

**Application by Cottam Solar Project Ltd for an Order Granting Development Consent for Cottam Solar Project  
The Examining Authority's first written questions and requests for information (ExQ2)  
Issued on 16<sup>th</sup> January 2024**

**WEST LINDSEY DISTRICT COUNCIL (20037171)**

Answers to Examining Authority's Questions (ExQ2)

Cottam Solar Project EN10133

Deadline 4

Date: 30<sup>th</sup> January 2024

Preamble:

This document provides the response of West Lindsey District Council (WLDC) to the Examining Authority's questions.

Abbreviations used

<b>BESS</b>	Battery Energy Storage System	<b>oCEMP</b>	Outline Construction Environmental Management Plan
<b>BNG</b>	Biodiversity Net Gain	<b>oSSCEP</b>	Outline Skills Supply Chain and Employment Plan
<b>BoR</b>	Book of Reference	<b>PA 2008</b>	Planning Act 2008
<b>CA</b>	Compulsory Acquisition	<b>PPs</b>	Protective Provisions
<b>DCO</b>	Development Consent Order	<b>RR</b>	Relevant Representation
<b>dDCO</b>	Draft Development Consent Order	<b>SM</b>	Scheduled Monument
<b>DML</b>	Deemed Marine Licence		
<b>EA</b>	Environment Agency		
<b>EMF</b>	Electromagnetic Fields		
<b>ES</b>	Environmental Statement		
<b>ExA</b>	Examining Authority		
<b>ExQ1</b>	Examining Authority's First Written Questions		
<b>FRA</b>	Flood Risk Assessment		
<b>IAQM</b>	Institute of Air Quality Management		
<b>IEMA</b>	Institute of Environmental Management and Assessment		
<b>IPs</b>	Interested Parties		
<b>ISH</b>	Issue Specific Hearing		
<b>LCC</b>	Lincolnshire County Council		
<b>LIR</b>	Local Impact Report		
<b>LVIA</b>	Landscape and Visual Impact Assessment		
<b>MMO</b>	Marine Management Organisation		
<b>NPPF</b>	National Planning Policy Framework		
<b>NPS</b>	National Policy Statement		
<b>NSIP</b>	Nationally Significant Infrastructure Project		

EXQ2	Question to	Question	WLDC Response
<b>1. The Draft Development Consent Order and other consents</b>			
2.1.6	WDLC	<p><b>Schedule 2 – General</b> Please explain why WLDC considers a phasing requirement is necessary and provide any proposed wording.</p>	<p>WLDC believe that phasing requirement would enable each element of the scheme to be brought forward in a controlled but flexible manner, allowing WLDC to have an understanding of when information is likely to be submitted for approval.</p> <p>A phasing requirement would not only allow the relevant discharging authority to understand the construction phases of the Scheme, but it would also allow the applicant to bring forward components of the authorised development in stages so that the other requirements do not have discharged for the whole.</p> <p>The proposed wording below has been taken from the Mallard Pass Solar Project which ended examination on 16<sup>th</sup> November 2023:</p> <p><i>“3.—(1) No part of the authorised development may commence until a written scheme setting out the phase or phases of construction of the authorised development has been submitted to and approved by the relevant planning authorities.</i></p> <p><i>(2) The scheme submitted pursuant to sub-paragraph (1) must include a timetable for the construction of the phase or phases of the authorised development and a plan identifying the phasing areas.</i></p> <p><i>(3) The scheme submitted and approved pursuant to sub-paragraph (1) must be implemented as approved.</i></p>

EXQ2	Question to	Question	WLDC Response
			<p><i>(4) Notice of the date of final commissioning with respect to each phase of Work No. 1 to complete commissioning must be given to the relevant planning authorities within 15 working days of the date of final commissioning for that phase.”</i></p>
2.1.8	WLDC	<p><b>Schedule 2 – General</b></p> <p>Please identify other made DCO’s which contain similar retention clauses to those proposed by WLDC and include any suggested wording.</p>	<p>Example DCOs where retention clauses have been incorporated into the drafting of ‘requirements’ include:</p> <p><b>Gate Burton (most recent dDCO)</b></p> <ul style="list-style-type: none"> <li>• Requirement 6 – batter safety management: (5) The battery safety management plan must be implemented as approved and <b>maintained</b> throughout the construction, operation and decommissioning of the authorised development.</li> <li>• Requirement 7 – LEMP - (3) The landscape and ecological management plan must be implemented as approved and <b>maintained</b> throughout the operation of the relevant part of the authorised development to which the plan relates.</li> <li>• Requirement 8 – BNG - (2) The biodiversity net gain strategy must be substantially in accordance with the outline landscape and ecological management plan and must be implemented as approved and <b>maintained</b> throughout the operation of the relevant part of the authorised development to which the plan relates.</li> </ul>

EXQ2	Question to	Question	WLDC Response
			<ul style="list-style-type: none"> <li>• Requirement 10 – surface and foul water drainage: (2) Any approved scheme must be implemented as approved and <b>maintained</b> throughout the construction and operation of the authorised development.</li> <li>• Requirement 15 – operational noise: (2) The design as described in the operational noise assessment must be implemented as approved and <b>maintained</b> throughout the operation of the relevant part of the authorised development to which the plan relates.</li> <li>• Requirement 18 - Skills, supply chain and employment: (4) The skills, supply chain and employment plan must be implemented as approved and <b>maintained</b> throughout the operation of the relevant part of the authorised development to which the plan relates.</li> </ul> <p><b>Mallard Pass (Most recent dDCO)</b></p> <ul style="list-style-type: none"> <li>• Requirement 8 – fencing and other means of enclosure: (8) Any permanent fencing, walls or other means of enclosure must be properly <b>maintained</b> for the operational lifetime of the part of the authorised development.</li> <li>• Requirement 9 – LEMP: (4) Each landscape and ecology management plan approved under sub-paragraph sub-paragraph (1) must be implemented as approved and <b>maintained</b> throughout the operation of the relevant phases of the authorised development to which each plan relates.</li> </ul>

