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# **Independent Examination of South East Lincolnshire Local Plan 2011-2036**

## **Draft Matters and Issues**

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**Inspectors appointed by the Secretary of State for Communities and Local Government**

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## **Introduction**

This document lists the Matters (topics) and Issues (points for consideration) that will form the basis for discussions during the Hearing Sessions and supply the context for any further written statements (see Examination Guidance Note paragraphs 30 – 38). Matters and Issues may change as the examination progresses, although participants will be given an opportunity to comment on any new issues that arise. If sufficient information is provided on any particular matters/issues, the Inspectors may decide not to pursue them further in any depth.

References to the Plan are to the Publication Version of the South East Lincolnshire Local Plan 2011-2036 (SELLP) dated March 2017, which is the version that is being examined. References to the Committee are to the South East Lincolnshire Joint Strategic Planning Committee, which was established between Boston Borough Council, South Holland District Council and Lincolnshire County Council. Other references used are:

NPPF - National Planning Policy Framework;  
PPG - Planning Practice Guidance;  
LP Regs – The Town and Country Planning (Local Planning)(England) Regulations 2012

The questions below arise out of the Inspectors' initial reading of the Plan and the key evidential documents. They may have additional questions following further reading prior to the Hearings. If so, they will attempt to circulate them within a reasonable time of the Hearings.

All questions should be answered by the Committee. Other participants may respond to issues relevant to points they have made in their earlier representations. Answers should be supported with reasons, unless exceptionally it is clear from the question that a simple yes or no answer is required. There may be some overlap between questions, in which case answers may be cross referenced as appropriate. Text that may be found in submitted evidence documents or within the Plan itself should not be repeated, but references (with page and paragraph numbers) to those documents should be provided where relevant. Responses to each Matter should be submitted as separate documents.

As per section 20(7C) of the Planning and Compulsory Purchase Act 2004, the Committee has requested the Inspectors to recommend whatever Main Modifications are required to make the SELLP legally compliant and sound. The need for any Main Modifications to the SELLP will be explored during the course of the Examination. Although the principle of making a modification will be dealt with at the Hearing sessions, the wording may not be finalised until later.

Participants are urged to read the Examination Guidance Note, which has been circulated, and which can be downloaded from the examination website:

<http://www.southeastlincslocalplan.org/examination-library/>

## **Legal Issues**

### **Matter 1a: Duty to Co-operate (DtC)**

#### ***Issue: Has the DtC been met?***

1. Is there evidence of a continuous process of engagement, collaboration and effective cooperation with neighbouring local authorities and other prescribed bodies, to ensure that the SELLP clearly identifies strategic priorities, provides the land and infrastructure necessary to support current and projected future levels of development, and plans effectively for issues with cross-boundary impacts?
2. What evidence is there of continued cooperation since August 2016, for example, on matters such as the South East Lincolnshire Strategic Flood Risk Assessment (March 2017)?
3. Having regard to the Housing White Paper 'Fixing the Broken Housing Market', has consideration been given to preparing a Statement of Common Ground to explain cross-boundary working?
4. What mechanisms will be put in place to ensure that there is future cooperation in relation to cross boundary issues that may arise as development within the SELLP progresses?

### **Matter 1b: Other Legal and Procedural Requirements**

#### ***Issue: Whether the Plan meets all other relevant legislative requirements***

5. Has the SELLP consultation complied with the Statement of Community Involvement and public consultation requirements in the LP Regs? Have sufficient opportunities been provided for local communities to influence the Plan, including the proposed allocations?
6. Is the Plan in compliance with the Section 19(1A) of the Planning and Compulsory Purchase Act 2004 which requires development plan documents to include policies designed to secure that the development and use of land in a local planning authority's area contribute to the mitigation of, and adaptation to, climate change?
7. Has the Plan been prepared in accordance with the published Local Development Scheme?
8. Has engagement taken place in relation to the preparation of any Neighbourhood Plans (NPs) existing or proposed within the SELLP area?
9. Is there any conflict between any made NPs and the SELLP? If so, identify the NP and the relevant conflict.

### *Sustainability Appraisal (SA)*

10. Does the SA comply with the provisions of the *Environmental Assessment of Plans and Programmes Regulations 2004* (EA Regs) in identifying, describing and evaluating the likely significant effects on the environment of implementing the Plan, together with economic and social factors?
11. Does the SA take appropriate account of the East Marine Plans and Marine Policy Statement?
12. Is it clear how the SA influenced the final plan and how the SELLP addresses the requirement for any mitigation measures?
13. Has the inter-relationship of effects, including cumulative impacts, been addressed?
14. Has an adequate site assessment process been undertaken?
15. Is there adequate coverage of all reasonable alternatives and have they been similarly evaluated to the preferred option?
16. Have outline reasons been given in the SA for selecting the alternatives dealt with and a description given of how the assessment was undertaken?
17. Have reasons been given for rejecting alternatives?
18. Is the SA proportionate and relevant in contributing to the Plan's evidence base (NPPF paragraph 167)?
19. Are there any provisions within the EA Regs that the SA fails to comply with?

### *Habitats*

20. Have the requirements for appropriate assessment under the Habitats Regulations been met, having regard to relevant national policy and guidance?
21. Is the use of a 20km distance to identify European sites for screening justified?
22. Does the Habitats Regulations Assessment (HRA) process followed take account of the *Wealden* judgement (*Wealden V SSCLG* [2017] EWHC 351Admin) and potential "in combination" air quality impacts of traffic flows on relevant designated areas?
23. How does the Plan address the ongoing development of the England Coast Path and progression on compensatory habitat provision for the Wash? Is there evidence that the Green Infrastructure Study, prepared by the Wash Estuary Project, has informed the mitigation recommendations of the HRA?

24. The HRA screening process has identified all potential issues as 'likely to have no significant effect', with the exception of recreation pressure. Have any necessary mitigation measures identified in the screening been carried forward in the SELLP?
25. Is the methodology used within the Appropriate Assessment (AA) to assess the potential impact of recreation pressure justified and robust? Have any necessary mitigation measures identified in the AA been carried forward in the SELLP?
26. How would these mitigation measures be secured?

## **Soundness Matters**

### **Matter 1: Overall Housing Need (Policy 10)**

#### ***Issue: Whether the Plan's housing requirements are justified and based on a sound assessment of need***

##### *Housing Market Areas*

27. In preparing the Plan, how have the Councils satisfied NPPF paragraph 159, first bullet point, which says that local planning authorities should prepare a Strategic Housing Market Assessment (SHMA), working with neighbouring authorities where housing market areas cross administrative boundaries?
28. Given that Boston Borough and East Lindsey District were previously within the same Housing Market Area (HMA), is the identification of Boston Borough alone as a self-contained HMA based on robust evidence? How has the Boston HMA been determined?
29. Is the inclusion of South Holland in the Peterborough HMA (encompassing Peterborough City Council, South Kesteven District, Rutland County and South Holland District) based on robust evidence? How has the Peterborough HMA been determined?

##### *Objectively Assessed Housing Need OAHN*

30. Is there a robust statistical and methodological basis for the OAHN figures of 7,550 dwellings (Boston) and 11,125 dwellings (South Holland) totalling 18,675 dwellings that underpin the Plan?
31. Have similar methodologies been used in the SMAs for the two HMAs of Boston and Peterborough?
32. How have any differences been reconciled?

