



## South East Lincolnshire Local Plan 2011-2036: Proposed Main Modifications (2018)

### Comment Form

Comments must be received by 5pm on 28<sup>th</sup> August 2018 either by:

- **Email to:** [programme.officer@southeastlincslocalplan.org](mailto:programme.officer@southeastlincslocalplan.org); or
- **Post to:** Elaine Henton, Programme Officer, South East Lincolnshire Local Plan, Boston Borough Council, Municipal Buildings, West Street, Boston PE21 8QR

**Late representations will not be accepted.**

This comment form has three parts:

**Part A** : Your personal details

**Part B** : Your comment(s)

**Part C** : Notification Request

1. Please fill in Part A
2. If you are making representations on more than one Main Modification you will need to complete a separate form for each representation. However, you only need to complete Part A: Personal Details and Part C: Notification request once. (Please bundle your forms together so it is clear Part A and Part C relate to all the Part Bs)
3. Sign the Data Protection Act section at the end of the form, before returning it to us.

We have created **guidance notes** to help you with completing this form. **Please read** these before completing your comments as they will help you understand the nature of comment that is required.

**Anonymous comments or those received outside of the consultation period will not be accepted.**

**PART A:**

Personal Details		Agents Details (if applicable)
Title		Mr
First name		Tim
Last name		Waller
Organisation (if applicable)	Ashwood Homes Ltd	Waller Planning
Address	1 Goodison Road Lincs Gateway Business Park Spalding	Suite A 19-25 Salisbury Square Hatfield
Postcode	PE12 6FY	AL9 5BT
Telephone No.		
Email address		

**NOTE:**

Representations will only be accepted that refer to:

- a proposed change shown in the schedule of 'Proposed Main Modifications' to the Publication Draft Local Plan (2017),
- a map change to the Publication Draft Local Plan (2017),
- the Habitats Regulations Assessment Report on the Main Modifications (2017) and
- the Sustainability Appraisal Report on the 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:**

Please fill in a separate Part B for each comment you wish to make

<b>1. To which Main Modification does your comment relate?</b>	
Please state the relevant reference number that you are commenting on from the Schedule of Proposed Main Modifications (e.g. MM008):	MM
Description of the proposed Main Modification (e.g. Policy 8 Improving South East Lincolnshire's Employment Land Portfolio, or Para 4.2.9, or Inset Map 19 Moulton)	Appendix E

<b>2. Do you consider this proposed Main Modification is:</b>		
A. Legally compliant?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
B. Sound?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

<b>3. If you consider the proposed Main Modification to be unsound please identify which test of soundness your representation relates to:</b> 'Sound' means: is the Main Modification justified, effective, positively prepared and consistent with national policy?	
Positively Prepared	<input type="checkbox"/>
Justified	<input type="checkbox"/>
Effective	<input type="checkbox"/>
Consistent with national policy	<input type="checkbox"/>

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

**4. Please give details of why you consider the Local Plan is, or is not, legally compliant or sound?**

Please be as precise as possible.

The text within Appendix E suggests that, when calculating the capacity of local facilities, account would be taken of proposed developments for which applications had been submitted, but planning permission had not yet been granted. Such an approach could give a very misleading view of the likely demand on local healthcare facilities, as not all planning applications will be granted. It is only appropriate to take into account committed development, on deliverable sites, which are likely to create a demand for education facilities in the near future. If this were not to be the case, the CCG could conclude that a facility may have no available capacity, where that is not in fact the case. This could lead to financial contributions being demanded which were not justified, and did not meet the legal tests within the CIL regulations.

We also note that there is no indication within Appendix E of how a financial contribution would be calculated, or the principles which would ensure the contribution would be suitably proportionate with regard to the scale of new facility which would be provided. This needs to be clarified, to ensure that any requested contributions are reasonable, and that they would not undermine the viability of development sites.

Please continue on a separate sheet / expand box if necessary.

**5. Please set out what change(s) 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 in Q3 where your comment 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.

Paragraph 19.3.2 of Appendix E should be amended to remove reference to sites on which planning permission has not yet been granted.

Appendix E needs to be expanded to indicate how any financial contributions which may be sought will be calculated, in order to demonstrate that they will be reasonable and proportionate, and at a level which will not financially undermine new development.

Please continue on a separate sheet / expand box if necessary.

**6. 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?**

### 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.

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

Yes	
No	

2. How would you like to be notified? Please select one answer.

By post to my address:	
By post to my agent's address:	
By email to my email address:	
By email to my agent's email address:	

3. 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. 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: <i>For electronic responses a typed signature is acceptable</i>	Tim Waller	Date:	28 August 2018
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## JOINT COMMITTEE RESPONSE FORM

**REP: MM47**

**PMM REF: PMM038 regarding Appendix E**

In respect of the contents of para 19.3.2 to which the first part of this representation refers, the Joint Committee suggests that the words 'subject to planning permission being granted' are added at the end of the first sentence.

In respect of the second part of the representation, the Joint Committee considers that Section 19.4 ('Approach to providing health care facilities') provides the currently-available basis for calculating financial contributions.