EXQ2	Question to	Question	WLDC Response
			<ul style="list-style-type: none"> <li>• Requirement 12 – Operational environmental management plan: (2) The operation of any phase of the authorised development must be carried out and <b>maintained</b> in accordance with the approved operational environmental management plan for that phase.</li> <li>• Requirement 16 – Operational noise: (2) The mitigation measures described in the operational noise assessment must be implemented and <b>maintained</b> as approved throughout the operation of that phase of the authorised development.</li> </ul> <p><b>Little Crow DCO (As Made)</b></p> <ul style="list-style-type: none"> <li>• Requirement 8 – CEMP: Any CEMP submitted for approval must be in accordance with the outline CEMP and any approved CEMP <b>must be adhered to for the duration of the works</b> in the phase of the authorised development to which the CEMP relates.</li> <li>• Requirement 15 – Operational noise: (2) The authorised development must be implemented and <b>operated for its duration in accordance with</b> the approved operational noise assessment.</li> </ul> <p><b>Sunnica dDCO (Rev 5)</b></p> <ul style="list-style-type: none"> <li>• Requirement 7 – fire safety management: (5) The BFSMP must be implemented as approved and <b>maintained</b> throughout the construction and operation of the authorised development.</li> </ul>

EXQ2	Question to	Question	WLDC Response
			<ul style="list-style-type: none"> <li>• Requirement 8 – LEMP: (3) The landscape and ecology management plan must be implemented as approved and <b>maintained</b> throughout the construction and operation of the authorised development.</li>   <li>• Requirement 11 – Fencing and other means of enclosure: (6) Prior to the date of final commissioning of any phase, any permanent fencing, walls or other means of enclosure for that phase approved pursuant to sub-paragraph (2) must be completed and properly <b>maintained</b> for the operational lifetime of the part of the authorised development enclosed by the permanent fencing, walls or other means of enclosure.</li>   <li>• Requirement 12 – Surface and foul water drainage: (3) Any strategy approved pursuant to sub-paragraph (1) must be implemented as approved and <b>maintained</b> throughout the construction and operation of the authorised development.</li>   <li>• Requirement 17 – operational noise: (2) The design as described in the operational noise assessment must be implemented as approved throughout construction and <b>maintained</b> during the operation of the authorised development.</li>   <li>• Requirement 19 – water management plan: (2) The water management plan must be implemented as approved and <b>maintained</b> throughout the construction of the authorised development.</li> </ul>

EXQ2	Question to	Question	WLDC Response
			<ul style="list-style-type: none"> <li>• Requirement 20 – skills, supply chain and employment: (3) The skills, supply chain and employment plan must be implemented as approved and <b>maintained</b> throughout the construction and operation of the authorised development and during the carrying out of decommissioning works.</li> <li>• Requirement 21 – permissive paths: (3) The permissive paths must be provided and maintained by the undertaker in accordance with the permissive path details and <b>retained</b> until the part of the authorised development in which the permissive path is located is decommissioned pursuant to requirement 22.</li> </ul>
2.1.13	WDLC	<p><b>Requirement 21 (Decommissioning and Restoration)</b></p> <p>Please explain why WLDC considers Requirement 21 should include a trigger mechanism for decommissioning in the event that the Proposed Development ceases to generate electricity for a period of 12 months. Please provide any suggested wording.</p>	<p>The inclusion of a trigger mechanism will ensure that, in the event that the benefits of the project by the generation of electricity by renewable sources cease to occur, the residual adverse impacts of the dormant infrastructure are removed (i.e. the adverse impacts are only made acceptable through the generation of electricity. Should that generation cease, then there is no justification for the retention of the dormant infrastructure that would continue to cause 'harm'.)</p> <p><b>Decommissioning and site restoration</b></p> <p><i>4.—(1) Not less than 12 months before 40 years from the final date of commissioning, a decommissioning and site restoration scheme must be submitted to the local planning authority for its approval. The decommissioning and site restoration scheme(s) must be in accordance with the outline decommissioning strategy.</i></p>



EXQ2	Question to	Question	WLDC Response
			<p><i>(2) The decommissioning and site restoration scheme(s) must include provision for—</i></p> <ul style="list-style-type: none"> <li><i>(a) removal of all above-ground elements of the relevant part of the authorised development, with the exception of the access tracks (Work No.5) where the landowner has confirmed to the undertaker that it requires their retention and the substation (Work No. 4) where the substation operator has confirmed to the undertaker that its retention is required;</i></li> <li><i>(b) removal of any cabling; and</i></li> <li><i>(c) restoration of the areas disturbed by the relevant part of the authorised development.</i></li> </ul> <p><i>(3) The decommissioning of the authorised development and the restoration of the land affected by the authorised development must be undertaken within the time period set out in accordance with the approved decommissioning and restoration plan.</i></p> <p><i>4) No decommissioning works may be carried out until the relevant planning authority has approved the decommissioning plan submitted in relation to those works, in consultation with the Environment Agency.</i></p> <p><i>(5) The decommissioning plan must be implemented as approved.</i></p> <p><i>(6) This requirement is without prejudice to any other consents or permissions that may be</i></p>

EXQ2	Question to	Question	WLDC Response
			<p><i>required to decommission any part of the authorised development.</i></p> <p><b>Failure to generate electricity</b></p> <p><i>Should the authorised development fail to provide electricity to the grid for a continuous period of at least 12 months the undertaker must—</i></p> <p><i>(a) notify the relevant planning authority within one month of the expiry of that 12 month period;</i>  <i>(b) if so instructed by the relevant planning authority, submit to the relevant planning authority within 2 months of that instruction a detailed scheme setting out how the authorised development and its associated ancillary equipment, including electricity converter stations, BESS and cabling is to be removed from the Order limits and how the disturbed areas will be restored, and</i>  <i>(c) implement the approved scheme no later than 6 months from its approval unless a longer period is agreed in writing by the relevant planning authority.</i></p> <p><i>(2) The agreement of the relevant planning authority in paragraph (1)(c) may only be given in relation to immaterial changes where the subject matter of the agreement sought is unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.</i></p>

EXQ2	Question to	Question	WLDC Response
2.1.19	Host Authorities	Please provide full details of any outstanding drafting points previously raised which are still a matter of dispute between the Applicant and the respective Host Authorities. Where alternative wording is proposed by the Host Authorities this should be provided.	<p>WLDCs outstanding drafting points in relation to the DCO are set out below.</p> <p><b>Trigger mechanism for decommissioning:</b> This matters is explained and suggested drafting included in the response to question 2.1.13 above.</p> <p><b>Phasing requirement:</b> Suggested drafting is included in the response to question 2.1.6.</p> <p><b>Retention clauses:</b> This matter, including examples from other Development Consent orders, is included in the response to question 2.1.8 above.</p> <p><b>Requirement 9 – Biodiversity net gain</b> WLDC maintain a position that the minimum percentage of Biodiversity Net Gain (BNG) should be secured through Requirement 9, reflecting what is asserted in the oLEMP.</p> <p>With regard to requirement 9 being able to respond to any changes in the biodiversity metric, WLDC considers that the approach taken in Requirement 9 of the Longfield DCO addresses these concerns (and also includes the securing of a commitment to deliver the minimum BNG). For completeness, the drafting is as follows:</p> <p><i>(2) The landscape and ecological management plan must include details of:</i></p>