33. What assumptions have been used and are they reasonable? (provide a brief answer outlining how ONS population projections/mid-year estimates, migration, Unattributable Population Change, CLG Household projections, Household Representative Rates, vacant/second homes allowances, economic factors & market signals have been dealt with so as to reach the OAHN figures in the Plan).
34. Has an uplift been made for concealed households?
35. How does the updated SMA assessment of economic factors compare to the *Employment Premises & Land Review* assessment of job growth and that in the *Employment Land Technical Paper Update*?
36. What figures/evidence have been used to reach the job growth scenario of 17,600 new jobs overall in the Plan period?
37. What risk is there of job growth overall exceeding the resident labour supply over the Plan Period?
38. Given the substantial need for affordable housing in the SELLP area, should there be an uplift to the OAHN to boost the supply of affordable housing? If not, please explain why.

**Matter 2: Affordable Housing and Housing Mix (Policies 14, 15, 16, 18, 19 and 20)**

***Issue: Whether the identified affordable housing need is soundly based and reasonably provided for, and whether the needs of particular groups have been adequately assessed and provided for***

*Affordable Housing (Policy 15: Affordable Housing & Policy 16: Rural Exception Sites)*

39. Overall, what is the estimated updated full affordable housing need (net) in 1) Boston Borough and 2) South Holland District for the Plan period between 2011 and 2036?
40. Are the assumptions used in assessing the need for affordable housing reasonable?
41. Is the threshold of 30% of gross income spent on housing reasonable for determining households in need of affordable housing?
42. The *Strategic Housing Market Assessment Update* of March 2017 estimates the average affordable housing need to be 282 units in South Holland and 263 units in Boston. How does this translate in Policy 15 of the Plan into an annual need of 280 units in South Holland (about 2/3 of overall housing need) and 100 units in Boston (about 1/3 of overall housing need)?

43. What influence has the availability of Private Rented Sector (PRS) accommodation had on the Policy response to providing affordable housing?
44. Is it reasonable to count PRS properties paid for by housing benefit (Local Housing Allowance) as supply for those in need of affordable housing, thereby reducing the net need?
45. Has PRS supply paid for by housing benefit influenced the decision not to uplift the housing requirement to provide additional affordable housing?
46. How does this compare with the High Court judgement in *Oadby and Wigston BC V Secretary of State for CLG and Bloor Homes Ltd. HC 3 July 2015 CO/139/2015 paras 34(ii) and 50*?
47. Should the Plan indicate what the estimated full affordable need is without any reduction for PRS supply?
48. If the Councils are unable to provide sufficient affordable housing to meet the full affordable housing need, and intend to rely upon state-subsidised PRS accommodation to contribute residential units, should this be made clear in the Plan as a policy decision?
49. What other sources of affordable housing, if any, are expected to come forward in the Plan period and in what timescale?
50. Whilst it may not be practical to meet the full affordable housing need in the Plan period, given the high level of affordable housing need, does the Plan make reasonable provision for affordable housing?
51. The Housing and Planning Act 2016 imposes a general duty to promote the supply of Starter Homes, albeit this is not yet in force. Nonetheless, as it is likely to be brought into force during the Plan period, should provision be made for the potential to include Starter Homes in the affordable housing mix? Whilst Starter Homes are referred to in the text of Policy 15, should they be included in the Policy itself?
52. Should there be more flexibility in the mix of affordable rented to intermediate housing?
53. Are the proposed developer contributions in Policy 15 supported by robust viability evidence?

*Housing Mix- Policy 14: Providing a Mix of housing*

54. Does the Plan adequately address the needs for all types of housing (excluding affordable housing which is considered under questions 39-53) and the needs of different groups in the community in accordance with NPPF paragraphs 50 and 159?
55. Has the Plan specifically addressed the needs of older persons? Has adequate assessment been made of the needs for specific types of older

person accommodation such as sheltered, enhanced sheltered, extra care, registered care?

56. Has the Plan specifically addressed the requirements of those with physical disabilities/learning difficulties?
57. Are the provisions of the Public Sector Equality Duty, set out in Section 149 of the Equality Act 2010, satisfied with respect to persons with a physical or mental impairment? What approach have the Councils taken to discharge the duty with respect to this group? If any adverse impacts have been identified on this group has potential mitigation been considered?
58. Does the Plan make sufficient provision for inclusive design and accessible environments in accordance with NPPF paragraphs 57, 58, 61 and 69?
59. Has the Plan specifically addressed the needs for temporary accommodation for example migrant workers and others?
60. Does the Plan make sufficient provision for accommodation for gypsies and travellers who have ceased to travel?
61. Have the needs for privately rented accommodation been adequately addressed in the Plan?
62. Have the demands for self-build plots been addressed in the Plan?
63. Is there any need for student accommodation or accommodation for service families?
64. The Peterborough SHMA indicates that there is a housing stock mismatch with stock mix not meeting needs as well as it could. How does the Plan seek to address this?

*Policy 18 – Houses in Multiple Occupation and the Sub-Division of Dwellings*

65. What is meant by “high density residential areas” in paragraph 1 of the policy? Does this give sufficient guidance on what might be acceptable?
66. What is meant by “an adequate standard of residential accommodation/amenity” in paragraph 7 of the policy? Is there a potential for conflict with the Written Ministerial Statement of March 2015 and the Government policy of streamlining housing standards?
67. How do DASH space standards fit with the Nationally Described Space Standards?

*Policy 19 – Replacement Dwellings in the Countryside; Policy 20 – The Reuse of Buildings in the Countryside for Residential Use*

68. Should paragraph 5 of Policy 19 be more flexible to include, for example, other beneficial impacts such as flood betterment?

### **Matter 3: Spatial Strategy (Policies 1, 2, 5, 11)**

#### ***Issue: Taking account of the risks of flooding, whether the spatial strategy, settlement hierarchy and distribution of development are soundly based***

69. What is the justification for including Policy 1: Presumption in favour of Sustainable Development, given that it simply repeats paragraph 14 of the NPPF?
70. Having regard to *Barwood Strategic Land v East Staffordshire BC and SSCLG [2017] EWCA Civ 893*, do Policy 1 and paragraph 3.1.1 appropriately reflect the approach to the implementation of sustainable development?
71. Should the SELLP explain the role of NPs and their ability to provide for development?

#### *Settlement hierarchy (Policy 2)*

72. How was the settlement hierarchy (A1: Sub-Regional Centres, A2: Main Service Centres, B1: Minor Service Centres, C1: Other Service Centres and Settlements and D: Countryside), established and how was it determined through the evolution of the Plan?
73. Are the five tiers of settlement identified justified and do they represent an effective mechanism for the delivery of growth within the Plan area?
74. Is the approach in the settlement hierarchy, including that to development outside defined settlements, justified and consistent with national planning policy? Does it meet the needs of both urban and rural communities?
75. How does this take account of physical constraints, such as flood risk and land contamination?
76. Have settlements been appropriately allocated to the hierarchy?
77. Will the delivery of the Vernatts Sustainable Urban Extension (SUE) change the quantum and pattern of development within the area to such an extent that the settlement hierarchy of the plan would be undermined? Will there be a clearly defined and justified distinction between the Main Service Centre of Pinchbeck and the Sub-Regional Centre of Spalding?
78. How were the settlement boundaries of the identified settlements within the hierarchy defined? Are these boundaries justified and effective?
79. Will the use of identified boundaries to settlements, and the capacity for growth within them, provide sufficient flexibility to respond to possible changing circumstances during the lifetime of the plan?

*Level and distribution of growth (Policy 11)*

80. To what extent has more housing been allocated in South Holland than Boston to reflect the anticipated greater growth in employment opportunities in South Holland?
81. How was the distribution of growth between settlements established? Is this justified?
82. Is the proposed level and type of growth for each tier of the settlement hierarchy clearly defined?
83. Is this growth appropriate and justified, having regard to their size, function and accessibility to employment, services and facilities?
84. Will the overall distribution of development be effective in meeting the Vision of the Plan?
85. Were alternative distributions of development between the various tiers of the settlement hierarchy considered? If so, why were they discounted?

