

North Lincolnshire Local Plan Publication Draft Addendum – Frequently Asked Questions

What is a Local Plan?

A Local Plan sets out where new homes, workplaces and other developments should be built to meet the area's future needs, while conserving an area's most valuable environmental assets. The Local Plan provides policies and guidance on how planning applications are determined.

What will the North Lincolnshire Local Plan 2020-2038 do?

North Lincolnshire Local Plan 2020-2038 when adopted will:

- Provide the strategy for the use of land and buildings up to 2038.
- Set out where future homes, employment areas and services such as shops and community facilities should be located.
- Set out how the historic and natural environments should be conserved and enhanced.
- Guide decisions on planning applications

Once formally adopted, the North Lincolnshire Local Plan 2020-2038 will replace the policies in the current North Lincolnshire Local Plan May 2003, Core Strategy Development Plan Document 2011, Housing and Employment Land Allocation Development Plan Document 2016 and Lincolnshire Lakes Area Acton Plan 2016.

What have we done already?

The preparation of the North Lincolnshire Local Plan 2020-2038 has been informed by:

- National policy and legislation
- Extensive evidence gathering and technical assessment.
- Ongoing liaison with neighbouring authorities, statutory bodies, and infrastructure providers
- Feedback gained through formal consultation.

Four rounds of public consultation have already been undertaken in accordance with Regulation 18 and 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Localism Act 2011. These sought views and comments on:

- Stage 1: Initial Consultation 2017
- Stage 2: Issues and Options 2018
- Stage 3: Preferred Options 2020
- Stage 4: Publication Draft 2021

All consultations have been carried out in compliance with the Council's Statement of Community Involvement and a summary of comments and main findings for each of the consultation stages can be found on our website.

I submitted comments during the preceding Regulation 18 consultations. What was the outcome of those consultations, how have my comments been taken into account?

The Statement of Consultation sets out the comments received during the previous consultation stages, and the Council's responses to them. It is available to view and download on the Council's website at <https://localplan.northlincs.gov.uk/sci> . All comments made on the Regulation 18 consultations have been considered. Together with the latest evidence studies, with Government policy and guidance, these have informed the preparation of the Publication Plan.

What is being consulted on now?

We are inviting representations on the Publication Draft Addendum of the North Lincolnshire Local Plan 2020 - 2038 in line with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Between October and December 2021, the council consulted on the Publication Version (Regulation 19) of the Local Plan. This was the preferred strategy, and the plan that it is intended to submit to the Planning Inspectorate for examination. However, in response to a handful of representations made during the consultation a focussed number of changes are proposed to the Local Plan.

National planning practice guidance and the Planning Inspectorate advises that if a local authority wishes to make changes to the Publication Plan once it has been consulted upon, and they wish the changes to be considered alongside the Publication Plan, they should prepare an addendum to the plan containing the proposed changes. This should be published for consultation before the plan is submitted for examination.

The proposed changes are published for consultation on the same basis as the Regulation 19 consultation that was undertaken on the North Lincolnshire Local Plan 2020-2038: Publication Draft between October and December 2021. As such, they should be considered as an Addendum to the Publication Plan.

This Addendum is not a fully revised version of the Publication Plan. It only contains the **proposed focussed changes** and any associated modifications to boundaries on the Policies Map.

A Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA) of the proposed changes to the Plan accompany this Addendum.

A number of other proposed submission documents and evidence base documents which were published alongside the Publication Plan have been reviewed and updated to support this Addendum.

To ensure the proposed changes to the Local Plan are fully considered by the Inspector as part of the submission plan, a Regulation 19 Consultation will be taking place on the Publication Draft Addendum of the North Lincolnshire Local Plan 2020-2038 alongside the updated policies map, updated proposed submission documents and associated evidence base. This consultation gives the community and stakeholders an opportunity to comment on the **proposed modifications only**.

All representations made during the Regulation 19 consultation period and the previous stage are passed to the Inspector appointed by Government to examine the Local Plan for them to consider as part of the Examination in Public so they do not need to be resubmitted.

What does 'Regulation 19' mean?

Regulation 19 is part of the Town and Country Planning (Local Planning) (England) Regulations 2012. It says that, before submitting a draft Local Plan to the Government's Planning Inspectorate for independent examination, the Council must publish a draft of the Local Plan and formally invite comments (known as representations) on it. This version of the Local Plan is known as the Publication Plan.