EXQ2	Question to	Question	WLDC Response
			<p><i>(a) how the plan will secure a minimum of 87% biodiversity net gain during the operation of the authorised development, calculated using The Biodiversity Metric 4.0, published by Natural England on 20 April 2023 (or the current version of the metric if this has been superseded when the plan is submitted for approval);</i></p> <p><i>(b) how the landscaping and ecological measures will be managed and maintained during the operational life of the solar farm works and grid connection works to the date on which the decommissioning environmental management plan is implemented pursuant to requirement 20 (decommissioning and restoration); and</i></p> <p><i>(c) how any approaches and measures in the biodiversity design strategy have been incorporated into the design of the solar farm works and grid connection works.</i></p> <p><b>Requirement 21 – Decommissioning and restoration</b>                      WLDC position remains that Requirement 21 should reflect the temporal period of 40 years assessed in the ES (not the 60 years as drafted). There is no environmental assessment of the project impacts beyond the assessed period and no evidence base upon which to justify a 60 years consent lifespan.</p> <p><b>Schedule 17 – Procedure for discharge of requirements.</b>                      WLDC maintains objections to:</p>

EXQ2	Question to	Question	WLDC Response
			<p>a) The inclusion of a deemed consent provision (subject to amendments to the decision making period set out below).</p> <p>b) The timescale for approval. The timescales suggested by WLDC remain:</p> <p style="padding-left: 40px;">i) Should there be no deemed consent provision, WLDC request that the following timescales be specified:</p> <p style="padding-left: 80px;">Requirement 5 = 13 weeks Other Requirements = 10 weeks</p> <p style="padding-left: 40px;">ii) Should a deemed consent provision be retained, WLDC request that the following timescales be specified:</p> <p style="padding-left: 80px;">Requirement 5 = 16 weeks Other Requirements 13 weeks</p> <p>c) Fees payable for the discharge of requirements. WLDCs suggested drafting remains:</p> <p style="padding-left: 40px;"><i>1) Where an application is made to the relevant planning authority for written consent, agreement or approval in respect of a requirement discharge, a fee is to apply and must be paid to the relevant planning authority for each application.</i></p> <p style="padding-left: 40px;"><i>(2) The fee payable for each application under subparagraph (1) is as follows—</i></p>

EXQ2	Question to	Question	WLDC Response
			<p>(a) a fee of £2,535 for the first application for the discharge of each of the requirements 5, 6, 7, 8, 9, 11, 13, 14, 15, 18, 19 and 21;</p> <p>(b) a fee of £578 for each subsequent application for the discharge of each of the requirements listed in paragraph (a) and</p> <p>(c) a fee of £145 for any application for the discharge of—</p> <p>(i) any other requirements not listed in paragraph (a); and</p> <p>(iii) any approval required by a document referred to by any requirement or a document approved pursuant to any requirement.</p>
2.1.20	All parties	The ExA notes that a number of amendments were made to the dDCO at Deadline 3 to address drafting points raised by interested parties at previous deadlines or hearings. All interested parties are invited to submit details of any drafting points previously raised that they consider have not been addressed by the Applicant to date.	WLDC’s suggested drafting points are set out in its response to question 2.1.19 above.
<b>2. General and cross topic matters</b>			
2.2.2	All Parties	The Revised National Planning Policy Framework (NPPF) was published in December 2023. Comments are invited from all parties on its implications for the consideration of the Proposed Development.	WLDC does not consider that the updated version of the National Planning Policy Framework (NPPF) introduces new material implications for the examination of the Cottam Solar Project application, and nor does it materially affect the case put forward.

EXQ2	Question to	Question	WLDC Response
			<p>The key updates to the NPPF relate to the implementation of paragraph 155, which states that to help increase the use and supply of renewable and low carbon energy, (development) plans should:</p> <p><i>“provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts)”</i></p> <ul style="list-style-type: none"> <li>• <i>“consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and”</i></li> <li>• <i>“identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers”</i></li> </ul> <p>New paragraph 222 in the NPPF (Annex 1: Implementation) states that for the purpose of paragraph 155, such policies only apply to plans that have not reached Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (pre-submission) stage, or that reach this stage within three months, of the publication of this version of the NPPF.</p> <p>The current development plan relevant to the application is the Central Lincolnshire Local Plan, which was recently adopted in April 2023. As a consequence there is an up to date development plan and the new</p>

EXQ2	Question to	Question	WLDC Response
			<p>paragraph 222 in the NPPF does not have material effect.</p>
2.2.3	West Lindsey District Council (WLDC) /Applicant	<p>WLDC in its response to ExQ1.2.3 [REP2-076] has referred to a 'health' Supplementary Planning Document (SPD). Please provide a copy of this SPD and identify relevant passages. The Applicant's comments are also sought on this.</p>	<p>The SPD "Health Impact Assessment for Planning Applications" has been included at Appendix A of this response document. The document defines health as "<i>a state of complete physical, mental and social wellbeing. As well as access to good quality healthcare services and lifestyle choices, there are many factors that affect health and wellbeing</i>".</p> <p>The purpose of the document is to provide advice and guidance on undertaking Health Impact Assessment (HIA) for development proposals within Central Lincolnshire, supporting the implementation of policy S54 Health and Wellbeing in the adopted Central Lincolnshire Local Plan.</p> <p>The SPD does not introduce new policy but provides advice to support the implementation of policy S54 Health and Wellbeing, which sets out a requirement for developers to submit a HIA for development proposals of 5ha or more.</p>
<b>3. The needs case, electricity generated and climate change</b>			
2.3.1	All interested parties	<p>On 22 November 2023, the Department for Energy Security and Net Zero published an updated version of the draft National Policy Statements (NPS) for Energy (EN-1 to EN-5) which contain some changes to elements regarding the decision-making process for low carbon generation applications in general including solar generating stations and related connections. These revised draft Statements</p>	<p>WLDC acknowledges the updated versions of the draft National Policy Statements (NPS); notably draft NPS' EN-1 and EN-3.</p> <p>WLDC considers the updated NPS's to be important and relevant consideration for the purpose of the determination of the Cottam Solar Project application under section 105 of the PA2008.</p>