*Strategic Flood Risk (Policy 5)*

86. Is the Plan based on the most up-to-date Strategic Flood Risk Assessment (SFRA)? Is the March 2017 SFRA update to the previous 2010 SFRAs material to the Plan? Does the SFRA take into account climate change, with regards to pluvial, fluvial, surface water, sewers and tidal flood risk? Has the correct adjustment for climate change for each type of risk been identified?
87. Has the SFRA been prepared in consultation with Anglian Water (AW), the Environment Agency (EA), Internal Drainage Boards (IDB) and the Lead Local Flood Authority (LLFA)? Has the Plan addressed any concerns raised by these agencies about the approach to flood risk?
88. Briefly explain how the strategic risk of flooding is minimised. How does the Plan make provision for water management? Does it identify potential drainage requirements for development?
89. Is it clear how the issue of flood risk is addressed within the Plan as a whole? How does the application of Policy 5 relate to the requirements of Policy 3 (7), Policy 4 (12) and Policy 27? Is the Plan's approach to the issue of flood risk justified and consistent with national policy?
90. How has the consideration of flood risk influenced the distribution of development within the Plan? Has the March 2017 SFRA been used to apply the Sequential Test and Exception Test where necessary, to inform the consideration of a range of options in the site allocation process? Was this undertaken as part of the SA and/or the Site Allocations Flood Risk Sequential Test (SAFRST) (February 2017)?

91. Is the application of the Sequential Test at a settlement by settlement level (paragraph 2.25 of the SAFRST), consistent with the application of the Sequential Test across the whole local planning authority area, as set out in the PPG (ID: 7-020-20140306)?
92. Where other sustainability criteria are considered to outweigh flood risk issues, is the decision making process transparent? Does the SA report, the Spatial Strategy Technical Background Paper and/or the SAFRST include reasoned justification for any decision to allocate land in areas at high flood risk? (PPG ID: 7-022-20140306)
93. Are the requirements of Policy 5 clear and justified? Is the approach to flood risk on allocated sites clearly identified? How would this approach differ for development proposals on unallocated sites? To be effective, should the Policy also address the issue of change of use of land or buildings? (PPG ID: 7-007-20140306)
94. Having regard to the increased likelihood of flood events occurring, what consideration has been given to provision within the Plan for the relocation of existing properties outside the functional floodplain? (SFRA, paragraph 7.4.2)
95. To be effective, should Policy 5 identify the various sources that generate a risk of flooding and the need for development to be appropriately flood resilient and resistant, safe for its users for the lifetime of the development and not to increase flood risk overall?
96. How would the Policy be effective in meeting the aims identified in the reasoned justification, including in relation to providing a commitment to partnership working and the provision of Sustainable Drainage Systems (SuDS)?
97. Does the Plan clearly identify responsibility for the provision and maintenance of flood risk mitigation measures considered necessary for new development? What effect will these measures have on the viability and delivery of development? How will their effect on the design of new buildings influence other considerations, such as the visual impact of development?
98. What effect will the delivery of the Boston Barrier project have on flood risk?

#### **Matter 4: Gypsies and Travellers including Travelling Showpeople (Policy 17)**

##### ***Issue: Whether the Plan makes adequate provision for gypsies and travellers including travelling showpeople***

99. Are the provisions of the Public Sector Equality Duty, set out in Section 149 of the Equality Act 2010, satisfied? What approach have the Councils taken to discharge the duty?

100. If any adverse impacts have been identified on any group who share a relevant protected characteristic has potential mitigation been considered?
101. Briefly explain how Article 8 (private and family life) of the European Convention on Human Rights, and the best interests of the child (as derived from Article 3 of the UN Convention on the "Rights of the Child") have been met.
102. Having regard to S124 of the Housing and Planning Act 2016, which places a duty on local housing authorities to consider the needs of people residing in or resorting to their district with respect to the provision of caravan sites and houseboats, how are the needs of people who fall outside the revised definition of gypsies and travellers, but who live in caravans/houseboats, to be addressed?

### *Need*

103. Is the methodology used to identify the identified current and future need for additional pitches/plots robust and justified?
104. Does the Plan make suitable provision to meet the identified need? Should the Plan include provision for transit sites or stopping places? Does the Plan make effective provision for potential future demand from unknown households? How do the criteria of paragraph 5.8.6 relate to those of Policy 17?

### *Supply*

105. Is the methodology for site identification and assessment clear and robust? Are the allocations justified against reasonable alternatives? Is it clear which criteria have been decisive?
106. Are the proposed allocations available, achievable and suitable? Does the Plan make provision for a deliverable five-year supply of sites/yards? Does it identify a supply of specific developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15?
107. Are the allocations consistent with national policy? How has the issue of flood risk been addressed?
108. Is there any risk that site conditions and constraints, including drainage, protected species and habitats, might prevent development of the proposed allocations, or adversely affect the viability and delivery of their development?
109. Will the scale of the proposed sites dominate the nearest settled community? Are the sites suitable for a mixed residential and business use? Are there any significant factors, including pressure on local infrastructure, that indicate that either of the sites should not be allocated?

110. In relation to the proposed four pitch allocation at Whaplode Fen, will the future occupants of the site have access to education, health care, recreational facilities, shops and employment, within a reasonable travelling distance? What are the opportunities to access these services and facilities by walking, cycling and public transport?

## **Matter 5: Employment Land (Policies 8 and 9)**

### ***Issue: Whether the Plan has a robust economic strategy and whether it provides sufficient opportunities for economic growth***

#### *Overall Strategy*

111. Does the Plan contain a clear economic strategy which positively and proactively encourages economic growth (NPPF paragraph 21)?
112. The *South East Lincolnshire Employment Premises & Land Review* indicates that estimates are based on the assumption that past development trends will continue at similar or slightly reduced rates to past development trends. Is this sufficiently positive to meet the Government's aim of building a strong, competitive economy?
113. One of the aims of the Plan is to attract more highly skilled and high value employment to the Plan area. What support does the Plan provide in seeking to achieve this?
114. Does the strategy require differentiation between B Class growth and other employment related development?
115. How is the provision of office development considered within the Plan? Does the Plan differentiate between B1 office use, which is defined as a main town centre use within the NPPF, and other types of B1 uses? Is the approach to the provision of B1 employment development consistent with national policy?
116. Does the Plan reflect the ambitions for growth of the *Greater Lincolnshire Local Enterprise Partnership (GLLEP)*? Is it compatible with the economic priorities and strategies of the GLLEP's Strategic Economic Plan (SEP)? (Explain briefly what the GLLEP's economic priorities and strategies are).
117. Does the Plan reflect the ambitions for growth of the *Greater Cambridge and Peterborough Local Enterprise Partnership (GCGPLEP)*, which incorporates South Holland? Is it compatible with the economic priorities and strategies of the GCGPLEP's SEP? (Explain briefly what the GCGPLEP's economic priorities and strategies are).
118. Are there any tensions for the SELLP in supporting and seeking to deliver the key aspects of both the GLLEP and the GCGPLEP SEPs?
119. Explain how any significant divergences from the SEPs are justified.

