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North Lincolnshire Council

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To the Inspectors for examining the North Lincolnshire
Local Plan via Ian Kemp- Programme Officer
Via Email to:
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Dear Inspectors: Elaine Worthington MTP MUED MRTPI, Louise Crosby MA MRTPI and Rachael Bust
BSc (Hons) MA MSc LLM PhD MInstLM MCMi MEnvSci MRTPI

RE: INSPECTORS' INITIAL QUESTIONS

Thank you for your letter of the 15 December 2022 with your initial questions regarding the North
Lincolnshire Local Plan. Please see the Council's response to each of your questions below in turn.

The Plan to be examined

To confirm, the Plan that we are examining is the Proposed Submission North Lincolnshire Local Plan
(2022) (the Plan). It is our understanding that this is exactly the same as the North Lincolnshire Local
Plan, Publication Draft Addendum Plan, May 2022, except for the change of title and date on the front
cover and that all of the red 'tracked changes' text has been 'accepted' and turned black. It is our
understanding that the Plan has been subject to Regulation 19 consultation prior to it being submitted
for examination.

**IQ1 Can the Council please let us know if any of these assumptions regarding the Plan to be
examined are incorrect?**

Council's Response:

We confirm that your understanding of the Plan to be examined as set out above is correct.

The scope of the Plan

**IQ2 Can the Council please direct us to where the schedule of superseded policies is within
the plan?**

Council's Response:

The New Local Plan website states that once the new Local Plan is adopted 'it will replace the current
North Lincolnshire Core Strategy and the Housing and Employment Land Allocations Development
Plan Documents (DPDs).' We agree a formal schedule of superseded policies is needed and have
proposed a modification to the plan that adds a schedule of superseded policies to a new appendix to
the Plan. For clarity the schedule is attached to this letter as appendix A

IQ3 Bearing in mind this advice in the Framework are the strategic policies identified at paragraph 1.38 of the Plan appropriate? Have the strategic policies been identified in accordance with the advice in the Framework?

In terms of strategic policies, it is assumed that reference should be made to paragraphs 20 to 23 of the NPPF, not 31 as stated in your letter. In light of the NPPF, we agree that amendments to the strategic policies identified in paragraph 1.38 of the Plan are needed. These have been identified in a proposed modification to the Plan. The effect of the modification means that only the following policies would be classed as strategic:

Policies SS1, SS2, SS3, SS5, SS6, SS7, SS8, SS9, SS10, H3, H5, H6, EC1, EC5, TC1, TC2, DQE1, DQE3, DQE5, DQE6, DQE7, DQE11, HE1, HE2, CSC1, CSC2, CSC3, CSC8, CSC10, MIN1, MIN2, MIN3, MIN4, MIN5, MIN6, WAS1, WAS2, WAS3, WAS4, WAS5, T3, T6, T7, T8, DM1, DM4 and ID1.

IQ4 How many made NPs are there? (paragraph 1.32 of the Plan refers to two but this does not correspond with paragraph 4.31 of the Plan which refers to one). Are the policies in the Plan intended to apply to areas covered by made NPs? Are there any instances of duplication of NP policies? How do the policies in the Plan take into account the made NPs? Are any of the NP policies intended to be superseded by the policies in the Plan? Does the Plan make appropriate reference to the policies and proposals in the NPs?

Council's Response:

In North Lincolnshire, the parishes of Appleby and Worlaby both have an adopted Neighbourhood Plan, and a further fourteen communities have designated Neighbourhood Areas. Those additional communities with designated Neighbourhood Areas are: Barrow upon Humber; Barton upon Humber; Bonby; Bottesford & Yaddletorpe; Brigg; Elsham; Goxhill; Haxey; Kirton in Lindsey; Saxby all Saints; Scawby; South Ferriby; Winterringham; and Winterton. Of those fourteen neighbourhoods, three are currently actively working on developing a neighbourhood plan: Barrow upon Humber; Barton upon Humber; and Bottesford & Yaddletorpe. A proposed modification amends paragraph 4.31 of the Plan accordingly.

The policies within the Local Plan are intended to cover the two Parishes that have made Neighbourhood Plans in place. Our view is the plans complement, rather than duplicate one another. There are no conflicting policies. Paragraph 30 of the NPPF addresses any potential duplication between Neighbourhood and Local Plans by confirming, 'Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.' It is not proposed for the Local Plan to supersede any made Neighbourhood Plan policies.