EXQ2	Question to	Question	WLDC Response
		<p>have also been laid before Parliament but are not yet designated for the purposes of s104 of the Planning Act 2008.</p> <p>Do any parties have any comments on the potential effect of changes in the November 2023 versions of the revised draft Energy NPS on matters related to this application, compared to the March 2023 versions of the Energy National Policy Statements?'</p>	
<b>11. Noise, vibration, air quality and nuisance</b>			
2.11.2	WDLC	<p>The Applicant responded to the Council's comments in its LIR on the noise methodology, surveys, sources and assumptions in its Response to LIRs [REP2-047]. Has this addressed the Council's concerns?</p>	<p>Following consideration and review of the Applicant's responses to its LIR comments, WLDC's position on each point are as follows:</p> <ol style="list-style-type: none"> <li>1. WLDC welcomes confirmation that the magnitude of effect criteria for construction noise has been mapped incorrectly and the clarification that, notwithstanding this, the construction noise assessment has utilised the correct threshold value for significance (65dB). This clarification has addressed WLDCs concerns.</li> <li>2. The clarification of the approach adopted within the cable route corridor is helpful. This addresses WLDCs concerns with regard to the specific issue raised, but it is noted that exceedance of the 70dB threshold at three receptors remains an assessed impact.</li> <li>3. The response does not adequately address the matter raised by WLDC. The response cites that information on the noise assessment locations are</li> </ol>

EXQ2	Question to	Question	WLDC Response
			<p>'summarised' in Chapter 15, para. 15.5.5 / 6, however these paragraphs do not provide a description of each location. The Applicant's response states that "full details of the noise monitoring surveys are presented in Appendix 15.1" however this Appendix simply identifies each location on a map and records the assessment results. There continues to be no information on the physical characteristics of each assessment location, which WLDC would expect to find within the ES.</p> <p>4. The Applicant's response is noted, however, WLDC are seeking more detailed descriptions of locations to validate that appropriateness of the proxy locations to the receptors.</p> <p>5. The applicant's response has misunderstood the matter raised by WLDC. The adopted Scoping Opinion (March 2022) states (ID 3.10.2) that whilst the Inspectorate was content to 'scope out' vibration effects during operation, it also adds that "The ES should describe the potential sources of vibration arising from the operation of e.g. substation and battery storage infrastructure and any measures to control emissions". The applicant refers to ES Ch15 section 15.7, however this does not provide such a description. The ES is therefore wholly silent on any potential sources of operational vibration. The Applicant's response does not therefore address the matter raised and WLDC would welcome clarification on this matter.</p> <p>6. WLDC notes the response from the Applicant; however, it does not address the matter raised. The</p>

EXQ2	Question to	Question	WLDC Response
			<p>missing information that WLDC is seeking includes assumptions used for noise and vibration predictions, contextual factors and relevant aspects of the project's proposals. This means that in many cases it is unclear what the results represent and if the stated impacts are valid. Additionally, the application of the EIA matrix presented in Table 15.12 of the ES chapter to establish significance can be confusing, resulting in "moderate" impact magnitudes being reported as not "significant". Clarification on these matters would be appreciated.</p> <p>7. WLDC's maintained concern is that, despite the potential for night-time working, the impacts have not been assessed. The ES relies upon the use of best most practicable means (as defined in Section 72 of the Control of Pollution Act 1974) to minimise noise and vibration effects outside of the assessed hours of work (night-time working). This results in there being no assessment of the likely significant effects that may occur and these impacts are not before the decision maker to take into the planning balance. Due to the potential cumulative situation, receptors may experience these effects from multiple sources (projects and their respective activities) which could give rise to impacts on residential amenity that should be given due weight in the planning balance. The Applicant is acknowledging that noise and vibration impacts during the night-time are likely to occur and that they have not been assessed. Although the Applicant relies upon BS 5228-1:2009 as it is applied in Table 3.6 of the Outline Construction Environmental Management Plan (Rev C) (oCEMP), the 'Potential Impact' only relates to the practical</p>

EXQ2	Question to	Question	WLDC Response
			<p>activity and does not provide any assessed impact on receptors in terms of significance. It therefore remains that the impacts of acknowledged night-time working have not been assessed. The oCEMP provides some practical remedy, but is based upon un-assessed impacts and is imprecise as a controlling measure (mitigation).</p> <p>8. The Applicant’s response does not address WLDC’s concern. To provide more clarity, WLC would appreciate details relating to the following:</p> <ul style="list-style-type: none"> <li>• A plant list for a road resurfacing sub-activity linked to the cabling works,</li> <li>• The predicted activity noise levels for each construction activity (although sound power levels for each plant item are reported),</li> <li>• The predicted noise levels for each activity at each receptor,</li> <li>• Whether hard or soft intervening ground is assumed,</li> <li>• Presence of screening from existing structures or construction noise barriers that could reduce construction noise levels,</li> <li>• How the distances between the receptors and various construction activities were obtained (for example, whether they reflect the distance from the red line boundary or site plans with more detailed information),</li> <li>• How construction phasing has been considered,</li> <li>• Reasons for the receiver heights for the cabling being 1.5m only when 4m is also used for other activities (shown in Tables 15.17 and 15.19),</li> </ul>

EXQ2	Question to	Question	WLDC Response
			<ul style="list-style-type: none"> <li>• Contextual information that explains what the predicted construction noise levels in Appendix 15.3 represent (e.g. the worst-case construction activity, all construction activities occurring simultaneously), and</li> <li>• Noise impacts at night at locations where night-time working may occur.</li> </ul> <p>9. WLDC notes the Applicant’s response, however it does not address the matter raised. The information sought relates to the piling technique to adopted; that is whether percussive piling methods are assumed and whether these are in steady-state or start-up/run down conditions. The references provided by the Applicant do not clarify this matter.</p> <p>10. The matter raised by WLDC relates to information about sound sources considered in the operation phase. This is to enable confirmation of the scope of the assessment and the assumptions applied in the noise modelling. The Applicant’s response is to refer to paras. 15.7.63-15.7.70 of ES Chapter 15, however the information sought is not addressed in those paragraphs. To provide more clarity, WLDC seeks confirmation on the following:</p> <ul style="list-style-type: none"> <li>• The number of conversion units, transformers and inverters proposed by the project,</li> <li>• Clarification on whether the values presented for transformers and inverters include the sound insulation of the conversion unit housing and louvre,</li> <li>• Supporting evidence that the ‘typical’ frequency spectra applied to the conversion units,</li> </ul>