*Need*

120. Is a functional economic market area comprising Boston Borough and South Holland appropriate?
121. Have any smaller markets with specific features been identified?
122. Is there a robust and statistical methodological basis for assessing the B-Class jobs requirement as being up to 10,300 jobs over the Plan period?
123. What assumptions have been used to reach this figure and are they reasonable? (include economic activity rates, commuting patterns, double jobbing)
124. Are the assumptions used based on up to date evidence?
125. How was the figure of 10,300 B-Class jobs translated into an employment land requirement of at least 82 hectares?
126. Is there a robust and statistical methodological basis for assessing the overall jobs requirement as 17,600 jobs over the Plan period (including B-Class, and the growth sectors of health, education, low carbon industries and leisure)?
127. To what extent have uplifts to the growth sectors been applied and is this justified?
128. How does this translate into an average annual jobs requirement overall for Boston and South Holland?
129. How does this compare to the numbers of resident workers estimated from population growth projections (as dealt with above under OAHN)?
130. What are the additional land requirements, if any, for non B-Class jobs over the Plan Period?
131. Has an appropriate allowance been made for vacancy rates of employment premises?
132. Has an appropriate allowance been made for existing employment sites changing use?
133. What allowance has been made for the potential of small scale employment uses changing to residential use under permitted development rights?
134. If the Spalding Rail Freight Interchange were to proceed, would this trigger a more ambitious economic activity target?

135. Does the economic needs assessment include an adequate qualitative and locational assessment of need for new development and is this reflected in the Plan?
136. What evidence is there of the need for non-B Class employment land and does the Plan adequately address this?

*Supply*

137. Has the SA tested alternative levels of employment land provision?
138. How much more land is identified in South Holland than Boston to reflect the stated needs of South Holland (13,800 jobs to 2036) and those of Boston (3,800 jobs to 2036)?
139. Very briefly explain how the locational provisions are justified and how they are intended to drive different parts of the economy.
140. What consideration has been given to the distribution of housing and employment land in terms of travel to work?
141. What consideration has been given to the different land requirements of the different employment sectors?
142. Is there evidence of how demand is to be met qualitatively as well as quantitatively?
143. Is sufficient land allocated for non B Class employment uses?
144. What spatial guidance is there for non B Class employment uses and is this adequate?
145. How have timescales for delivery of employment sites been taken into account?
146. Should there be more flexibility in the provision of sites between different classes of economic development?
147. Apart from *Restricted Use Employment Sites*, should there be more flexibility in Policy 8 (*Improving SE Lincolnshire's Employment Land Portfolio*) in the employment Classes allowed?
148. Could the restriction to Classes B1, B2 and B8 be made more flexible by using words such as "usually"/"normally" and by acknowledging that there might be circumstances when other employment generating uses could be acceptable?
149. Within Policy 9 (*Promoting a Stronger Visitor Economy*) should specific support be given to the Fens Waterways project?

## **Matter 6: Retail (Policies 21-23)**

### ***Issue: Whether the retail strategy properly addresses need and supply and is consistent with national policy***

150. How has the retail strategy been devised? How has the need for town centre development been assessed?
151. What criteria have been used to determine the hierarchy of centres in Policy 21? Does this relate to the size and existing provision within settlements?
152. Is the requirement in Policy 21 B1, for the scale of new development to take into account the role of the centre, consistent with national policy?
153. What is the justification for the restrictions on the loss of A1 retail premises on land outside defined town centre boundaries (Policy 21) and in Primary Shopping Frontages (Policy 22)? Are such restrictions consistent with national planning policy? Is a significant break in the frontage, referred to in paragraph 6.2.6, clearly defined and justified?
154. What is the justification for the Policy 21 thresholds that would trigger the requirement for a retail impact assessment? Should the Policy clearly identify that, amongst other criteria and in the case of Spalding, this requirement will apply for development outside the town centre and for development not justified by Policy 23?
155. Policy 21 concerns the retail hierarchy and location of retail and other main town centre uses. Offices are defined as a main town centre use in the NPPF glossary and are referred to within paragraph 6.0.1 of the Plan, with Policy 21 referring to a number of uses, including Class B1. Does the Plan clearly identify how the need for and provision of new office accommodation has been assessed? How does the reference to office use in Policy 21 relate to Policies 8 and 9 concerning employment provision?
156. Have the town centre boundaries and primary shopping frontages in Policy 22 been appropriately defined in Boston and Spalding? Are the locations of the District Centre and the Local Centres justified? Will the majority of A1 retail uses over the plan period be focussed on the primary shopping frontages of Boston and Spalding, as identified in Policy 22?
157. Are the locations proposed for retail development identified? Are these locations justified?
158. Will the needs for retail, leisure, office and other main town centre uses be met in full (NPPF, paragraph 23)? Have a range of suitable sites been allocated to meet the scale and type of development needed?
159. Is there a need to identify in Policy 23 further potential locations for retail provision, including other locations in Spalding for comparison goods floor

space? Is there a need to do so for provision before 2021, by 2026 and post-2026? Is there a need to consider peripheral sites?

160. Does the approach identified provide sufficient flexibility to respond to changes in circumstance during the lifetime of the plan? What contingency measures would be available, should the identified provision on site SHR010 not be delivered by 2021/2026?
161. Is the approach in Policy 23 to the delivery of additional convenience goods floor space justified and effective, including the identified locations and maximum size of units proposed?

### **Matter 7: Design and the Environment (Policies 3, 4, 24-28)**

#### ***Issue: Whether sufficient provision is made to protect and enhance the natural, built and historic environment and to promote healthy communities***

##### *Policy 3: Development Management*

162. Are the requirements of the Policy justified and effective? Does the Policy clearly identify how a decision maker would assess and react to a development proposal?
163. Are the terms used sufficiently precise? Are they consistent with national planning policy and other policies of the Plan? How should energy efficiency be 'maximised'? Is 'higher-level' density defined? Should all development enhance public transport services? How will the impact on physical and social infrastructure be assessed? Is the cross-reference in paragraph 3.3.7 to Policy 5 and 6 correct?
164. To be effective, should the potential for pollution from an existing use also be considered? Should Policy 3 refer to an assessment of the potential impact on potential future and existing living conditions?
165. How does the Policy relate to the other policies of the Plan? Does it seek to address issues that are also addressed elsewhere within the Plan? Is this approach justified and effective? Does this have the potential for confusion for the developer and the decision maker?

##### *Policy 4: Design of New Development*

166. Is the reference to viability in the Policy necessary?
167. Does the Policy clearly identify how a decision maker is likely to respond to a proposal? Are the relative priorities of different requirements clearly identified and justified? Are these consistent with national policy?

168. Are the requirements of the policy clear and justified? Are the terms used sufficiently precise? Will these requirements be effective in meeting the overall aims of the policy?
169. In addition to the reference to proposed landscaping, should the Policy also refer to the need to take into account existing landscape features, such as hedges and trees?
170. Reference is made within the Plan to the requirement for the preparation of a masterplan to support the effective design and delivery of development on some sites. Does the Plan clearly identify where the use of a masterplans is considered necessary? What criteria have been used to identify the sites concerned and is the selection of sites justified?

#### *Policy 24 - Natural Environment*

171. Does Policy 24 plan positively for the creation, protection and management of biodiversity?
172. Does the Plan correctly identify the number of Ramsar, Special Protection Area (SPA), Special Area of Conservation (SAC) sites and Sites of Special Scientific Interest (SSSI) within the Plan area?
173. In considering proposals that would have an adverse effect on a European site, for consistency with the Habitat Regs, should the policy refer to Imperative Reasons of Public Interest?
174. Is the policy based on up-to-date information about the environment and other characteristics of the area? (NPPF, paragraph 165)
175. Has the evidence base been informed by a Shoreline Management Plan? Does the prediction of future impacts reflect the longer term nature and inherent uncertainty of coastal processes and take account of climate change? (NPPF, paragraph 168)
176. Does the requirement for project level HRA, for major housing proposals within 10km of The Wash and North Norfolk Coast European Marine Site, appropriately reflect the findings of the Habitat Regulations Assessment December 2016 (including Addendum June 2017)?
177. Reference is made, in paragraph 7.1.5, to the potential need for a more strategic approach to protecting the European sites. Is the extent and type of protection proposed in the Plan justified? How will the proportionate preventative approach identified be effective?
178. Is the term 'major housing development' clearly defined and justified? The Sustainable Urban Extension (SUE) sites in Spalding, Holbeach West have been specifically identified, together with site Sou006 in Boston. Is it necessary to also identify site Wes002 in Boston?

