

Skegness Neighbourhood Development Plan Independent Examination – Clarification of Matters

Section of Neighbourhood Plan / Policy Reference	Examiner Clarification Question	Skegness Town Council (STC) Response	East Lindsey District Council (ELDC) Response
Regulation 16 Representation	1. The representation of Lincolnshire County Council which is undated and which carries the subject heading “Reg 14 Consultation” appears to include content that is not relevant to the Submission Version Neighbourhood Plan. Please confirm the date this representation was received by the District Council?	ELDC to confirm date of receipt.	Lincolnshire County Council submitted their representations on the 13th of April 2022.
Policy E3	2. Please direct me to the evidence that supports the adoption of the “at least six month” advertising period in bullet point one.	<p>Skegness Town Council is keen to ensure that employment sites that are not currently in active use do not continue to remain vacant for any longer than feasibly necessary.</p> <p>As such the proposed marketing period of ‘at least six months’ for sites not currently in active employment use is considered to be justified and necessary to avoid sites remaining vacant for prolonged periods.</p> <p>This policy conforms with paragraph 122 of the NPPF by ensuring that where there is no reasonable prospect of an employment use being retained, applications for alternative uses on the land will be supported.</p> <p>It is noted that a period of six months has been found sound and applied in similar policies by other authorities elsewhere</p>	The Council feels the broad approach taken by the Town Council on the need to ensure vacant sites are brought back into use in a timely manner is appropriate, however, feel a marketing period of 12 months is necessary given this policy in effect could result in the loss of valuable employment sites to non-employment uses. Moreover 12 months will ensure that businesses that operate seasonally are also captured in the marketing.

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		such as Policy EP2 (footnote 7) of the Basingstoke & Deane Local Plan 2011-2029.	
Policy V1	3. Please explain the meaning of the term “support the coherent use of spaces”	The term ‘support the coherent use of spaces’ refers to supporting connectivity between public open spaces. It is acknowledged that the meaning of this phrase may be difficult to understand in the context of this policy, and we would suggest a modification may be necessary such as rewording paragraph (e) to state: <u>“They support connectivity between public open spaces and contribute to opportunities to improve access and movement by pedestrians and cyclists”</u> .	The Council note the proposed modification suggested by the Town Council and see this as an effective way to add clarification to the policy wording.
Policy V2	4. Please direct me to the evidence that supports the adoption of the “a minimum period of 6 months” advertising period in part b.	The 6 month advertising period required by part (b) of Policy V2 was included to ensure that landowners of tourist accommodation outside the designated Serviced Holiday Accommodation Areas are able to repurpose or change the use of existing premises within a reasonable period of time, whilst still requiring some demonstration that a new occupier of the current use has been sought. Whilst it is acknowledged that paragraph 10.21 of the adopted East Lindsey Core Strategy states “The Council has a presumption against the loss of hotels and bed and breakfast accommodation in the Serviced Holiday Accommodation Areas as defined in the Settlement Proposals Development Plan Document”, there is no	While the 6 months is in conformity with the current Local Plan, this is an error in the Local Plan which will be corrected at the review. It is suggested that the advertisement period is amended as, whilst the Council does not want to pre-judge the outcome of the Local Plan review, it is likely that once the reviewed Plan is adopted the NDP will be out of conformity and the LP will take precedence.

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		<p>such presumption against the loss of tourist accommodation nor a required specified minimum marketing period for tourist accommodation outside these areas. Therefore Policy V2 is considered to be in general conformity with ELDC Strategic Policy 19.</p> <p>This policy also conforms with paragraph 122 of the NPPF by ensuring that where there is no reasonable prospect of a hotel, guest house or B&B use being retained on sites outside the designated Serviced Holiday Accommodation Areas, applications for alternative uses on the land will be supported.</p> <p>The Neighbourhood Plan is required to be in conformity with the <i>currently adopted</i> Local Plan, which this proposed policy would be.</p>	
	<p>5. In the final paragraph of the policy the term “contribute towards” is imprecise and could be satisfied by for example one dwelling. I am mindful to recommend a modification to insert the word “significant” which, although also imprecise, does provide an indication to an applicant that a contribution should not be minimal. I invite comment on my intended approach.</p>	<p>As stated in the policy text, this final paragraph refers to applications for ‘major residential development’ (i.e. 10 or more homes). As you point out, as currently worded this policy requirement could be met by provision of just one affordable unit on any major scheme. The provision of affordable housing is a key concern for the Town Council. As such, the recommended modification to include the word ‘significant’ in respect of the affordable housing contribution required is welcomed.</p>	

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Policy V3	6. In both the first part b, and the second part b, is the reference to opportunities for views of the beach and the sea, or opportunities for use?	The reference in parts (b) refer to exploiting opportunities for views. In order to clarify this, we suggest additional wording may be added to state "Where possible, they seek to open up views of the beach and sea beyond and look to exploit the opportunities <u>for views from</u> the upper floors of buildings".	
	7. Part e may represent a burdensome obligation on an applicant for a relatively small-scale proposal. I am mindful to recommend deletion of the words "will be necessary to demonstrate that the proposed development would". This would have the implication that the Local Planning Authority would need to take a view on the issue, however, this would not prevent an applicant seeking to influence the Local Planning Authority decision by voluntarily providing supporting analysis and information.	The Town Council is happy to accept the deletion of these words as suggested.	Given the nature of the Town Centre and the type of application likely to come forward the Council feel the deletion of the text as proposed is appropriate. A large scale development would usually be accompanied by such detail as a general matter of course.
Policy TC3	8. The term "trade-out space" is a term that may not be familiar to some readers of the Neighbourhood Plan. Please provide brief explanatory text that can be inserted either in the policy itself, or in supporting text.	In order to clarify definition of this term, we would suggest inserting the wording "Trade-out space refers to space for trading goods outside the shop or retail unit".	The proposed additional wording put forward by the Town Council would add necessary clarity and clarification to the policy.