EXQ2	Question to	Question	WLDC Response
			<p>transformers and inverters are appropriate in absence of manufacturers' data (paragraphs 15.7.55, 15.7.58, 15.7.60),</p> <ul style="list-style-type: none"> <li>• Clarification that the data presented in Tables 15.25, 15.26 and 15.27 represent the equipment at full capacity.</li> <li>• The operation phase results tables shown in Appendix 15.3.5 consistently show that the rating levels (specific sound level plus acoustic penalty) are higher at night than during the daytime (i.e. Table 15.3.11, Table 15.3.16, and Table 15.3.21). It is not clear from the Noise and Vibration chapter why the proposed development would emit more noise at night. The tabulated noise levels seem to contradict paragraph 15.7.68, which states that “the night-time noise levels are likely to be substantially lower in practice”. Further clarification is required to confirm the level of impact.</li> <li>• The rationale behind the selection of the background sound levels used in Appendix 15.3.5 remains unclear in this section of the ES and can affect the stated outcomes of the assessment. Paragraphs 15.7.74 and 15.7.78 in the ES chapter state that the rating levels are below 35dB for West Burton 2 and West Burton 3, whereas Appendix 15.3.5 shows rating levels above 35dB (Table 15.3.16, Table 15.3.21). Further clarification is required to confirm the level of impact.</li> </ul> <p>11. WLDC note the Applicant’s confirmation that no uncertainty has been included in the assessment. The justification provided is that this is due to ‘robust</p>

EXQ2	Question to	Question	WLDC Response
			<p>baseline noise data, octave band frequency data utilised in the noise model'. WLDC maintain, however, that there will always be a degree of uncertainty in any measurement of existing ambient of background sound levels due to, for example, environmental variation between days, weeks and throughout the year due to changes in source levels, conditions and meteorological effects on sound propagation. Such uncertainties are typically acknowledged withing noise assessments, including other solar farm NSIP projects.</p> <p>12. WLDC maintains its concerns regarding the lack of details provided with regard to the proposed acoustic louvres as a mitigation measure. Clarification is required to confirm whether the 10dB noise reduction refers to the overall performance of the product or specific frequencies. As Table 15.23 (ES Chapter 15) shows that noise emissions from conversion units are highest at 4000Hz, it is unclear whether there are proposals for this frequency to be targeted in the specification of the acoustic louvre.</p>

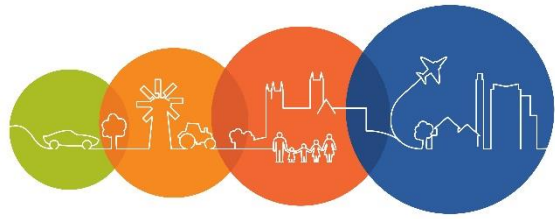
Cottam ExQ2 – 16<sup>th</sup> January 2024:

Responses due by Deadline 4: 30<sup>th</sup> January 2024

1. Appendix A – Health Impact Assessment for Planning Applications: Guidance Note (April 2023)



Central Lincolnshire  
**LOCAL PLAN**



# **Health Impact Assessment for Planning Applications:**

## **Guidance Note**

**Updated April 2023**

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This document has been produced to help guide developers and decision makers on the implementation of policy S54 Health and Wellbeing in the Central Lincolnshire Local Plan. To be clear, it is guidance not policy. The policy for decision making remains that as set out in the adopted Central Lincolnshire Local Plan, April 2023.

# 1. Introduction

## Purpose of the Guidance Note

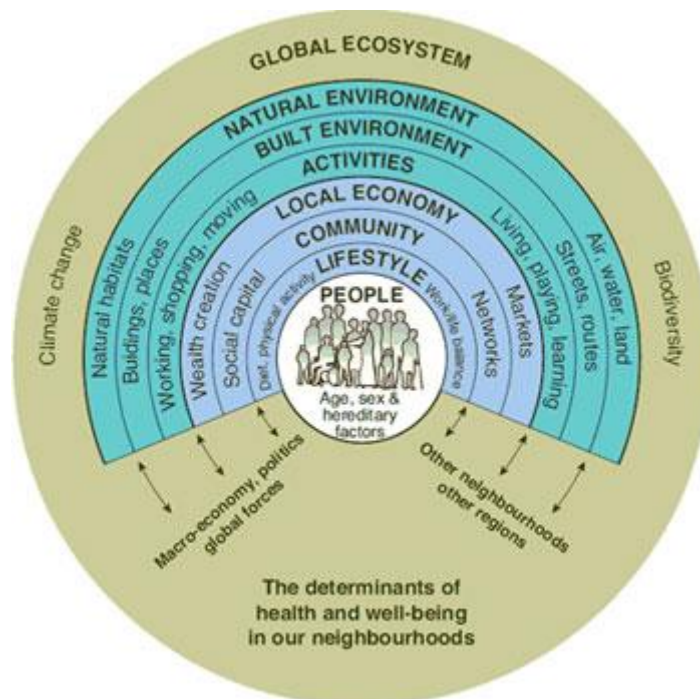
The purpose of this document is to provide advice and guidance on undertaking Health Impact Assessment (HIA) for development proposals within Central Lincolnshire, supporting the implementation of policy S54 Health and Wellbeing in the adopted Central Lincolnshire Local Plan, April 2023.

It is intended to inform discussions at pre-application stage (and subsequent planning applications) of any potential health issues to ensure health is an early consideration in the planning process. It is intended to be used by local authority planning officers, health professionals, developers, and relevant organisations to deliver healthy developments within Central Lincolnshire.

HIA is a process which ensures the impact of development on health and wellbeing is considered and responded to during the planning process. This guidance note aims to support the preparation of HIAs in relation to planning applications for residential and non-residential development proposals in Central Lincolnshire. It includes advice on those aspects of the built environment that may impact on health, guidance on undertaking HIAs and how HIAs fit into the planning process.

## What is Health and Wellbeing?

Health is defined as a state of complete physical, mental and social wellbeing.<sup>1</sup> As well as access to good quality healthcare services and lifestyle choices, there are many factors that affect health and wellbeing. These include the physical and social conditions in which people live, culture, education, housing, transport, employment, crime, income, leisure, and other services. These all influence health in either a positive or negative way, both directly and indirectly. These factors are commonly known as the wider determinants of health.