179. Is there a clearly identified and justified mechanism for the provision or enhancement of Suitable Alternative Natural Greenspace (SANGs)? Are the design requirements for the SANGs clearly identified and justified?
180. Does the Plan take appropriate account of ancient woodland and veteran trees? Is it consistent with national policy in this regard?
181. In addition to their biodiversity importance, is it necessary for the Plan to acknowledge the wider benefits derived from trees, including those relating to flood risk mitigation and heat island cooling?

*Policy 25 - Historic Environment*

182. Does the Policy appropriately recognise the unique character of the Fen landscape and the distinctive elements of its historic environment?
183. In relation to Table 7, in relation to heritage assets at risk, does the evidence base used contain the most up-to-date information?
184. Is the Policy consistent with legislation and national policy in its use of terminology and its approach to the assessment of the effect of development on the setting and significance of designated and non-designated heritage assets?
185. Does the Policy clearly identify the approach likely to be taken by a decision maker for proposals concerning alterations to a listed building?
186. Is the approach identified to the assessment of sites with potential archaeological significance justified and consistent with national policy?
187. To be justified and effective, should the policy require development proposals to be supported by proportionate historic environment assessments? If so, in what circumstances would these be required?
188. Is the approach to the setting of heritage assets consistent with national policy, including the need to consider the potential contribution of setting to the significance of a heritage asset?
189. Is the Policy consistent with national policy in respect of its approach to enabling development? Is this approach justified and effective?
190. Reference is made, in paragraph 7.2.8 of the Plan, to Conservation Area Appraisals. Is it clear from the wording used, whether these currently exist or are proposed? Is it also clear how they are intended to be used to inform the decision making process?
191. To be effective, justified and consistent with national policy, should paragraph 7.2.11 include reference to the need to assess the impact of proposals for the energy-efficient adaptation and re-use of heritage assets on the significance of heritage assets?

192. Does Historic England have any objections or concerns about the approach of the Plan to the consideration of the historic environment?

*Policy 26: Pollution*

193. Is the Policy justified and effective? Does the Policy clearly identify how a decision maker is likely to respond to a proposal? Will any adverse impact in relation to the issues identified lead to a refusal of permission?
194. Should the Policy include reference to the potential for mitigation and to possible mitigation measures, such as the provision of greenspace and tree planting, for example?
195. Should the Policy clearly identify the need to consider both the potential impact of the proposed development on existing receptors and also the potential impact of existing sources on potential future receptors associated with the proposed development, including the potential effect that this may have on site operations?
196. Is the relationship of the Policy to other relevant policies in the Plan, including Policy 3, clearly identified? To be effective, should Policy 26 refer to an assessment of the potential impact on potential future and existing living conditions?

*Air quality*

197. How does the Plan address matters relating to air quality and take into account Air Quality Management Areas and other areas of air quality concern?
198. What evidence is there that the Plan would not delay compliance or contribute to any future non-compliance with the Ambient Air Quality Directive (Directive 2008/50/EC)?
199. How does the Plan consider the potential cumulative impact of a number of smaller developments on air quality, as well as the effect of more substantial developments, and the impact of point sources of pollution?
200. On what basis has any forecasting been made and what level of margin is required to avoid any potential new non-compliance or delay in achieving compliance?
201. What measures are proposed to achieve local compliance and ensure that new development would be in appropriate locations and not give rise to unacceptable risks from pollution?

*Policy 27: Climate Change and Renewable and Low Carbon Energy*

*Climate Change*

202. Should the Policy include a requirement for a lower water consumption standard? Would the evidence available support such a requirement?

Would it be justified and consistent with national policy? What impact would this have on viability and housing supply?

203. Does the Policy provide sufficient flexibility to respond to the potential future need, identified in paragraph 7.4.4, for new dwellings to meet a tighter Building Regulations water efficiency requirement of 110 litres/person/day? Has consideration been given to how the need for such a requirement would be clearly established and the impact of this requirement on, amongst other things, viability and housing supply?
204. Should the Policy include specific reference to the use of Sustainable Drainage Systems (SUDs)? Is there a clear expectation within the Plan of the use of SUDs to support new development? Should the requirements for the use of SUDs be clearly identified?

### *Renewable Energy*

205. The Policy includes a number of criteria for renewable energy proposals. Are these criteria clearly justified? Do they take sufficient account of the setting of heritage assets?
206. Is this approach effective and consistent with national policy? Does the Policy accord with the advice in the PPG on renewable and low carbon energy? If not, is the reason for this fully justified?
207. In relation to wind energy development, does the Policy take into account the Written Ministerial Statement of 18 June 2015 and the PPG advice (including ID: 5-005-20150618 and 5-032-150618)? Is there a need to identify specific areas as suitable for wind energy development? Should the Policy refer to the need for proposals to be in such areas and to the need for proposals to fully address the planning impacts identified by affected local communities?
208. Is this a matter that is proposed to be addressed through the preparation of Neighbourhood Plans? If so, should this be made explicit within the Policy?

### *Policy 28: Community, Health & Well-being*

209. Does the Policy plan positively for the provision and use of community facilities and other local services?
210. Does the Plan clearly identify how the policy requirements will be met, for all types and scales of development? Are these requirements justified and effective? Does guidance exist to demonstrate how such requirements can be met, for example, in the creation of healthy living environments for people of all ages, including those with dementia and other sensory or mobility impairments?

211. Is the requirement for the preparation of a health impact assessment (paragraph 7.6.5) clearly identified within the Policy? Will this be required for all types and scales of development proposals?
212. How has the capacity and quality of existing social and green infrastructure provision been assessed? How has school capacity been calculated? Would there be sufficient capacity within existing schools to meet the demand likely to be generated by new dwellings? If not, how would this be addressed? How have similar considerations for other types of community facilities and services been addressed?
213. Does the Policy make sufficient provision for green infrastructure, including the provision of greenspace? Are the requirements of the Policy sufficiently clear about the extent of provision required? Are these requirements justified and supported by robust evidence? What mechanisms exist to ensure that this provision is made and maintained?
214. How will the Policy be effective in preventing the loss of existing community facilities and services? Should the Policy take account of issues such as viability, for example? Is it necessary for specific reference be made within the Policy to places of worship?

## **Matter 8: Housing Land Supply (Policies 10, 11, 12, 13, 14, 18, 19, 20)**

### ***Issue: Whether sufficient provision is made for the supply of housing***

215. Are the allocated sites either deliverable (years 1-5) or developable (years 6-10 and beyond)? Has site specific evidence been provided to support this assessment?
216. What has been the extent of housing delivery since the start of the plan period?
217. What factors have been taken into account to calculate capacity? Are the capacity calculations for individual sites justified?
218. Are the assumptions used for the delivery trajectories reasonable? How have factors such as lead-in times and build-out rates been taken into account? Do these take into account the size of sites and the potential for more than one developer on larger sites? Taking into account the reliance on SUEs, is the housing delivery trajectory realistic?
219. What density assumptions have been used and are these reasonable?
220. Have the supply figures taken account of lapse rates? If so, how have lapse rates been calculated?
221. Has any windfall allowance been made and, if so, how has this been justified?