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Policies INF2 – INF9	<p>9. Paragraph 9.5 of the Neighbourhood Plan states the parking standards reflect evidence-led local circumstances. I have read the Parking Standards Background Report dated April 2020 which includes both relevant general information in parts 1-3, and proposed parking standards that are very precise in part 4, for example 1 space per 20 sqm retail (non-food). The transition from general information to precise standards is not explained. Could you please direct me to the existing evidence that concludes each of the precise parking standards proposed in Policies INF2 to INF9 are necessary in terms of evidence-led local circumstances.</p>	<p>Section 3 of the Parking Standards – Background Report provides a review of local car ownership levels, accessibility to modes of sustainable travel, and the mode of travel to work within Skegness. Given the low levels of public transport options to Skegness, and that Skegness is a key tourist destination, the main constraint at present is lack of car parking and congestion during the summer months.</p> <p>Parking provision can influence travel patterns, behaviour and congestion. The proposed parking standards seek to ensure that adequate levels of parking are provided as part of new development, to ensure that the above issues are not exacerbated.</p> <p>Paragraph 2 sets out that a “benchmarking” exercise was also undertaken against other local authorities and similar key tourist destinations. However this was also reviewed against the local evidence (as set out above) such as car ownership levels and modal split data, to ensure that overprovision or under provision does not occur.</p>	
	<p>10. Policies INF2 and INF3 appear to relate to new built development and not changes of use. Please confirm this is the intention. Is it intended Policy INF5 should also be limited to new built development?</p>	<p>Policy INF2, INF3 and INF5 relate to new build developments.</p> <p>However as stated, in all instances, should the minimum requirements not be achievable, the applicant must demonstrate why this is acceptable and justify the provision.</p>	

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		Relaxations for the parking standards may be acceptable in certain circumstances as set out in Section 5 of the Background Report, and this could include change of use sites.	
	11. Paragraph 4.3 of the Parking Standards - Background Report states parking provisions may be requested additional to the standards, and paragraph 4.4 of that document states that, if appropriate evidence is produced, lower parking provisions may be accepted. Policies INF2, INF4, INF5 each have a final paragraph that includes provision for an applicant to submit evidence to demonstrate that a level of parking provision below the minimum standards is adequate. In the case of a relatively minor proposal, for example, for a new two-bedroom house with one parking space, or for a new small-scale non-food shop with no parking space, what evidence is it envisaged must be produced by an applicant? The requirements of Policy INF6 appear to also apply in respect of proposals within the scope of Policies INF4 and INF5 that do not meet the stated standards? In the case of the examples I query, that is, a new	<p>Section 5 of the Background Report sets out ways in which the applicant can seek to demonstrate that a reduced level of parking should be acceptable. This may include a review of available on-street parking in the vicinity of the site, or an assessment of the likely demand for parking.</p> <p>Should a lower level of parking be proposed, the decision maker will assess the site on a case-by-case basis taking into account the circumstances of the site.</p> <p>The pre-application consultation process with the Local Highway Authority can be utilised to determine the precise methodology for any scope of survey works and the suitability of the proposals.</p>	

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	<p>single two-bedroom house or a new small-scale non-food shop what is the anticipated geographical and temporal coverage of a required parking survey?</p>		
	<p>12. Paragraph 113 of the National Planning Policy Framework refers to Transport Assessments in the context of all developments that will generate significant amounts of movement. Please explain how the requirements for Transport Assessments referred to in the Neighbourhood Plan have sufficient regard for national policy in this respect.</p>	<p>Paragraph 113 of the NPPF states that all developments generating a significant amount of traffic should be accompanied by a Transport Statement or Transport Assessment.</p> <p>These reports should identify the likely level of traffic that could be generated by a development, and equally the maximum demand for parking.</p> <p>Such reports (Transport Assessment or Transport Statement) could provide evidence to justify why a reduced level of traffic / parking demand may occur in a particular circumstance.</p>	
Policy H3	<p>13. Please define “comfortable walking distance”</p>	<p>This policy refers to the development of older persons accommodation. As older people tend to have mobility issues the definition of ‘comfortable walking distance’ may vary from that required by other forms of development. As such, we consider the definition of ‘comfortable walking distance’ would be a matter of planning judgment depending upon the type of accommodation being proposed.</p>	

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Policy C1	14. Is the reference in part b. to road safety or personal safety, or both?	This reference is in relation to personal safety, with respect to public open spaces.	
Policy D1	15. Please explain the term "positively contribute towards enhancing legibility and wayfinding"	This term relates to ensuring pedestrian movements are not constrained and people can find their way easily around the town centre. This requirement is likely to be mostly applicable to larger scale developments (or redevelopments) within the town centre which incorporate pedestrian footways.	
	16. Please explain the term "intended views"	This term refers to view of significant features such as heritage assets or the sea.	
Allocation NDP3	17. The allocation states employment use. This includes general industrial uses and open-air storage uses that may well be inappropriate on the site which has residential properties in close proximity. I am mindful to recommend a modification to limit employment uses to Use Class E(g) which by definition can be carried out in a residential area without detriment to its amenity. I invite comment on this intention.	The Town Council is happy to accept this proposed modification.	The Council agrees it is appropriate to see the removal of reference to B class uses on this allocated site given its location.