<sup>1</sup> Preamble to the Constitution of the World Health Organization as adopted by the International Health Conference, New York, 19-22 June, 1946. [http://www.who.int/governance/eb/who\\_constitution\\_en.pdf](http://www.who.int/governance/eb/who_constitution_en.pdf)

**Source:** Barton and Grant 2006 adaptation of Dahlgren and Whitehead (1991)<sup>2</sup>

Spatial planning and development proposals have the potential to impact on health and wellbeing. By considering how a proposal may impact on the wider determinants of health and creating health promoting environments, the health and wellbeing of people can be improved, and health inequalities can be reduced.

### **Health Profile of Central Lincolnshire**

Improving health and wellbeing and reducing health inequalities is an important issue within Central Lincolnshire. The Office for Health Improvement and Disparities' Local Authority Health Profiles<sup>3</sup> provide a snapshot of the overall health of each local authority in England. Local Health<sup>4</sup> provides health information for small areas within local authorities. In general, the health of Central Lincolnshire residents is not significantly different to the national average however, there are variations in the health of the population. For example, there are inequalities in life expectancy for both men and women living in the most deprived areas of Central Lincolnshire.

See Appendix 1 Data Sources, for further information regarding the health profile of Central Lincolnshire.

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<sup>2</sup> From A Health Map for the Local Human Habitat, The Journal of the Royal Society for the Promotion of Health, November 2006 126: 252-253.

<sup>3</sup> <https://fingertips.phe.org.uk/profile/health-profiles>

<sup>4</sup> <https://www.localhealth.org.uk/>

## 2. Policy Context

### National Policy

The *National Planning Policy Framework* (NPPF) came into effect in March 2012, with the latest version published on 20 July 2021. The NPPF supports the role of planning to create healthy, inclusive communities and recognises that the design and use of the built and natural environment are major determinants of health and wellbeing. The impact of development on human health and wellbeing is therefore a material consideration in the determination of planning applications.

The *National Planning Practice Guidance* (NPPG) recognises the links between health and planning. Planning and health need to be considered together in two ways: in terms of creating environments that support and encourage healthy lifestyles, and in terms of identifying and securing facilities needed for primary, secondary and tertiary care, and the wider health and care system.

The guidance defines a healthy place as one which “supports and promotes healthy behaviours and environments and a reduction in health inequalities for people of all ages. It will provide the community with opportunities to improve their physical and mental health, and support community engagement and wellbeing. It is a place which is inclusive and promotes social interaction... It meets the needs of children and young people to grow and develop, as well as being adaptable to the needs of an increasingly elderly population and those with dementia and other sensory or mobility impairments.”

The guidance encourages Local Planning Authorities to engage with the Director of Public Health on planning applications (including at pre-application stage) where there are likely to be significant health and well-being impacts on the local population or particular groups within it and suggests that a Health Impact Assessment may be a useful tool where there are expected to be significant impacts<sup>5</sup>.

The *Health and Social Care Act* (2012) gave local authorities new duties and responsibilities for health improvement and protection, throughout all their functions, including spatial planning and development management. Under the Act, Health and Wellbeing Boards have been established.

The Health and Care Act 2022 introduces significant reforms to the organisation and delivery of health and care services in England.

### Local Policy

The *Central Lincolnshire Local Plan* was adopted on 13th April 2023. The Local Plan includes policies so that new development within Central Lincolnshire can have a positive impact on health and wellbeing.

This guidance note does not introduce new policy but provides advice to support the implementation of policy S54 Health and Wellbeing, which sets out a requirement for developers to submit a HIA for residential developments of 150 dwellings or more, and for non-residential development proposals, 5ha or more. **For schemes below 150 dwellings, or 5ha, the submission of a HIA is optional but will be considered if submitted voluntarily with a planning application.**

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<sup>5</sup> <https://www.gov.uk/guidance/health-and-wellbeing> (005 Reference ID: 53-005-20190722)

Extract from S54 Health and Wellbeing  
(Adopted Central Lincolnshire Local Plan, April 2023)

“The Central Lincolnshire authorities will expect development proposals to promote, support and enhance physical and mental health and wellbeing, and thus contribute to reducing health inequalities. This will be achieved by:

b) In the case of development of 150 dwellings or more, or 5ha or more for other development, developers submitting a fit for purpose Health Impact Assessment (HIA) as part of the application or master planning stage where applicable, and demonstrating how the conclusions of the HIA have been taken into account in the design of the scheme. The HIA should be commensurate with the size of the development;”

The latest Joint Health and Wellbeing Strategy for Lincolnshire<sup>6</sup> was published by the Lincolnshire Health and Well Being Board November 2022 and is a key strategy that allows the Board to identify priorities and target areas to improve the health and wellbeing of everyone living in Lincolnshire. The strategy sets out the following priorities:

- Mental Health & Emotional Wellbeing (Children & Young People)
- Mental Health (Adults)
- Carers
- Physical Activity
- Housing and Health
- Healthy Weight
- Dementia

The Lincolnshire Health and Wellbeing Board also prepares and publishes a Joint Strategic Needs Assessment for Lincolnshire,<sup>7</sup> which provides evidence, data and information on the health and wellbeing of the people of Lincolnshire. It is currently made up of 36 different topics grouped under 6 theme areas. It is the overarching evidence base used by the Health and Wellbeing Board to inform shared priorities for the Joint Health and Wellbeing Strategy.

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<sup>6</sup> <https://www.lincolnshire.gov.uk/health-wellbeing/health-wellbeing-board>

<sup>7</sup> <http://www.research-lincs.org.uk/Joint-Strategic-Needs-Assessment.aspx>

### 3. What is a Health Impact Assessment?

“Health Impact Assessment is a combination of procedures, methods and tools that systematically judges the potential, and sometimes unintended, effects of a policy, program or project on the health of a population, and the distribution of those effects within the population. HIA identifies appropriate actions to manage those effects.”

*The European Centre for Healthy Policy (1999) Health Impact Assessment: Main concepts and suggested approach (Gothenburg Consensus), Brussels.*

HIA is a tool to identify and optimise health and wellbeing impacts. The purpose of a HIA is to inform the decision-making process. It is important to ensure that the health impacts of the wider determinants of health are explicitly considered when making planning decisions. HIA is one method for ensuring this is carried out.

A HIA should appraise the potential positive and negative impacts of a proposal on new communities and adjacent existing communities, identify any differential distribution of impacts on health among groups within the population, and suggest actions to minimise any potential negative health impacts and maximise potential positive health impacts.