The nature of the two made Neighbourhood Plans containing very locally specific policies means it would be very difficult for the Local Plan to change its policies to respond to them. The Local Plan is an authority wide plan and so most of its policies are intended to be applicable in appropriate circumstances across the whole area. As such, it would be difficult to amend these to match very local circumstances in only one or two Parishes without compromising the effective application of policy across the rest of North Lincolnshire. Any limited duplication of policies is best addressed by paragraph 30 of the NPPF as noted above, which gives the Neighbourhood Plan primacy in such circumstances. Given all of the above, it is considered that the Plan makes appropriate reference to Neighbourhood Plans.

The scope of the Plan

IQ5 Has the Council provided a statement confirming that the relevant procedural and legal requirements have been complied with and if not, can this please be provided?

Council's Response:

A document setting out how we have met the Duty to Cooperate was prepared. However as much of this repeated content already within the submitted Statement of Common Ground it was not submitted. The document has now been updated and is submitted alongside this letter as appendix B ('Statement of Compliance with the Duty to Cooperate Dec '22').

IQ6 Are there any outstanding objections from neighbouring authorities? Doncaster Metropolitan Borough Council has not signed the SOCG but we can see no explanation as to why this is so?

There are no outstanding objections from neighbouring authorities. Doncaster signed the Statement of Common Ground on the 15th November 2022 after a slight delay getting a signature from the appropriate portfolio holder. The Council would like to emphasise that a lack of signatures is not a sign of an outstanding issue, unless otherwise stated in the statement. We had secured agreement in principle from the vast majority of signatories on the contents of the Statement. It was then predominantly an administrative issue in gaining the necessary signatures. The latest Statement of Common Ground with the vast majority of signatures included has now been submitted into the examination alongside this letter- Appendix C. If the inspectors have any particular concerns regarding any of the bodies who have yet to sign the statement, we would be happy to provide more details on an individual organisation basis.

IQ7 What are the outstanding matters (areas of disagreement or 'uncommon ground') that need to be addressed and what is the process for reaching agreements on these? What progress has been made with the on-going discussions referred to and what is the timeframe for these? When are the additional SOCGs referred to expected to be signed? Has the Council included any agreed wording arising from the full SOCG or the additional SOCGs in a schedule of Main Modifications (MMs)?

Council's Response:

Natural England aside there are a number of organisations where it is acknowledged that further discussion and agreement is required. The Council will not always be directly involved in future discussions and the issues involved cannot be resolved upfront prior to adoption of the Local Plan.

The **Environment Agency** have signed the general Statement of Common Ground, but this is on the agreement that it cannot agree there are no outstanding unresolved issues. However, all the EA's proposed changes to agreements and supplementary text in this Statement of Common Ground have been taken on board and incorporated into refreshed versions of the document. Ideally it would like confirmation from Anglian Water that it will provide the necessary sewage treatment capacity at a number of Water Recycling Centres (WRCs or Sewage Treatment Works) to serve proposed new Local Plan development. The Environment Agency and Anglian Water are progressing work on permit reviews for the WRCs at Brigg (also serving Wrawby), Hibaldstow (also serving Scawby) and North Ferry WRC (serving Goxhill and Barrow), to ensure that growth can be accommodated after 2035.

The EA noted the council received comments from Anglian Water in relation to two proposed housing sites in Barton upon Humber (H1P-12 and H1P-13), stating that improvements will be required to the water recycling centre. The EA were concerned to ensure these improvements could be provided. However as stated below, Anglian Water is looking to use existing facilities headroom where infrastructure is already provided and so not have to build new infrastructure with its attendant carbon impacts. Infrastructure would not be provided until it is needed, so is not provided in advance of development occurring.

Anglian Water have pledged to deliver net zero by 2030. Going forward, providing more infrastructure for new facilities will not be a priority. They are looking to use headroom capacity at existing facilities more efficiently and in the most sustainable locations where infrastructure is already provided and so not have to build new infrastructure with its attendant carbon impacts. Anglian Water's new draft plans set this approach out and the preference for nature-based solutions within catchments. The focus is on reducing both operational and capital (embedded) carbon to achieve zero carbon by 2030 alongside reducing water consumption in households to reduce the energy needed to treat and move water and recycle and reuse water within the environment. Again, new infrastructure would not be provided until it is needed.

The Environment Agency and Anglian Water requested that the tighter water standards (building regulations) of 110l/person/day are built into the local plan policy. This change has been made accordingly. Availability of non-potable water for abstraction for industry is extremely limited as set out in the Environment Agency Abstraction Licensing Strategies. Continued liaison will take place with neighbouring authorities as well as the Environment Agency, Marine Management Organisation (in terms of Objective 6 in the East Marine Plans) and utility companies, as appropriate.

