); and*

*- any evidence of previous procrastination on development on the site.*

***Viability/Yield***

*Finally, to see if these sites are likely to be developed for housing, the likely economic viability of new housing development in the locality needs to be considered, taking account of the local housing market and economic factors. This can only be a broad overview as there are many factors that influence the viability of a site which are confidential or commercially sensitive; such as availability of finance, the amount paid for a site, along with the wider market conditions. If issues were raised or known to the Council that could have affected viability the owner was contacted and asked to confirm that the issue was not an impediment to development. Overall there were very few of these because most sites in East Lindsey are coming forward on greenfield sites but a few had alleged ransom strip issues, access issues and drainage issues.*

*As a starting point, the Council then identified how much housing could be expected to be built on each site, taking into account the factors in the site assessment, to consider if this might have implications for the site coming forward. The capacity of sites of the same size will vary according to the site’s shape, orientation, on-site constraints, infrastructure requirements and context, as well as being influenced by the local character and the type and size of houses to be built. Larger sites will generally be capable of absorbing the varying influences of such constraints. Capacity was reduced accordingly if constraints were known, such as lowering capacity for sites with partial flood risk on them.*

*The first point overall average densities were calculated for all sites based on the average density of sites already developed in each tier of the settlement Pattern*

*The average densities are:*

*Towns – 26 per hectare*

*Large villages – 19 per hectare*

*Medium villages – 14 per hectare*

*Small villages – 12 per hectare*

*The Council has noticed an oversight in the Plan around the densities and how the Council got to its reduced capacities on sites. To correct this and make the plan clearer the Council would propose the following main modification by the insertion of an additional paragraph after 2.5 on page 11 which would read;*

*The starting point for the capacity of each site is the average density for the relevant tier of the Settlement Pattern based on the average of sites already developed. The average densities are;*

*Towns – 26 per hectare*

*Large villages – 19 per hectare*

*Medium villages – 14 per hectare*

*Small villages – 12 per hectare*

*As the process has proceeded comments have been fed into the selection process from the consultations carried out and other consultations with key stakeholders. So for instance the large villages and towns were written to in November 2014 to ask them if they knew of any constraints on all the sites, the replies were followed up with the statutory providers such as Lincolnshire Highway Authority or we provided the town or parish Council with the answer if the Council already knew it. Information has been fed in if it was provided by the landowners such as transport assessments or landscape assessments but these have to be balanced against the information from the statutory consultees and if officers in development management were dealing with planning applications.*

*With regard to heritage assets, the Lincolnshire County Archaeology Service was consulted as was the Council`s Conservation Officer and Historic England, their comments were given due regard and helped shape and choose the sites. For instance a site in Friskney which had a significant impact on the setting of the listed church was discounted because it was believed that the impact could not be mitigated against. Where these consultees have provided guidance on sites this has been incorporated into the individual site tables. Taking this and the policies set out in Policy SP10 (Design) and SP11 (Historic Environment) the Council believes that the historic significance of sites has been taken into account in accordance with paragraph 126 of the NPPF.*

*With regard to any guidance statutory consultees have provided the Council has tried to incorporate this into the individual site tables. This it is hoped will assist those wishing to develop the sites and give them pointers to who they should speak to in their pre application discussions.*

*The Settlement Proposals DPD had its own Sustainability Appraisal based on the strategic objectives set out in the Core Strategies Sustainability Appraisal, with each site having its own assessment. This was then checked by the officer carrying out the overall Sustainability Assessment. This assessment has formed the basis for the wording for the suitability box in each site assessment table.*

*With regard to infrastructure all the statutory consultees were consulted each time the plan went out for consultation with Anglian Water being sent the sites well in advance in order to input into the Council`s Water Cycle Study, which also fed into the site selection process. Capacity has been reduced where there are identified issues such as in Legbourne.*

*With regard to occasions when sites were similar in settlements, this really only occurred in Sibsey and Wragby. In Sibsey the Council looked at the overall sustainability of each site and chose the one which was slightly nearer the centre and could provide additional space for the local school because it was sighted next to it. Also one of the other larger sites had to reply on another site coming forward first otherwise it would be out of context to the village character and setting. In Wragby the two most suitable sites were almost identical and even had the same capacity almost, it was a matter of just choosing the one that appeared to fit into the character of the settlement.*

***Gypsies and Travellers***

*The assessment for these sites was the same in regards to the desk top assessment as set out above for housing, using the Council`s layered mapping system and site visits for each site.*

*Sites came from both the private sector and the public sector. All the sites went out for public consultation and a sustainability assessment was carried out for each site in the same way as it had been for the housing assessments.*

*The Council then weighed up the comments from consultees, the sustainability appraisal results, comments from statutory consultees and came to a final selection. One private site was withdrawn during the consultation process and it became apparent afterwards that one public sector site (not a Council owned site) was not going to be available to the Council. Site selection for Gypsies and Travellers was also constrained by the type of site required and this limited the area of search to a degree. Therefore the transit sites were needed in the coastal area or as near to as possible because that is where the Gypsies and Travellers go in the mainly summer months and the permanent sites had to be inland because they could not be located in the coast because of flood risk.*

1. How have the dwelling numbers proposed on individual sites been determined? Have specific density assumptions been made? In many cases, the capacity of each site shown in the analysis tables has been reduced from a higher figure. Where did the higher figure come from, and what factors have caused the capacity to be reduced in the plan?

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*The first point overall average densities were calculated for all sites based on the average density of sites already developed in each tier of the settlement Pattern*

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1. Having regard to paragraphs 115 – 116 of the NPPF, is it justified to make no specific housing allocations in the AONB settlements (Binbrook and Tetford)? Has the potential impact upon the landscape been weighed against the potential benefits of housing development? If housing development could still come forward on windfall sites in these settlements, how is this preferable to making a considered allocation?

*Natural England and the Wolds Countryside Service who manage the AONB on behalf of a partnership between local authorities and Natural England raised concerns about the allocations. Paragraph 115 says that great weight should be given to conserving landscape and natural beauty in AONBs. The Council therefore considered that given the comments from the two consultees, sequentially the District had other sustainable places in which to develop its housing in terms of local plan allocations and it did not have to allocate in Binbrook and Tetford. The Council was therefore not forced through a lack of sustainable other sites in other settlements to look to Binbrook and Tetford for housing delivery.*

*Binbrook and Tetford do not stop being large villages in the Local Plan. The Settlement Pattern is the starting point and not having an allocation does not change their place in the Pattern, only a loss of their services and facilities will do that. It could be that other more suitable sites in terms of minimising impact on the AONB will come forward as windfall sites, and the Council believes that it is for the developers of those potential sites to justify that they should be given permission and the decision maker to assess them against the policies in the Development Plan.*

1. In the majority of settlements, including in some with sizeable housing allocations such as Louth, the plan indicates that the state of water recycling/treatment facilities is red or amber on a scale of green to red. What does this mean? What effect will this have upon the delivery of development in relevant settlements?
2. Should the document identify “Gateway Sites” as referred to in Policy SP10 of the Core Strategy? If not, how will these be identified?

*As discussed in Matter 11 – The Built Environment, it was felt that identifying the sites would not add anything to those submitting applications for development and the description in the relevant policy would suffice.*