HIAs can be a freestanding report, or they can be incorporated into another required appraisal, such as an Environmental Impact Assessment, to avoid duplication. Where HIA is integrated into another assessment, it is recommended that a separate chapter is included in the assessment on health impacts, with cross-referencing to other relevant chapters, such as transport, noise, and air quality.

A HIA can be carried out before a proposal is implemented (prospective), done while the proposal is being implemented (concurrent) or done after a proposal is implemented (retrospective). The preference is for a prospective HIA to be undertaken as early as possible, so the HIA has potential to influence decisions being made on the design, layout and composition of the development.

#### What type of HIA should be undertaken?

It is commonly recognised that there are three types of Health Impact Assessment:

- A **Desktop** HIA: This provides a broad overview of potential health impacts. It draws on existing knowledge and evidence and can be carried out quickly (a few hours to a day) and with limited resources.
- A **Rapid** HIA: This is the most common type of HIA. It may take a few days to a few weeks to complete and involves a more detailed assessment of potential health impacts and mitigation measures. It should include a broader range of knowledge and evidence and may involve stakeholder consultation and community involvement.
- A **Full** HIA: This is the most detailed form of HIA and is undertaken when the potential scale and severity of health issues warrant an in-depth investigation. It typically involves quantitative and qualitative information, data from healthy needs assessments and community engagement. This type of HIA may take months to complete and is more suited to large and complex proposals.

The type of HIA required will depend on the type, size, and location of the development scheme as well as the likely implications for local public health issues and health infrastructure. A HIA may fit in between two of these categories, as the approach taken will also depend on timescales and the resources available to undertake the HIA. It is important to use an approach that makes the best use of the resources available.

**For most proposals coming forward in Central Lincolnshire, a desktop HIA in the form of a Healthy Planning Checklist will be sufficient to consider the likely health impacts of the proposal.**

Major development proposals, typically above 1,000 dwellings, (such as the Sustainable Urban Extensions allocated in policy S69 of the Central Lincolnshire Local Plan), are likely to require a more detailed assessment of health impacts, most likely in the form of a Rapid HIA, but potentially a Full HIA. Due to their size and scale, and the fact that they adjoin existing communities, such proposals are likely to affect a range of different population groups across a large geographical area. Therefore, there may be health impacts on existing residents and users of the areas adjoining the development as well as on new residents and users of the development.



## 4. How to Undertake a Health Impact Assessment

HIA is a step process with recognised stages which should be followed to ensure that the assessment is robust. There are 5 main stages to the HIA process summarised in **Table 1** below.

**Table 1. HIA Stages for Planning Applications**

HIA Stage	Description	Planning Application Stage
<b>Stage 1. Screening</b>	<p>Establishes whether a proposal is likely to have an impact on the health of the local population, how it may impact on different population groups and the likely scale of impacts.</p> <p>Allows early consideration of further work and identifies whether there is a need for a more detailed assessment (Rapid or Full HIA).</p>	<p>Pre-application</p> <p>District Councils can advise on need for further HIA work.</p>
<b>Stage 2. Scoping</b>	<p>Decide what type of HIA is required, how in depth it needs to be and what it will focus on.</p> <p>Consider setting up a steering group and agree roles and responsibilities, including who will manage the HIA and who will undertake the HIA. Identify key stakeholders.</p> <p>Identify the methods that will be used in the HIA to gather evidence and assess impacts.</p>	<p>Pre-application</p> <p>District Councils can advise on what the HIA needs to cover.</p>
<b>Stage 3. Assessment</b>	<p>Gather evidence.</p> <p>Describe and assess the likely health impacts of the proposal, including the nature, likelihood, scale and significance and timing of the impacts and their distribution.</p> <p>Consider the effects of the proposal on different population groups, both new and existing, and in relation key health issues and inequalities in the local area.</p> <p>Undertake where appropriate stakeholder and community engagement, via workshops, interviews or focus groups.</p>	<p>Pre-application</p>

HIA Stage	Description	Planning Application Stage
<b>Stage 4. Reporting and Recommendations</b>	Use the findings of the HIA to recommend changes to the proposal to mitigate negative impacts or enhance further positive impacts.	Submission and Validation  Healthy Planning Checklist and/or HIA Report to be submitted to the District Council as part of the planning application.
Decision Making	Assessment of the quality of the HIA, how the recommendations have been considered in the proposal and whether any negative impact on health (after mitigation) are acceptable or not.  The District Council accepts the HIA or requests further work to be undertaken.	Planning Decision  HIA is considered by the District Council alongside other material considerations and a decision is made on the application
<b>Stage 5. Monitoring and evaluation</b>	Details as to how the recommendations will be monitored and for what timeframe.  Evaluate the HIA process to consider whether and how well the HIA worked and what could be done differently in the future.	Commencement of Development

### HIA Screening - Healthy Planning Checklist

The District Councils have prepared a Healthy Planning Checklist for use by applicants as a desktop HIA to be completed at the pre-application stage, for both Outline and Full applications. The Healthy Planning Checklist can also be used as a screening tool. Screening involves quickly assessing the likely impacts of a proposal on health and deciding whether to do a more detailed HIA. The Councils expect the Healthy Planning Checklist to be completed proportionate to the size of the development scheme.

The screening assessment should cover potential impacts arising from construction, the potential impacts of the development itself, and the impacts on residents and occupiers neighbouring the site, as well as the development's future residents and/or occupiers.

Generally, the larger the development the more detail is expected in terms of the description of impacts and proposed mitigation measures, whereas smaller developments are more likely to require a brief summary.

**All development proposals of 150 dwellings, or 5 hectares or more for non-residential developments, should complete the Healthy Planning Checklist, or an alternative screening tool, and submit as part of the planning application.**

Undertaking HIA screening at an early stage will help applicants to address any health impacts of their proposals whilst minimising the need to make potentially costly changes to their plans at a later stage following submission of a planning application.

## Further HIA

If the screening process, through the completion of the Healthy Planning Checklist or alternative screening tool, identifies the need for a Rapid or Full HIA, it is recommended that the applicant agrees the scope of the HIA with the relevant District Council before the HIA is started, using the outcome of the screening assessment to inform the scope.

Commissioning and preparing a HIA is the responsibility of the applicant and should be done as part of the pre-application process. The District Council, in liaison with Lincolnshire County Council Public Health Team, can provide advice as to what the HIA should cover.