222. What allowance, if any, has been made for NP allocations, if any?
223. In general, what are the main constraints to bringing sites forward in the Plan area?
224. As there is a history of under-delivery in the Plan area, how does the Plan seek to improve delivery rates?
225. Is the Plan sufficiently flexible to react to unanticipated shortfalls in housing supply during the Plan period?
226. The Housing Implementation Strategy (HIS) indicates that there are allocated sites where there is currently no developer on board. Please provide the total number of proposed sites and dwellings for each of Boston and South Holland that fall within this category and the percentage supply this accounts for. Please give an overview of whether there are reasonable prospects of housing being developed on these sites and how and when it is envisaged they will be brought forward.
227. Should there be more policy support for bringing empty housing and buildings into residential use?
228. For each of the larger sites (over 1,000 dwellings), including the Strategic Urban Extensions (SUEs), explain how development is to be phased and the estimated timescales for delivering phases. What confidence is there that these sites will be built out in the timescales projected?

#### *5 year supply*

229. Does each authority intend to calculate its own 5 year housing land supply from sites within its own district rather than aggregating requirements and supply?
230. There are existing allocated sites (accounting for 350 dwellings) within the Saved South Holland Local Plan that appear not to have been built out and are included in the SELLP. What constraints are there to development of these sites and why has there been such a delay in them coming forward?
231. Given that these sites were not delivered within the previous plan period as envisaged, are there reasonable prospects of them coming forward within the SELLP plan period?
232. Are there any existing allocated sites within the Saved Boston Borough Local Plan that have not yet been built out and have been included in the SELLP? If so, are there reasonable prospects of them coming forward within the SELLP plan period, given that they were not delivered within the previous plan period as envisaged?

#### *Boston*

233. The Boston 5 year housing land supply assessment dated 31/3/2017 indicates that, using the *Liverpool* method, the 5 year housing land supply

from 1/4/2017 to 31/3/2022 was only 4.6 years as of 31/3/2017. Using the *Sedgefield* method it was less at only 3.4 years. However, the HIS, which was produced only a couple of months later in June 2017 indicates that, using the *Liverpool* method, the 5 year housing land supply from 1/4/2017 to 31/3/2022 is 7.2 years. The main difference appears to be the inclusion of SELPP allocations within the 5 year supply in the HIS.

The Boston 5 year housing land supply assessment (31/3/2017) does not include any allocations within the 5 year calculations taking the view that, as of 31/3/2017, housing allocations within the SELPP could not be counted as contributing to deliverable supply.

Given this discrepancy, what confidence is there that the HIS figures are correct?

234. What would be the comparable housing land supply figure if the *Sedgefield* approach were used?
235. The 5 year housing land supply assessment seeks to justify using the *Liverpool* method for addressing the shortfall in housing land supply by relying on the time lapse in delivery (1<sup>st</sup> delivery 2023/24) of two large sites (Sou006- Chain Bridge Rd and Wes002 – North Forty Foot Bank) totalling 2,438 dwellings. Is this sufficient justification?
236. Why are other smaller sites not able to come forward to provide what would be the required supply using the *Sedgefield* method?
237. Is there any potential for additional smaller sites to be allocated in the SELPP that could be delivered in full or in part within the 5 year time period, thereby providing greater supply as well as flexibility and choice?
238. Please confirm that the 20% buffer has been applied to the sum of the housing requirement figure and the shortfall that has been added into the 5 year supply figure.
239. Briefly explain why the Councils are not seeking the assistance of neighbouring authorities to help deliver any shortfall in the 5 year housing land supply without resorting to the *Liverpool* approach.

#### *South Holland*

240. The South Holland 5 year housing land supply assessment (31/3/2017) indicates that, using the *Liverpool* method, the 5 year housing land supply from 1/4/2017 to 31/3/2022 was only 4.65 years as of 31/3/2017. Using the *Sedgefield* method it was less at only 3.06 years. The 5 year housing land supply assessment does not include any SELPP allocations within the 5 year calculations.

However, the HIS, which was produced only a couple of months later in June 2017 indicates that, using the *Liverpool* method, the 5 year housing land supply from 1/4/2017 to 31/3/2022 is 8.1 years. The main difference

appears to be the inclusion of SELPP allocations within the 5 year supply in the HIS.

Given this discrepancy, what confidence is there that the HIS figures are correct?

241. What would be the comparable housing land supply figure if the *Sedgefield* approach were used?
242. What is the justification for using the *Liverpool* method for addressing the shortfall in housing land supply?
243. Why are other smaller sites not able to come forward to provide what would be the required supply using the *Sedgefield* method?
244. Is there any potential for additional smaller sites to be allocated in the SELPP that could be delivered in full or in part within the 5 year time period, thereby providing greater supply as well as flexibility and choice?
245. Please confirm that the 20% buffer has been applied to the sum of the housing requirement figure and the shortfall that has been added into the 5 year supply figure.
246. Briefly explain why the Councils are not seeking the assistance of neighbouring authorities to help deliver any shortfall in the 5 year housing land supply without resorting to the *Liverpool* approach.

#### **Matter 9: Allocations (Policies 8, 11, 12, 13)**

##### ***Issue: Whether the housing and employment allocations are soundly based and whether they provide sufficient flexibility to meet identified need***

247. Is the Plan positively prepared? Will the capacity of allocated sites be sufficient to meet the identified requirements for housing and employment uses across the whole plan area and within individual settlements?
248. Will the range and type of allocations provide sufficient flexibility to respond to changes in circumstances during the plan period?
249. Are the potential constraints and site requirements for individual allocations clearly identified within the Plan? Does the Plan provide an appropriate level of detail on the form, scale, access and quantum of development proposed for the allocated sites? (NPPF, paragraph 157)
250. Has a consistent approach been taken with regards to identified sites with extant planning permission where a technical start on site has been made? Are any differences in the approach taken to the commencement of development clearly justified? For example, is the apparent difference in approach explained between the Butterfly Park site at Long Sutton and the site at Spalding Road, Sutterton?

251. What assessment has been undertaken of the likelihood of development coming forward on sites with permission? What evidence exists to support this assessment? How have anticipated timescales for the delivery of these sites been established?
252. Will the Plan provide for the effective delivery of development? Does the Plan provide 'a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency' (NPPF, paragraph 17)?
253. The phased development of the Sustainable Urban Extensions at Spalding and Holbeach is identified within the Plan, as well as that for retail development in Spalding. Was consideration given to a wider phased approach to the delivery of development, either across the whole Plan area, or in relation to specific settlements?
254. What assessment process was followed to determine whether the development of individual site allocations would be suitable and achievable and whether the sites are available? Are this assessment and the resulting allocations supported by adequate and up-to-date evidence? Was the process followed the same for housing and non-housing allocations? Was a reappraisal of the suitability of previously allocated land undertaken? How does this process interact with the SA?
255. Briefly explain the process followed for individual site assessment in relation to the following matters? What evidence supports these assessments? Are the conclusions reached clearly justified?
- flood risk
  - effectiveness and suitability of sustainable drainage systems
  - the provision of transport infrastructure, highway safety and capacity, public transport, pedestrian and cycle links
  - other types of physical infrastructure provision
  - contamination, ground conditions and previously developed land
  - agricultural land quality
  - mitigation measures identified within the HRA screening and AA process
  - protected species or habitats
  - biodiversity
  - green infrastructure provision
  - the setting and significance of heritage assets, including whether any adverse impacts are capable of effective mitigation and, if not, how the resulting harm to the heritage assets is justified
  - the visual impact of individual allocations and their effect on the character of an area
  - viability
256. How were the assessment criteria weighted for individual allocations? Were any of the criteria decisive? Is the site allocation process clear and robust? Is the choice of allocated sites justified? Were reasonable alternatives considered? Is it clear why these were not allocated?