In engaging in planning the spatial distribution of growth, Anglian Water primarily seek to support North Lincolnshire Council to most effectively identify and use existing infrastructure capacity and the embedded (capital) carbon in that infrastructure and so identify the most sustainable locations for growth. North Lincolnshire Council will be looking to support the Water Resources and Drainage and Waste Water Plans of Anglian Water as they are progressed over the next 18 months insofar as they plan to reduce demand for water from existing and new developments to improve resource efficiency and limit the need for new infrastructure to support growth. Through the exchange of information now and during the next series of Plans, AW, North Lincolnshire Council and the EA will consider the role that planning conditions can have alongside education, sustainable design and more efficient white goods and fittings to reduce water demand and the amount of waste water requiring off-site treatment.

Anglian Water discussed with the EA the preference for future plans to apply the sustainability hierarchy and so utilise existing infrastructure to reduce emissions from building new infrastructure to support growth. Anglian Water would want to support the Council in its plans to tackle climate change in particular via work on planning, land use, and infrastructure to take action on reducing emissions.

Severn Trent Water are happy to continue to liaise with all parties involved with providing capacity for growth, including Lincolnshire Lakes. However, until such time as their wastewater capacity improvements have been carried out they cannot agree that there are no outstanding unresolved strategic issues. They do have a project in place to resolve the issues relating to sewerage capacity for Lincolnshire Lakes, but as this has not been completed there are still issues that need to be resolved. Discussions are ongoing between the Council and Severn Trent Water, but given the nature of the statutory wastewater treatment and clean water undertaker asset management process it is not possible for Severn Trent Water to provide infrastructure until the developments it serves begins to take place. For example, a new trunk sewer to Yaddleshope Sewage Works is needed and is included in their investment plan, but spending on this will not commence until there is more certainty over development taking place.

Severn Trent Water work with the Environment Agency to develop a programme of works that meet their fair share of water quality improvements, looking to limit the impact of their assets on the environment. However, the Water Industry National Environment Programme (WINEP) has only been developed for the next AMP period (5 years); as the Local plan is intended to cover a longer time frame, Severn Trent cannot commit to a statement that details all issues are resolved. A meeting was held between Severn Trent Water and North Lincolnshire Council in September 2021 discuss the above issues and if/how they could be resolved prior to the Local Plan Examination. Discussions are ongoing. A meeting was held in March 2022 to discuss outstanding issues. It led to agreement that all policies for proposed housing sites and for proposed employment sites should include reference to early engagement being required with the utility and service providers in order to establish available supply capacity and, depending on the type of proposal, what reinforcement will be required.

Severn Trent anticipate that climate change will have an impact on the performance of some of their assets and that schemes will need to be carried out to mitigate these impacts. As such, further assessments and investigations will need to be undertaken to better understand how wider climate change will impact on sewer performance. The recent publication of their Drainage and Wastewater Management Plan (DWMP) looks to address some of this. The DWMP provides robust evidence to support and inform STW's business plan covering the period from 2025-30 to ensure short-term investment needs align with the longer-term needs of their catchments up to 2050 and beyond. The DWMP is a milestone for STW as it sets out how they are going to address issues such as flooding and sewerage management and keep pace with the challenges arising from population growth and climate change. It will be reviewed and updated every five years to account for industry developments and to update their assumptions, especially around climate change.

STW are supportive of the approach to develop a Supplementary Planning Document for Lincolnshire Lakes that will set out a site-wide master plan and design code. However, a new trunk sewer to Yaddletorpe WWTW is needed and is included in their investment plan, but as set out above spending on this will not commence until there is more certainty over development taking place. In the past, allocated development has not come forward, and STW is conscious of not providing infrastructure until there is certainty that it is needed. Therefore, it is not felt that the lack of Severn Trent sign-up to the SOCG is indicative of a lack of agreement with NLC nor an insurmountable infrastructure constraint into the future.