The Healthy Planning Checklist, or alternative screening assessment, and Final HIA Report should be submitted with the planning application. Applicants should show how the recommendations from the HIA Report have been taken account of in the planning application. The Local Planning Authorities may use the expertise of the Public Health Team to help assess the quality of HIAs submitted. It will be considered along with all other planning application documentation and consultation responses.

There is no one agreed methodology for undertaking a HIA, however some useful resources are listed in **Appendix 1**. For example, the London Healthy Development Unit<sup>8</sup> have published a Rapid Health Impact Assessment Tool that focuses on the built environment and issues directly or indirectly influenced by planning decisions and which could be used to complete a Rapid HIA.

## Quality Review of the HIA

The relevant District Council will evaluate the quality of HIAs submitted to ensure they are 'fit for purpose' as required by Policy S54 Health and Wellbeing in the Central Lincolnshire Local Plan. The Councils will consider the following criteria when forming a view as to the quality of a HIA report and whether further work is needed to address any shortfalls.

### Assessment of Impacts

- Has the HIA process and methodology been clearly described?
- Have the potential health impacts been identified, including both positive and negative?
- Has the nature of impacts been considered, for example, are they direct or indirect, permanent, or temporary? Has the severity and magnitude of the impacts been considered?
- Have the potential impacts been considered in relation to a population and public health profile? Is there a breakdown of the different population groups potentially affected?
- Have inequalities in the distribution of potential impacts been considered?
- Are the identified impacts supported by evidence/knowledge along with a description of the methods used and any participation undertaken?
- Are cumulative impacts considered?

### Reporting and Recommendations

- Is there a description of the proposal and the physical characteristics of the proposed development site and surrounding area?
- Does the report include a health profile for the local population?
- Does the report describe the screening and scoping stages and outcomes?

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<sup>8</sup> <https://www.healthyurbandevelopment.nhs.uk/our-services/delivering-healthy-urban-development/health-impact-assessment/>

- Is there a description of how quantitative and qualitative evidence was gathered and analysed?
- Is it clear how stakeholder and/or community engagement has influenced the HIA?
- Does the report clearly set out any limitations or constraints encountered in undertaking the HIA?
- Is there a clear and concise discussion of the key recommendations to reduce negative impacts and enhance positive impacts and are the recommendations evidence based?
- Are plans for future monitoring of mitigation measures included?
- Is there a clear list/table of proposed mitigation measures and what level of commitment has been given to implement these measures?

## Appendix 1: Further Information and Resources

This section of the guidance signposts to various data sources and guidance documents that applicants may wish to use when considering the health implications of their schemes and can be used to inform the preparation of HIAs.

### Contact Details

**City of Lincoln Planning** – 01522 873474

**North Kesteven Planning** – 01529 414155

**West Lindsey Planning** – 01427 676676

**Lincolnshire Public Health, Wider Determinants Team** - 01522 552222

**Central Lincolnshire Local Plan Team** - 01529 414155

### Data Sources

**Lincolnshire Research Observatory** Provides useful data on a variety of topics at different geographies, including profiles for each Clinical Commissioning Group. Data can be gathered using various tools including interactive mapping. The website hosts data for the Lincolnshire Joint Strategic Needs Assessment.

<http://www.research-lincs.org.uk>

**Office for Health Improvement & Disparities Fingertips Public Health Data** Fingertips is a web based resource that provides access to a wide range of health related data in thematic profiles, including 'Health Profiles', which provide a snapshot overview of health for each local authority in England, and 'Public Health Outcomes Framework' which includes a wide range of indicators.

<http://fingertips.phe.org.uk/>

**Office for Health Improvement & Disparities Local Health** A web based resource that presents health data at a small area geography, through interactive mapping and reports. Areas can be combined to create bespoke geographies and can be compared to the national average.

<http://www.localhealth.org.uk>

## Further Information and General Guidance Documents

### Websites

- Healthy Urban Development Unit  
[www.healthyurbandevelopment.nhs.uk](http://www.healthyurbandevelopment.nhs.uk)
- Lincolnshire County Council  
<https://www.lincolnshire.gov.uk>
- Office for Health Improvement and Disparities  
[www.gov.uk/government/organisations/office-for-health-improvement-and-disparities](http://www.gov.uk/government/organisations/office-for-health-improvement-and-disparities)
- Royal Town Planning Institute  
<https://www.rtpi.org.uk>
- Sport England  
[www.sportengland.org](http://www.sportengland.org)
- Town and Country Planning Association  
[www.tcpa.org.uk](http://www.tcpa.org.uk)
- Urban Design Group – Building for a Healthy Life  
<https://www.udg.org.uk/publications/othermanuals/building-healthy-life>

## **Published Reports**

### **Health Impact Assessments**

Ben Cave Associates (2009) A Review Package for Health Impact Assessment Reports of Development Projects

[Health England \(2020\) Health Impact Assessment in spatial planning. A guide for local authority public health and planning teams](#)

[Healthy Urban Development Unit \(2019\) Rapid Health Impact Assessment Tool, 4<sup>th</sup> edition](#)

[Healthy Urban Development Unit \(2017\) Healthy Urban Planning Checklist, 3<sup>rd</sup> Edition](#)

[Institute of Public Health Ireland \(2021\) Health Impact Assessment Guidance: A Manual](#)

[Wales HIA Support Unit \(2021\) Health Impact Assessment – A Practical Guide](#)

### **Healthy Planning**

[Natural England Green Infrastructure Framework 2022](#)

[Public Health England \(2017\) Spatial Planning for Health: An evidence resource for planning and designing healthier places](#)

[Public Health England \(2020\) Using the planning system to promote healthy weight environments](#)

[RTPI \(2020\) Dementia and Town Planning. Creating better environments for people living with dementia](#)

[RTPI \(2020\) Mental Health and Town Planning. Building in resilience](#)

[RTPI \(2022\) Housing for Older People. Planning for the Future](#)

[Sport England Active Design: Planning for health and wellbeing through sport and physical activity](#)

[Sport England \(2015\) Action Design Checklist](#)

[Town and County Planning Association \(2017\) Creating health promoting environments](#)

[Town and Country Planning Association \(2014\) Planning Healthy Weight Environments](#)

[Town and Country Planning Association \(2015\) Public Health in Planning: Good Practice Guide](#)

[Urban Land Institute \(2015\) Building Healthy Places Toolkit](#)

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This document is also available in large print, Braille, different languages, on audio tape and CD. If you would like a copy of the document in one of these formats, please contact the Central Lincolnshire Local Plan Team via the details above.