- 257. Is the choice consistent with the aims of national planning policy? Were sites of lesser environmental value preferred? Do the allocations encourage the effective re-use of previously developed land?
- 258. Will all the allocations achieve net gains across all three of the dimensions of sustainable development (NPPF, paragraph 152)? Will any of the allocations result in adverse social, economic or environmental impacts? If so, have any effective mitigation, or suitable compensatory, measures been identified for these sites? Are these measures justified?

*Policy 8: Improving South East Lincolnshire's Employment Land Portfolio*

- 259. Do the extent and location of employment site allocations meet the identified requirement for employment land? What flexibility is provided within the allocations and the policies of the Plan to respond to changing circumstances in the future, including market signals?
- 260. What methodology has been used to calculate the floorspace capacities of individual sites? Has this taken into account specific variables, such as known site constraints?
- 261. Has sufficient detail been given in the SELLP to provide clarity to developers, local communities and other interests about the nature and scale of development (addressing the "what, where, when and how" questions)?

*Policy 11: Distribution of New Housing*

- 262. Does the Plan identify sites with planning permission, or new homes built since 2011, which contribute to meeting the identified housing requirement? How have recent permissions granted on non-allocated sites been taken into account in the assessment of proposed allocations?
- 263. Do the allocations in Table 3 provide for sufficient housing to meet the requirements for each settlement, as identified in Policy 11? Do the allocations provide sufficient flexibility to respond to changes in circumstances? How is it intended that any shortfall would be addressed?
- 264. Are the extent and variety of housing allocations within each settlement justified? Will they provide for the effective delivery of new housing within the settlement? Do they appropriately reflect the spatial strategy, including sequential location in terms of flood risk?
- 265. How have individual housing allocations been assessed in relation to their connections to local services and facilities?
- 266. How has the issue of social infrastructure provision been assessed for individual housing allocations? How has school capacity been calculated? Would there be sufficient capacity within existing schools to meet the demand likely to be generated by new dwellings? If not, how would this be addressed? How have similar considerations for other types of community facilities been addressed?

267. How does the Plan identify the requirements for greenspace, including public open space and play space, to serve individual housing allocations? What mechanisms exist to ensure that this provision is made and maintained?

*Boston*

268. The identified Sustainable Urban Extensions (SUE) in Spalding and Holbeach are the subject of Policies 12 and 13, respectively. Are the allocated sites to the west of Boston (Refs Sou006 and Wes002) clearly identified within the Plan as SUE to Boston?
269. In the absence of a site specific policy for sites Sou006 and Wes002, how will the Plan provide for the effective delivery of their development? Are the allocations justified and robust? Have any adverse impacts been identified? How has the effectiveness of these sites for the delivery of housing been assessed?
270. How has the issue of flood risk been assessed in relation to these sites? Are their allocations justified in flood risk terms? How does the evidence demonstrate that they represent sequentially preferable locations for growth?
271. Paragraph 3.2.5 refers to the significant infrastructure needs in relation to major highways improvements and indicates that the levels of growth identified reflect the need to fund this highway infrastructure. Paragraph 3.6.5 refers to the need for a new secondary school to serve the proposed development to the west of Boston. Is the extent and type of infrastructure provision, including green and social infrastructure, required to support the development of these sites clearly identified, justified and sufficiently detailed to provide for their effective delivery?
272. Does the Plan specify when this infrastructure will be required, and how and by whom this will be delivered? If not, how will the provision of the required infrastructure be controlled? What confidence exists that this provision will be delivered in a timely manner, to relate positively to the rate of development on the site?
273. What evidence supports the assessment that delivery of the proposed development would be feasible and viable, including in relation to the provision of affordable housing and infrastructure. Are the priorities for delivery of affordable housing and infrastructure clearly identified and justified? Do the Policies provide sufficient flexibility to respond positively to possible future changes in circumstance or priorities?

*Policy 12: Vernatts Sustainable Urban Extension (SUE)*

274. How has the issue of flood risk been assessed in relation to the SUE proposal? Is the allocation of the SUE justified in flood risk terms? How

does the evidence demonstrate that it represents a sequentially preferable location for growth?

275. Paragraph 5.3.2 of the Plan indicates that the previous aim of avoiding the virtual coalescence of Pinchbeck and Spalding has been dropped for reasons of practicality. Is such an approach justified and will it lead to the effective delivery of development?
276. How would the proposed development impact on the historic environment, including Pinchbeck Conservation Area and potentially significant archaeology? Does the policy clearly identify how development proposals should address potential impact on designated and non-designated heritage assets? Is Policy 12 justified and consistent with national policy in this regard?
277. How is the phased development of the SUE proposed to be managed? How will the series of separate masterplans for the individual phases identified in Policy 12 be prepared and by whom? Does the Policy make it clear by when, and by what process, these masterplans should be agreed?
278. How will the approach for the detailed development of the SUE overall be established, to ensure that the development achieves the aims of Policy 12, including the delivery of a balanced community over its lifetime.
279. Are the identified locations for proposed greenspace justified? Will these locations support the effective delivery of development on the site?
280. Is there an identified need for retail provision on the site, in addition to the proposed provision of community facilities?
281. Does the Policy clearly identify the extent and type of infrastructure provision, including green and social infrastructure, foul and surface water drainage, required to support each phase of the development? Are these requirements justified and sufficiently detailed to support the effective delivery of development? Does the Policy specify when this will be required, and how and by whom this will be delivered? If not, how will the provision of the required infrastructure be controlled?
282. Is the reference within paragraph 5.3.2 of the Plan to the infrastructure requirements being developed through the Infrastructure Delivery Plan (IDP) and Whole Plan Viability Assessment a sufficiently robust mechanism? What confidence exists that this provision will be delivered in a timely manner, to relate positively to the phased rate of development on the site?
283. What evidence supports the assessment that delivery of the proposed development would be feasible and viable, including in relation to the provision of affordable housing, sewerage and drainage infrastructure, the northern section and part of the central section of the Spalding Western Relief Road (SWRR) and the bridge crossing of the railway line. Are the priorities for delivery of affordable housing and infrastructure clearly

identified and justified? Does the Policy provide sufficient flexibility to respond positively to possible future changes in circumstance or priorities?

*Policy 13: Holbeach West SUE*

284. The Policy refers to the preparation of a masterplan to support the delivery of this site. Does the Policy provide appropriate clarity and certainty about the requirements for the housing allocation, including the extent and type of supporting infrastructure required and its phasing in relation to the development of the site as a whole?
285. How would the proposed development impact on the historic environment, including historic landscape character? Does the policy clearly identify how development proposals should address potential impact on designated and non-designated heritage assets? Is Policy 13 justified and consistent with national policy in this regard?
286. How has the issue of flood risk been assessed in relation to the SUE proposal? Is the allocation of the SUE justified in flood risk terms? How does the evidence demonstrate that it represents a sequentially preferable location for growth? To be effective, should the Policy also refer to the need for foul drainage strategy for the site as a whole and for each phase?
287. How is the phased development of the SUE proposed to be managed? How will the masterplan identified in Policy 13 be prepared and by whom? Does the Policy make it clear by when, and by what process, this masterplan should be agreed?
288. Are the identified locations for proposed greenspace justified? Will these locations support the effective delivery of development on the site?
289. Does the Policy clearly identify the extent and type of infrastructure provision, including green and social infrastructure, foul and surface water drainage, required to support each phase of the development? Are these requirements justified and sufficiently detailed to support the effective delivery of development?
290. Does the Policy specify when this will be required, and how and by whom this will be delivered? If not, how will the provision of the required infrastructure be controlled? What confidence exists that this provision will be delivered in a timely manner, to relate positively to the phased rate of development on the site?
291. What evidence supports the assessment that delivery of the proposed development would be feasible and viable, including in relation to the provision of affordable housing and infrastructure. Are the priorities for delivery of affordable housing and infrastructure clearly identified and justified? Does the Policy provide flexibility to respond positively to possible future changes in circumstance or priorities?

