

Part A: Personal Details

*If an agent is appointed, please complete only the Name and Organisation boxes for the client in 'Your Details', but complete the full contact details of the agent.

	Your Details	Agent's Details* (if applicable)
Name (including title):	MR + MRS ALAN + ANNA ELLIOTT	
Organisation (where relevant):		
Address:		
Post Code:		
Telephone number:		
Email address:		

NOTE:

Representations will only be accepted that refer to a proposed change shown in the *Schedule of Proposed Main Modifications to the Pre-Submission Draft Local Plan (2017)*, the map changes or to the Habitats Regulations Assessment Report, incorporating Main Modifications (2017) or Sustainability Appraisal Report, incorporating Main Modifications (2017).

Your responses on the above documents will be sent to the Planning Inspector without prejudice to the Inspectors final report.

You should not repeat or re-submit your previous representations, these have already been considered by the Inspector during the examination process.

PART B: Your representations

Please use a separate form for each representation.

B1. To which proposed Main Modification does your representation relate?

Please state the relevant reference number that you are commenting on from the Schedule of Proposed Main Modifications (e.g. MM01):

MM 5

Description of the proposed Main Modification (e.g. Page 60, Section 8)

page 32 / new clause 2, new ~~clause~~ addition to policy

Please complete a separate form for each representation.

B2. Do you consider this proposed Main Modification is:

Legally compliant?
Please select one answer

Yes

No

Sound?
Please select one answer

Yes

No

B3: If you consider the proposed Main Modification to be unsound, please identify which test of soundness your representation relates to?

'Sound' means: is the Main Modification justified, effective, positively prepared and consistent with national policy?

Positively prepared?
Please select one answer

Yes

No

Justified?
Please select one answer

Yes

No

Effective?
Please select one answer

Yes

No

Consistent with national policy?
Please select one answer

Yes

No

Your representation should succinctly cover all the information, evidence and supporting information necessary to support/justify your representation and any suggested changes.

B4. Please give details of why you consider the Local Plan is not legally compliant or is unsound?

If you wish to support the legal compliance or soundness of the Local Plan, please also use this box to set out your representations.

32/SP4 new clause - Small Infill sites are now supported - Greenfield sites are now allowed to be developed for housing in small & medium villages, these sites do not have constraints as Brownfield do.

Brownfield sites have to first seek their use for a community, economic or leisure use at an appropriate price for 12months before they can go for housing.

The Brownfield register / NPPF / Housing white paper does not put constraints on Brownfield redevelopment as the council do in the policy SP4 in restricting development to frontage and only 2 dwellings regardless of site size..

The whole point is to develop Brownfield for housing before Greenfield. This policy is working back to front and is against the NPPF and Housing white paper.

The policy also now states frontage development only & no more then 2 dwellings whether Greenfield or Brownfield.

This does not conform to Brownfield redevelopment in only allowing 2 dwellings on a Brownfield site regardless its size, and furthermore restricting only to frontage development.

In fact the limiting of infill development and limiting Brownfield development is what the NPPF (point 89) use as an exception to control Green belt. ELDC have no Green belt.

In comparison Policy SP16 inland flood risk areas for housing on Brownfield now includes small & medium villages does not control the amount of housing quota allowed on Brownfield like it does in policy SP4 for Inland small & medium villages, where it should be the flood risk areas that are controlled. This makes no sense.

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B4. Please give details of why you consider the Local Plan is not legally compliant or is unsound?

If you wish to support the legal compliance or soundness of the Local Plan, please also use this box to set out your representations.

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The council also excluded Gardens from development yet gardens that are not in built up areas comply to Brownfield redevelopment. Many small & medium villages have large gardens and would come under not in built up area.

Court of Appeal High court ruling Dartford Borough Council v Secretary of State for Communities & Local Government March 2017 makes clear at point 1 & 2 the case is to do with the meaning of Previously developed Brownfield land as defined by the glossary forming part of the NPPF. At point 8 & 9 makes clear that "Land in built-up areas" cannot mean land *not* in built-up areas. That therefore gardens not in built up areas comply with the definition for previously developed Brownfield as defined in the NPPF.

Point 15 the Judge makes clear the meaning of isolated dwelling in the context of NPPF. The Judge states the new dwelling will not be isolated as there is already a permanent structure within the curtilage of the site.

The Judge point 8 states the starting point is the words themselves, point 9 "Land in built up areas cannot mean land not in built up areas". Therefore Gardens should not be excluded from policy SP4. Again if Brownfield is left as per the NPPF this is covered within its glossary definition. It is not down to the council to rewrite the glossary definition for Brownfield which is something the council are attempting to do throughout the policy SP4.

Please be as precise as possible.

B5. Please set out what changes you consider necessary to make the proposed Main Modification to the Local Plan legally compliant or sound. Having regard to the test you have identified at B3 above where this relates to soundness?

You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Brownfield constraints to seek their use for a community, economic or leisure use at an appropriate price for 12 months before housing should be removed from clause 1.

Brownfield constraints of frontage development and no more than 2 dwellings should be removed from clause 2.

These constraints on Brownfield make Greenfield the easier option to develop. These constraints on Brownfield should be removed as they do not conform to the NPPF.

Greenfield infill sites only should have constraints/restrictions of this type as this would help control Greenfield sites to some extent. Therefore Greenfield Infill sites should be restricted to frontage development with no more than 2 houses.