The Regulations make clear that the Council must inform and invite representations/comments, not just from consultation bodies like the Environment Agency, Natural England and Historic England, but also from residents and businesses in the area covered by the Local Plan. The Regulation 19 consultation no longer seeks views on alternative options, but instead presents the opportunity to comment on the content of the Local Plan, within a specific remit. The focus/sole purpose for this consultation relates to receiving representations on:

- Legal Compliance – does the plan meet the legal requirements made under various statutes?
- Soundness – has the plan been positively prepared, justified, effective, and consistent with national policy?
- Meets the Duty to Cooperate – has the Council engaged and worked effectively with neighbouring authorities and statutory bodies?

What is legal compliance?

If you are seeking to make representations on the way in which North Lincolnshire Council has prepared the North Lincolnshire Local Plan 2020 - 2038, then your comment is likely best submitted against the matter of legal compliance.

At examination, the Inspector will first check that the Plan meets the legal requirements with which plan-making should accord as set out in legislation including:

- The Planning and Compulsory Purchase Act 2004
- Town and Country Planning (Local Planning) (England) Regulations 2012, the Localism Act (2011)
- The Neighbourhood Planning Act (2017)
- The Public Sector Equality Duty contained in section 149 of the Equality Act 2010
- European Directives and English Regulations where they are relevant to statutory environmental assessments such as Sustainability Appraisal and Habitats Regulations Assessment.

Comments relating to legal compliance must be specific, stating how and why they believe the plan is, or is not, legally compliant and support this with evidence and justification in the context of the legislation.

What is Soundness?

The tests of soundness against which the plan will be assessed are set out at Paragraph 35 of the National Planning Policy Framework (NPPF). Soundness means asking whether or not the Plan is 'fit for purpose' and 'showing good judgement'. The Examination will explore and investigate the Plan against the [Government's four 'tests of soundness'](#)

In determining whether the North Lincolnshire Local Plan 2020 - 2038 meets these tests and can be considered to have been soundly prepared, the Inspector has to be satisfied that the Plan has been:

- **Positively Prepared:** The Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements. This includes accommodating unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development. Where an authority has not met development needs in full, a Plan, supported by evidence, must justify why needs are not met and what steps were taken in seeking to meet them.
- **Justified:** The Plan should be the most appropriate strategy when considered against reasonable alternatives, based on proportionate evidence.
Effective: The Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.
- **Consistent with national policy:** The Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF. Comments relating to soundness must be specific in terms of how and why they believe the plan is, or is not, sound referencing the tests relevant to the comment. Comments must be supported by evidence and justification.

What is the Duty to Cooperate?

The requirements of the Duty to Cooperate (DtC) are set out in Section 110 of the Localism Act 2011 and Section 33A of the Planning and Compulsory Purchase Act 2004. In short, the legislation requires all Local Planning Authorities to demonstrate that they have had active and on-going cooperation with key bodies, such as neighbouring authorities and other statutory bodies on strategic matters, including infrastructure, housing and employment needs and flooding. Comments relating to the Duty to Cooperate must be specific in terms of how and why they believe the plan has, or has not met its Duty, and support this with evidence and justification.

Where can I view the documents undergoing consultation?

- The documents undergoing formal consultation are:
- North Lincolnshire Local Plan 2020 - 2038 (Regulation 19 Draft Addendum)
- Local Plan: Policies Revised Proposal Map 2022
- Revised Local Plan 2020-2038 Key Addendum
- Revised 05 - Barnetby le Wold Inset Map
- Revised 07- Barton upon Humber Inset Map
- New 07a - Barton Upon Humber Proposed Link Road Map
- Publication Addendum Draft Sustainability Appraisal
- Publication Addendum Draft Habitats Regulations Assessment

In addition to these documents there is some updated supporting evidence which is published alongside the North Lincolnshire Local Plan 2020 - 2038. These do not form part of the statutory documents being consulted on, however, where relevant, evidence can be referenced in support of the comment(s) you are making.

The North Lincolnshire Local Plan 2020 - 2038 Regulation 19 consultation documents and associated evidence base can be viewed on the Council's website at: <https://localplan.northlincs.gov.uk>

How do I make my representations on the Publication Draft Addendum Plan?