## **Matter 10: Infrastructure (Policies 6, 7, 28, 29, 30)**

### ***Issue: Whether sufficient and justifiable provisions for delivering infrastructure have been made***

292. Does the SELLP identify the key infrastructure requirements on which delivery of the plan depends, including the critical infrastructure schemes considered necessary to support growth?
293. Does the SELLP make clear, for at least the next 5 years, how provision of infrastructure relates to the anticipated rate and phasing of development?
294. Does the SELLP make clear how infrastructure, for at least the next 5 years, is intended to be funded and who will provide it?
295. Has it been demonstrated that there is a reasonable prospect that planned infrastructure will be deliverable in a timely fashion, including for example improvements to the existing water supply and sewerage networks?
296. Will infrastructure delivery satisfactorily support the anticipated rate of development?
297. How will the delivery of these schemes be secured?
298. Are there any cross-boundary infrastructure issues and, if so, what are they and how have they been dealt with?
299. How might the lack of any Community Infrastructure Levy limit the extent of infrastructure contributions from developers?
300. How it is envisaged affordable housing and developer contributions for infrastructure will interact?
301. What would be the consequences of non-delivery of critical infrastructure and what contingency plans, if any, are in place to respond to this?

### *Viability*

302. What methodology has been used to assess the viability of the SELLP proposals, having regard to the costs and likely cumulative impacts of requirements likely to be applied to development, including affordable housing and infrastructure contributions?
303. Does the *Whole Plan Viability Assessment* use realistic base build costs? Does it take account of all likely costs? Has provision been made for abnormal costs?
304. Will the proposals provide competitive returns to a willing landowner and developer sufficient to enable development to be delivered?

305. Is there is a reasonable prospect that the sites identified will come forward for development during the lifetime of the plan?

*Policy 7: Developer Contributions*

306. Policy 7 indicates that developer contributions should be made in accordance with the *Developer Contributions Supplementary Planning Document* and each Local Planning Authority's adopted *Developer Contributions Prioritisation Framework*, amongst other things. Is it intended that these documents will follow on from the SELLP and be drafted in accordance with the SELLP's provisions? When is it envisaged that they will be adopted?

*Transport (Policies 29-31)*

307. Is there a robust transport assessment to support the SELLP, which draws upon the Department for Transport Circular 02/2013: *The Strategic Road Network and the Delivery of Sustainable Development* and complies with the PPG?
308. Have all forms of public transport been considered including rail?
309. To what extent does the SELLP support the Lincolnshire Rail Strategy (April 2010).
310. What organisations comprise the Poacher Line Community Partnership and how is it envisaged the SELLP will support its initiatives?
311. What transport modelling has been carried out to support the SELLP?
312. Does the SELLP provide sufficient support for Port related development?
313. Has the evidence base been produced in partnership with all relevant transport and planning authorities, transport providers and key stakeholders?
314. How will the SELLP support the 4<sup>th</sup> Lincolnshire Local Transport Plan (2013/14 -2-22/23)? Are there any conflicts between the two documents and, if so, how it is envisaged they will be resolved?
315. How will the SELLP support the Boston Transport Strategy and the Spalding Transport Strategy (2014-2036)? Are there any conflicts between the documents and, if so, how it is envisaged they will be resolved?
316. Does either Highways England or the County Council have any objections/outstanding concerns about any of the SELLP's transport provisions?
317. Are there any significant issues arising out of the transport evidence base that impact on road capacity, air quality or any other significant matters?

318. Are there any significant cross-boundary transport issues and, if so, how have they been dealt with? Have relevant neighbouring planning/transport authorities been involved?
319. For the Boston Distributor Road and the Spalding Western Relief Road (SWRR), to what extent are developer contributions expected to fund the initial phases of development? Are there reasonable prospects of additional funding coming forward and if so, what are the envisaged sources?
320. Are the benefits of the partial completion of the SWRR clearly and robustly identified? Does this approach represent a justified and effective strategy for the provision of development in Spalding? What evidence exists that the completion of the SWRR will be reasonably likely? What is the anticipated timescale for this completion?
321. In terms of the Northern Section of the SWRR, how is it envisaged the proposed Memorandum of Agreement will be taken forward and, in broad terms, what it is likely to encompass? Does robust evidence exist that such an agreement will be reasonably likely?
322. Has a Delivery and Funding Strategy been prepared to support this approach? If so, has this been prepared with the agreement of all interested parties? Has a Statement of Common Ground been agreed between the Committee, the local highway authority and the various interested parties on this matter? Should reference to the delivery mechanism for the road be identified within Policy 12?
323. To what extent are developer contributions expected to fund the improvements to Peppermint Junction? To what extent is funding through the Greater Lincolnshire Growth Deal expected to finance development?
324. How realistic is it that developer contributions will finance the Boston Distributor Road, the Spalding Western Relief Road and improvements to Peppermint Junction?
325. What impact are such contributions likely to have on affordable housing contributions?
326. Is it necessary for the development of the Vernatts SUE to make provision to upgrade rail facilities? Would such requirements be justified?
327. What is the current position with the proposed Rail Freight Interchange at Spalding? What certainty is there that this will proceed and in what timeframe?
328. How would the development of the SUEs make adequate provision for pedestrian and cycle links to the remainder of the settlement?

## *Flood Risk*

- 329. What certainty is there that the Boston Barrier will be completed by 2020 (paragraph 3.5.5 of SELLP)?
- 330. What is the current position with the Boston Barrier?

## **Matter 11: Monitoring**

### ***Issue: Whether the provisions for implementation and monitoring are effective and adequately identify triggers for review.***

- 331. Should there be provision to consider a Plan review/partial review under certain circumstances?
- 332. Should there be provision to consider a Plan review/partial review within 5 years of adoption?
- 333. Should any changes to national policy coming from the Government's White Paper *Fixing our Broken Housing Market* of February 2017, trigger consideration of a Plan review?
- 334. Should development of the Spalding Rail Freight Interchange trigger a review/partial review of the Plan?
- 335. Is the Plan sufficiently flexible to undertake appropriate remedial action?
- 336. How would the strategic approach to flood risk potentially trigger a review of the Local Plan (paragraph 3.5.1)?
- 337. What timescale has been identified for the review of the retail capacity study (paragraph 6.3.7) and in what circumstances would this trigger a review of the Plan?
- 338. Is it the intention to undertake a review of the evidence base for unauthorised encampments in autumn 2018 (as recommended in paragraph 7.62 of the Boston and South Holland GTAA October 2016)? Should any change in identified need stem from this review, should this trigger consideration of a Plan review?
- 339. What contingency arrangements and alternative strategies have been considered if development identified in the SELLP does not proceed, or the rate of development anticipated is not met, including in relation to the provision of infrastructure?
- 340. Is there a need to identify a reserve of potential future development sites, should the proposed allocated sites in the SELLP not come forward for development as anticipated?

341. Does the Plan make sufficient provision for monitoring any significant environmental effects of its implementation, including in relation to the development of a strategic approach to the protection of European sites?
342. Are all indicators set out in the SELLP capable of being monitored effectively?
-