In small & medium villages Brownfield should be redeveloped as per the NPPF & The Housing white paper, it should use the quotas/housing capacities as stated in Councils main mods (ED057) Settlement proposals document at Page 11 point 2.5 where it states:

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**

The capacity figure for each site has sometimes been adjusted to take into account site factors.

This way the size of the Brownfield dictates the amount of dwellings to the allowance stated, with the safety to modify the figure to account for any adverse factors.

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- B5. The quotas/housing capacities for medium villages (14 per hectare) & small villages (12 per hectare)

This would then conform to the NPPF & The Housing white paper for Brownfield redevelopment. After all what is the point of stating these quotas/housing capacities in the Settlement proposals document modification at page 10 point 2.5 if its not intended to be used. It is stated its added to conform to the NPPF, but policy SP4 as it stands goes against these quotas/housing capacities.

SP4 should aim at supporting and retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities as states the Rural housing 2016.

Appropriate location within the developed footprint, should be within the settlement and outside of, but immediately adjacent to the developed footprint, retain the core shape and form of the settlement; not significantly harm the settlement's character and appearance; and not significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement. This is what is sustainable for Towns & Large villages, therefore it is also sustainable for small and medium villages.

Where it states Developed footprint is defined by continuous built form of the settlement & excludes individual buildings or groups of dispersed buildings which are (should add the word clearly) so reads clearly detached from the continuous built up of the settlement. (as per towns & large villages is written). This word should be added so small spaces are not used to define that buildings are detached from the settlement when the buildings are clearly part of the settlement, especially since Infill is now proposed in this policy.

The council should not exclude gardens as stated but only exclude gardens in built up areas, in order to conform to the NPPF and the Court of Appeal ruling. Gardens not in built up areas are Brownfield. If Brownfield is left as per the NPPF this is covered within its glossary definition. It is not down to the council to rewrite the glossary definition for Brownfield which is something the council are attempting to do throughout the policy SP4.

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CD02a East Lindsey core strategy
Sustainability appraisal - main mod.

B6. Do you have any comments on the updated Addendum to the Sustainability Appraisal or Addendum to the Habitats Regulations Assessment in respect of this particular modification?

Conclusion
4.3 SP4.

The council state: There is one negative outcome arising from the modifications in respect of policy SP4. Villages may lead to development in locations which do not increase access to services and facilities. The modification now allows development on greenfield sites within these settlements; previously it only allowed for the redevelopment of previously used sites. These villages have very low levels of services and facilities; particularly the small villages, some of which have no built service other than a church. This approach will therefore be increasing (albeit at a less than strategic level) the amount of housing with no access to services and facilities.

But the government NPPF & Rural Housing 2015 update states: A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities. And Paragraph 55 To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.

Therefore the NPPF seeks developments in small & medium villages to help retain the existing services and facilities making their use viable therefore these services & facilities are then retained.

The village facilities and services are all worked on the points system, the minimum points for a small village is 12 and medium village 23 points. If a village only had a church like the council state it would not be a village but a Hamlet according to the points system, a church giving only 3 points. So to say These villages have very low levels of services and facilities; particularly the small villages, some of which have no built service other than a church, this statement is very misleading and is wrong and should be removed.

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B6 Cotenwood.

If we take the lowest score of a small villages 12 points, there are only 4 villages with this score, and they include facilities of food shop, public house, strategic road networks & community bus service as well as a church. So within the lowest of the small village point scorers the facilities are there that need to be protected to ensure viable use, as well as 3 of these 4 villages have a commuter bus to gain essential services and employment.

The use of Greenfield in the medium & small villages policy SP4 can be no more of a negative impact than Greenfield are to the Towns and Large villages. The council for the Towns & large villages state they have very few Brownfield sites therefore need to use Greenfield. On the other hand they state they have numerous Brownfield sites in small & medium villages too numerous to place on the Brownfield register, but then put constraints on the Brownfield sites in that they are first to seek their use for a community, economic or leisure use at an appropriate price for 12 months before they can go for housing. These Brownfield constraints are the negative impact.

Further constraints on Brownfield are the restrictive development to frontage with only 2 dwellings regardless of site size, Brownfield in small & medium villages should use the quotas/housing capacities medium villages (14 per hectare) & small villages (12 per hectare) as per the Councils main mods (ED057) Settlement proposals document at Page 11 point 2.5. The constraints should be on Greenfield infill sites only, restricting frontage development with no more than 2 houses. This then places the emphasis onto Brownfield redevelopment and removes this so called negative impact and puts this to a positive.

PART C: Notification request

You can request to be notified at an address or email address of any future stages relating to the Local Plan.

C1. Would you like to be notified of future stages?

Yes No

C2. How would you like to be notified?

By post to my address:

By post to my agent's address:

By email to my email address:

By email to my agent's address:

Please select one answer.

C3. Which stages would you like to be notified about:

The publication of the recommendations of Planning Inspector?

The adoption of the Local Plan?

Data Protection Act 1988 and Freedom of Information Act 2000

Representations cannot be treated in confidence. Please see the attached privacy notice. The Town and Country Planning (Local Planning) (England) Regulations 2012, requires copies of all representations to be made publically available, this will be done via the Council`s website. The Council will not publish personal information such as addresses, telephone numbers, or email addresses. By submitting a representation you confirm that you agree to this and accept responsibility for your representations.

Signature: Date:

Please sign and date your representations.