Comments on the Publication Addendum Draft Plan must be made in writing on the **proposed focussed changes only** as the council are not consulting on the entire contents of the plan as this was done at the Publication stage. At this stage, representations must relate only matters of legal compliance, the 'tests of soundness' and compliance with the Duty to Cooperate. If possible, we encourage people to submit comments through the online form.

The consultation response form;

- Questions 1 and 2: Personal details: these are required and need only be provided once.
- Questions 3- 9: Your representation(s).

You must state which paragraph, policy or policies map you are commenting on and which of the three criteria you are referring to. Please provide as much detail as you can when explaining why you think the Council has or hasn't met the three criteria of legal compliance, soundness or meets the duty to cooperate.

You are required to complete separate comments box for each representation you make. For example, you may wish to comment on a paragraph of text, a proposed policy and a site allocation. Each of these representations would need to be put into separate comments boxes. This is so that the Inspector can view the representations on a particular chapter, policy or site together.

If you are unable to comment using the online system, the response form can be requested from localplan@northlincs.gov.uk. This can be completed and sent via this email address also.

For those who cannot access a computer, paper copies of the response form are available on request by emailing localplan@northlincs.gov.uk or telephoning 01724 296694. Response forms can be sent by post to the

Place Planning and Housing Team

Economy & Growth

Business Development

North Lincolnshire Council

Church Square House

30 -40 High Street

Scunthorpe

DN15 6DL

Consultation runs from 5pm Monday 30th May and closes at 5pm Monday 11th July 2022.

Why do I have to give my personal details?

The Council is unable to accept anonymous comments and for a comment to be formally accepted, a name and contact address (preferably e-mail) must be provided. If an agent or consultant has been engaged to act on your behalf, please fill in only your name then the agent's details in full. All correspondence will then be sent directly to the agent, unless otherwise specified clearly on the form.

In submitting comments to this consultation, we are required, under the Town and Country Planning (Local Planning) (England) Regulations 2012, to notify you when the independent examination will take place. We will use the contact details you have provided to do this. Please note: At the end of the consultation period all comments will be made public and will be submitted to the Secretary of State along with the Local Plan and other relevant supporting documents.

It is important that the Inspector and all participants in the examination process are able to know who has given feedback on the plan. Therefore, all feedback received, including contact details, will be passed onto the Inspector. In addition, all comments will be made public on our website including the names of those who submitted them. All other personal information will remain confidential.

In line with General Data Protection Regulations (2018), your details are stored on a secure system and are used only for the purposes of consultation for the Local Plan and associated documents. If you do not wish to receive further updates from the Council in relation to the Local Plan once it has been adopted, please email localplan@northlincs.gov.uk. The Council reserves the right not to publish or take into account any representations which are openly offensive or contain comments that do not accord with the Equalities Act 2010.

When does the representation period for the Publication Draft Addendum begin and end?

The representation period begins on 5pm 30th May 2022, and comments should be received by us by 5pm on Monday 11th July 2022. **Only those representations made within this period will be taken into account by the Inspector as part of the examination.** As stated previously all representations made during the Regulation 19 consultation period and the previous stages are passed to the Inspector appointed by Government to examine the Local Plan for them to consider as part of the Examination in Public so they do not need to be resubmitted.

What will happen to my comments or representations, once I have made them?

Representations received will be reviewed, made public on the Council's website, and formally submitted with the Publication Plan and other supporting documents to the Government's Planning Inspectorate for independent examination.

What happens next?

Following consideration of your feedback and any amendments that are required, we will submit the Local Plan to the Government for approval. A planning inspector will be appointed to consider the Plan and comments from the consultation on behalf of the Secretary of State.

If you wish to take part in the hearing session(s) you must outline why you think this is necessary, in your representations at this time. The Inspector will decide the most appropriate procedure to hear from members of the public who would like to participate in hearing(s). This may be in writing, or they may invite you to attend and speak at the hearing sessions.

It is vital that you express your wish to engage in the examination at this stage. Not doing so may mean that you do not have the ability to write to or speak at the hearings. You can always change your mind later but without indicating a potential wish now, there is no way for the Inspector, or their Programme Officer, to know to contact you.