

## **EXAM 10**

### **Examination of North Lincolnshire Local Plan 2020-2038**

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Mr Durham  
Place Planning Team  
North Lincolnshire Council  
Church Square House  
30-40 High Street  
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DN15 6NL

5 February 2024

Dear Mr Durham

#### **Exploratory Meeting**

##### Introduction

1. We are writing further to the Exploratory Meeting (EM) held on 23 January 2024. We found the meeting very useful in aiding our understanding of the issues that have faced the Council since the submission of the Plan as well as ongoing challenges. This letter seeks to deal with the matters discussed at the meeting and provide some guidance to the Council in relation to the next steps of the examination.

##### Gypsy and traveller site

2. Your letter of 20 October 2023 (EXAM 7A) informed us that you had identified a gypsy and traveller site to meet the unmet needs of the gypsy and traveller community identified in the Gypsy and Traveller Accommodation Assessment (GTAA). This was followed by a more detailed letter dated 11 January 2024 (EXAM 1R). At our request you have not disclosed the location of this site.

However, in replying to this letter can you please advise us where the site is and in doing so also provide an ordnance survey based plan with the site marked on it please. Can you also provide information about its deliverability and whether the site is likely to be a private site or a public site.

3. As discussed at the EM, this site will need to be consulted upon for at least 6 weeks and it will need to be a full consultation, akin to a Regulation 19 consultation. The resultant representations will also need to be collated and responses from the Council provided (as in EXAM 1P and 1Q).
4. Prior to carrying out the consultation work you will need to update your sustainability appraisal work to include this site and carry out work to test its viability. In addition, you said at the EM that the site is in a high flood risk area. As such you will need to follow the advice in the National Planning Policy Framework (the Framework) and Planning Practice Guidance (PPG) in relation to plan making and flood risk. You will also need to consider whether evidence is required in relation to any other constraints.
5. When replying to this letter can you provide a realistic timescale for carrying out this work please. This will then enable us to provisionally timetable and arrange the first stage of hearings of the examination as set out below.

#### Biodiversity

6. The Council has produced a Briefing Paper regarding the current position with Natural England (EXAM 1T and associated documents). This includes a number of suggested changes to the Plan to address Natural England's concerns. Whilst no response to these from Natural England has yet been received, discussions should continue with the aim of producing an agreed and signed Statement of Common Ground.
7. We appreciate that this may in practice include a number of areas of disagreement, it will nevertheless be useful in narrowing down the issues for discussion. It will also be important for Natural England to attend the relevant hearing sessions to ensure that the remaining areas of disagreement can be

discussed, and the evidence properly tested.

### Minerals and Waste

8. As mentioned at the EM, we would like the Council to prepare two topic papers, one each for minerals and waste. Topic papers are essentially a summary of the evidence base and how it, along with consultation responses, have been used to inform and explain the development of a strategy and policies for a particular topic area. In this case, it is also a useful opportunity to consolidate information by drawing on the Council's responses to the Inspectors' Initial Questions. This will aid participants at the hearing sessions and will allow the Council to refer to the topic papers in their responses to the forthcoming Matters Issues and Questions (MIQs).
9. Whilst the structure, format and content of the topic papers are a matter for the Council to explain their Plan, some general guidance was requested by the Council.
10. For minerals it would typically include matters such as a summary of the local geology and mineral resource, the need/demand/requirement for each mineral in the plan area, information on existing reserves permitted/allocated for each mineral, information on existing and proposed sites and their timescale for restoration, how existing commitments reflect any landbank requirement or need for each mineral, details about how any shortfall across the plan period would be addressed for each mineral, explain the selection process for allocations/areas of search or similar, details of whether any alternative sites or approaches have been explored and how site selection reflects the wider spatial strategy.
11. There should also be a summary of how the results of the sustainability appraisal and consultation responses have influenced the Plan preparation and how other factors could influence the strategy, market economy, and major infrastructure schemes which might give influence local mineral requirements. Another strategic matter is mineral safeguarding, in terms of resources, permitted sites and the need to safeguard minerals infrastructure. The topic

paper should set out the rationale and justification for the choice of the mineral specific development management policies proposed and whether there is any duplication of development management issues which might be already covered by criteria contained within other policies in the Plan.

12. For waste, a topic paper would go through a similar summary process for each type of waste with the added point of some explanation of the geographical relationship of waste sites and allocations to where the waste will be arising across the Plan area. For waste, it is even more important to explain the spatial correlation between the source of waste arisings and where waste management occurs, including how this relates to the emerging wider spatial strategy.

#### Way forward and conclusion

13. We look forward to hearing from you as soon as possible. This will then enable us to provisionally arrange for the first stage of hearings to take place. These will be likely to cover strategic matters (including the gypsy and traveller site following the necessary consultation set out above).
14. In terms of process, following the outcome of the work associated with the introduction of the gypsy and traveller site, the next step will be for us to determine the MIQs for discussion at the hearings. We will also prepare an initial hearings timetable and a guidance note for participants at this time.
15. These will be published before the hearings and will allow the Council to advertise the opening of the hearings at least 6 weeks in advance. The Council and other participants will be given the opportunity to submit statements in relation to the MIQs. In practice, the period following the publication of our MIQs and the run up to the hearings is busy for all involved and it is likely that more than 6 weeks will be built into the programme.
16. A schedule of suggested Main Modifications (EXAM 1M) has been produced to support and explain the Council's responses to our Initial Questions. The text of these will in most cases be discussed at the hearing sessions and agreement

reached as to whether they are necessary to make the Plan sound and legally compliant. The Council will need to work with the Inspectors to prepare the final version of these after the final hearing sessions. Following any necessary sustainability appraisal or Habitats Regulation Assessment, they will then be the subject of public consultation.

17. With this in mind, it would be helpful if you could update the schedule of suggested Main Modifications to reflect the latest position in terms of proposed changes to the Plan. This would allow these potential changes to be considered in drafting the MIQs and hearing statements and subsequently discussed at the hearings.
18. If you have any queries, we can be contacted via the Programme Officer. A copy of this letter and the Council's response should be placed on the examination website as soon as possible. We are not inviting replies from any other parties.

*Elaine Worthington, Louise Crosby and Rachael Bust*

Examining Inspectors