

**SOUTH EAST LINCOLNSHIRE JOINT
STRATEGIC PLANNING COMMITTEE**

**South East Lincolnshire
Local Plan Review**

Historic Perspective

- South East Lincolnshire Joint Strategic Planning Committee, formed by a Statutory Instrument responsible for SELLP.
- First met on 9th September 2011,
- First public engagement in January to April 2012
- May and June 2013, July-August 2016 –Consultation
- Jan-Feb 2016 – Draft Local Plan Public consultation
- April - May 2017 – Publication SELLP Consultation
- June 2017 – Submission of SELLP to Secretary of State
- October 2017 April 2018, independent examination of the SELLP
- Inspectors report was received in the winter of 2018.
- Adopted by the Joint Committee in March 2019, (7.5 years)

Need for Review

- Regulation 10A T&CP Regulations 2012, legally requires reviews of Local Plans at least every five years.
- Paragraph 33 of the National Planning Practice Framework (NPPF) requires that: *“Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary”*.
- NB. Review to assess **if, they need updating**, and doing so, **if necessary**. In essence the ‘Review’ is about looking at the Plan, to consider whether it is fit for purpose
- In this case the review needed to be completed by the 8th March 2024, which it was, but it now requires ratification by this Committee

Catriona Riddle - Advice

In the work for the Joint authorities, Catriona Riddle identified 3 key triggers that may indicate that a Plan may need to be updated (apart from any specific issues. They were:

1. Where Plans have been prepared in advance of any significant changes to national policy
2. Where weaknesses have been highlighted through national delivery tests (e.g. 5 Year land supply and Housing Delivery tests)
3. Where performance issues related to the overall strategy or strategic policies in the plan is highlighted through the annual monitoring process

Basis of the Review

In February 2023, work was commenced to consider the need to Review the Local Plan in accordance with legal requirements. The suggested way forward broke down into three steps:

- A Scoping Report – To plan the work required and agree a way forward, which was:
 - Stage 1 Report to look at the evidence base and the national situation compared to the last 5 years . A big picture review
 - Stage 2 Report to look at the Local Plan policies with the benefit of the 2023 and previous monitoring reports, together with the overall conclusions

Part 1 Review

‘Big picture perspective’,

- Aim to consider the wider economic and political landscape and the Plans overall performance during this time, and the potential to replace the Plan in whole or in part.
- Focus on the Economy, Housing, and major sites, changing guidance and the political picture
- Influence of Covid and other issues,
- This has created a very difficult time in terms of the economy, house sales and employment activity, in which to consider the effectiveness of the Local Plan.

NB. Whilst important in terms of development taking place, the Local Plan operates within the broader economic climate. When reviewing the Plan, we must recognise that these wider factors could be impacting on the ‘performance’ associated with the Local Plan.

The Big Picture

Against a generally bleak national picture, the Council's have performed reasonably well. For example:

- Growth in both employment and retail floorspace since adoption of the plan
- On all but one occasion both Councils have exceeded their housing targets,
- Both Councils have exceeded the 5-year supply requirement in every year of the Plan to date.
- Lastly, a number of major sites, such as Sustainable Urban extensions, Prestige employment sites and other major development sites, which are crucial to the delivery of the Plan, are progressing well.

Other Considerations

- NPPF –changes considered cosmetic rather than fundamental
- Climate change, Biodiversity, and Affordable Home issues could be addressed through non-statutory Planning documents linked to NPPF changes and legislation.
- Levelling up agenda, Transitional arrangements and National Development Management policies. Secondary legislation and regulations awaited.
- Potential deadline for any ‘old style’ Local Plans Summer 2025. SELLP review could not be completed and submitted in this time frame. Review would have to look towards new legislation.
- National Political picture is unclear
- Local Political changes have taken place and Management re-structures
- Resource Issues

THE EVIDENCE BASE

- Government guidance is clear that plans and the policies within, need to be justified with evidence
- SELLP web site lists 46 evidence-based documents.
- Many studies are now quite old, eg. Strategic Landscape Capacity 2003, 4th Lincolnshire Local Transport Plan, 2013, County are onto the 6th iteration.
- Significant costs involved in updating the evidence base
- This does not of itself necessitate a review

NB - Retail Study

- Local Plan Modification which required a commitment to review the retail section of the Plan. In adopting the Plan, the Joint Committee authorised this work to take place.
- New retail study commenced in 2019, completed in April 2020 (Pre Lockdown)
- The study did not conclude that any changes to the Plan were necessary.

PART 1 CONCLUSIONS

- There is no evidence in general terms that the Plan is not performing well.
- The resources are not readily available to implement a review if that is considered necessary.
- The amount of political uncertainty over the future direction of planning at this time would make it extremely difficult to set out on a new Local Plan at this point, without potentially wasting significant resources.
- Some issues of changing national policy guidance could be addressed through means other than an update of a Local Plan
- Overall, it is considered that looking at this bigger picture, there are no grounds to require the SELLP to be amended, in whole or in part. The Plan is being implemented, the Plan is being followed and development is successfully taking place within the Plan area.

Part 2 report

- Looks at the performance and nature of the policies within the Plan and consider if the actual Policies and aims of the Plan are still fit for purpose
- Using data provided by the Council's monitoring reports.
- Checking against the PAS Policy Matrix Review

Policy Monitoring issues

- Is a policy that is used regularly in refusal notices an indication that it is a good policy, or a poor policy as people have applied for permission not realising that it is contrary to policy?
- Is a policy that is never used an indication that the policy is not needed, or an indication that people see the policy and realise that their proposal would be unlikely to be successful, unless complied with?
- How do you monitor policies which may be used in negotiations to improve the proposal, but due to improvements, are never referred to in decision notices

Policy Monitoring

Local Plan suggested 86 indices, to monitor 36 policies

- Monitoring would be a huge and resource intensive area of work
- Many cases, it's unclear of what the results would mean,
- It is often factors other than the local policy which will dictate the results

Revised approach taken by the Council's focuses on

- Appeals – When policies are tested
- Main work areas, Economy, Housing, Environment etc
- RAG assessment of each policy

In this work we also used the PAS Matrix as a checking mechanism.

Policy Findings

- Appeals – In line with national trends, main issue seems to be issues around value judgements and interpretation of policies against scheme details.
- Main Policies – General no issues and performance seems acceptable. Two points noted:
 - Emphasis on greenfield site V's brownfield (PDL) land than some may find positive.
 - The amount of land developed which is of higher levels of flood risk. Understandable given the nature of the areas and the pressures to find developable sites. Generally sites that were carefully considered as part of the LP process in order to meet development targets.
- RAG assessment raises some amber policies where work needs doing.

PART 2 CONCLUSIONS

Generally positive with nothing that brings into question the need to update the Plan

However, a few issues that need to be considered

- Promised Supplementary Planning Documents (SPD) in terms of Developer contributions and Parking standards, have not been produced.
- Master Plans promised for major sites have not been produced.
- Changes in other documents (e.g. Use Classes Act, Affordable housing definitions and targets and the issues around Bio diversity net gain) affect policies for which additional interpretation would be useful.
- NB - Local Development Scheme, and The Statement of Community Involvement both need updating.

OVERALL CONCLUSIONS

As set out above, and within the reports, the overall conclusions are positive. In short:

- The review of the SELLP suggests that it is performing well and that there are no critical issues that require the Plan to be updated.
- There are a number of work areas that have been set aside and need to be considered and addressed.
- There are currently not the resources in terms of staff or finance to fully address the outstanding work required.

Also, the future requirements for a new Plan, and direction of Planning are uncertain at this time