In addition to the **Historic England** consultation comments on the Local Plan at Regulation 18 Preferred Options, Regulation 19 Publication Draft Consultation, and subsequent Addendum Consultation stages, ongoing discussions have continued between HE and the Council. Some changes to policy criteria regarding areas of soundness were agreed between Historic England and the Council which resulted in HE signing the North Lincolnshire SoCG. The following outstanding matters have been addressed in the additional Statement of Common Ground between NLC and HE:

- Housing Site allocation in Epworth H1P-25 Land at Yealand Flats;
- Mineral sites- site proposals MIN6-17 Eastfield Farm, Winteringham (Silica Sand) (New Site) and MIN6-18 Land South of Composition Lane, Winteringham (Silica Sand) (Area of Search);
- Policy MIN8: Restoration, Aftercare & Afteruse of Mineral Extraction Sites; and
- Policy wording for Policy SS7 Strategic Site Allocation - Lincolnshire Lakes.

HE still has an outstanding objection in terms of site allocation H1P-25 (Land at Yealand Flats, Epworth) proposed for approximately 45 dwellings. There has been dialogue about alternative sites for Epworth between NLC and HE, and in March 2023 HE confirmed that they would not object to the inclusion of the garden centre site (Epworth) in the Plan, considering that this site would have a less harmful impact on the historic landscape than H1P-25. The council felt it was too late to change the proposed housing allocation at this stage as the plan has been submitted and the site supported by HE had wider issues for consideration including viability, deliverability and the site being proposed for a mixed used site including retail, employment, health centre and older people specialist accommodation rather than just housing.

The council have had to balance the need for development against the impact on the historic landscape and believe H1P-25 has a limited contribution towards the historic landscape, and with Epworth being such a sustainable location for future housing growth it needs a housing allocation to meet future needs. While the importance of this historic landscape is noted, paragraph 197 of the NPPF refers to applying balanced judgement to consider the scale of any harm or loss, and the significance of the heritage asset weighed against the substantial public benefits of development.

Subsequently, an agreement on proposed housing site H1P-25 Land at Yealand Flats, Epworth cannot be made between NLC and HE.

Local Plan Policy MIN6: Mineral Sites proposes the sites MIN6-17: Eastfield Farm, Winteringham (Silica Sand) (New Site) and MIN6-18: Land South of Composition Lane, Winteringham (Silica Sand) (Area of Search). HE remain concerned that a Roman town may continue into MIN6-17 and in terms of aesthetic impacts. Following HE objections, it is proposed to delete both allocations MIN6-17 and MIN6-18 from the Plan.

In terms of Policy MIN8: Restoration, Aftercare & Afteruse of Mineral Extraction Sites, Historic England considers an additional criterion should be included: “to conserve and enhance the setting of heritage assets, where relevant”. The Council has given this further consideration and proposed an amendment to the policy to add the criterion, as requested.

Due to the archaeological importance of Policy SS7 Strategic Site Allocation Lincolnshire Lakes, HE welcomed the opportunity to suggest additional wording to the Policy. Subsequently, the Council has proposed a further modification to the Policy (a new ‘Heritage’ section) based on the suggested wording, which Historic England have welcomed.

The updated SOCG between Historic England and North Lincolnshire Council which addresses all the above issues was signed by both bodies on 26 April 2023 and is included as Appendix D to this letter. The above proposed changes have all been added to the Schedule of Main Modifications (MMs).

IQ8 Have any significant concerns been expressed by statutory consultees or interested parties about the Sustainability Appraisal (SA) which remain in dispute?

Council’s Response:

No, there aren’t any outstanding significant concerns with the Sustainability Appraisal expressed by statutory consultees.

Although the Environment Agency recommended that another key challenge should be added to the SA relating to ‘water environment’ and ‘land’. Overall, the EA support the contents of the Sustainability Appraisal.

IQ9 Have the Council carried out such an assessment and if so where can we find it? (in relation to any circumstances where it is appropriate to consider whether actual housing need is higher than the standard method as per Paragraph: 010 Reference ID: 2a-010-20201216 of National Planning Practice Guidance)

Council’s Response:

Yes, document ref HOU04, North Lincolnshire Housing and Economic Needs Assessment 2020 (HENA), considers a wide range of factors that make up housing need, as well as the 396 (minimum) per year housing figure for North Lincolnshire calculated from the standard method for assessing local housing need. The factors considered by the HENA include:

- Scunthorpe’s Travel to Work area, which broadly reflects the North Lincolnshire boundary, reflecting a degree of self-containment of area’s housing market (section 4.2)
- Migration within the UK to and from North Lincolnshire- again demonstrating a highly self-contained housing market (section 4.3)
- International Migration (section 4.4)
- Duty to Cooperate- All neighbouring authorities agree that despite some recognised strong links, overall North Lincolnshire is a self-contained housing market area. None have identified a requirement for housing to be provided in North Lincolnshire as a result of undersupply in their area (section 4.5)
- Tenure profile (section 5.1)
- Housing type (section 5.2)
- Vacant homes, vacancies higher than the national rate (section 5.3)
- House prices, which are lower than the national average (section 6.2)
- Rents and affordability (section 6.4)
- Housing delivery- an annual average completions figure of 368 between 2010/11 and 2019/20 (section 6.5)
- Concealed, shared and overcrowded households (section 6.6)
- Current Affordable Housing Need (section 8.3), inc,
 - Homeless households
 - Households in temporary accommodation
 - Overcrowded households

- Concealed households
- Existing affordable housing tenants in need
- Households from other tenures in need
- Future Affordable Housing Need (section 8.4), inc
 - Estimate of new forming households in need
 - Proportion of households unable to rent or buy on the market
 - Existing households falling into need
 - Current and future affordable housing stock and supply
- Supply and demand for housing for older people (section 9.0)

In addition to this, Oxford Economics were commissioned to review the implications of the expected job growth as a result of the 'high growth' scenario on housing need. The High Growth scenario will see overall employment increase within North Lincolnshire. On a workplace basis the number of jobs supported in the local economy will total 91,600 by 2038, an increase of 8,500 jobs on 2020 (83,100 jobs). This equates to an annual increase of 474 jobs per year. On the basis of the assessment, it is concluded that the High Growth Scenario will not result in a requirement for housing beyond the existing assessment of local housing need. The additional study, 'Growth and Housing Need in North Lincolnshire', is submitted alongside this letter as appendix E.

IQ10 Have the Council considered whether a cap to the housing need figure is appropriate in accordance with the Guidance?

In accordance with the methodology set out in PPG a cap to the housing need figure has been applied. This can be viewed in Table 7 (page 54) of the HENA (HOU04).

The cap has been included to help ensure that the minimum local housing need figure calculated using the standard method is deliverable. Past annual housing requirements set by the Core Strategy have not been achieved in preceding years due to historic under delivery. Figure 29 (page 48) of the HENA (HOU04) illustrates the annual net additional dwellings built in North Lincolnshire over the last ten years compared against the annual housing delivery target set by the Core Strategy. North Lincolnshire has struggled to deliver new housing at the levels required. It is considered that the delivery of 396 new homes per year is a realistic and achievable minimum target on which to base future housing allocation policies seeking a significant increase in the level of housebuilding relative to what has been achieved in recent years.

Since the capped level housing for North Lincolnshire is much higher than the local housing need figure planned for based on the standard method, in effect the cap is not engaged. Therefore the advice of PPG that strategic policies adopted with a cap applied may require an early review and updating to ensure that any housing need above the capped level is planned for as soon as is reasonably possible does not apply. Similarly, the advice that consideration as to whether a higher level of need could realistically be delivered also does not apply in this case.

There is no advice within PPG Step 3 - 'Capping the level of any increase' in the 'How is a minimum annual local housing need figure calculated using the standard method?' that states this step should be skipped if planning for the full local housing need according to the standard method.

Paragraph 25 of EXAM1 suggests that a topic paper would be helpful in setting out the above. The HENA (HOU04) as referred to above already affectively does this.

Paragraph 25 of EXAM1 also suggests that details of the Council's spatial strategy and distribution and how it was arrived at would be helpful. This is set out in the Settlement Hierarchy and Growth Topic Paper (HOU06).

Paragraph 25 of EXAM1 also suggests that a housing trajectory to demonstrate how the housing requirement will be delivered over the plan period should also be provided. Based on Annex 2 of EXAM1, this is submitted alongside this letter as appendix F.

Paragraph 25 also suggests a topic paper should cover the Council's approach to providing affordable housing, small and medium sized sites, First Homes, what reliance is being place on windfall sites.

In terms of affordable housing need in North Lincolnshire, a detailed calculation in line with the revised NPPF and PPG was carried out in the HENA (HOU04). This took into account the current and future need for and supply of affordable housing to both rent and buy. Detailed analysis of household projections, the local housing register, existing social rented housing stock and affordable housing schemes in development estimated that there is an annual need for 115 affordable homes between 2020 and 2038.

Table 1 below sets out North Lincolnshire Councils past five year delivery of affordable housing and table 2 sets out the number of affordable houses granted planning permission within the past five years.

Table 1: Affordable Housing Completions for the past five years.

	Homes England	Section 106	Total	Section 106 Financial Contributions in lieu of onsite provision
2017 - 2018	52	9	61	£0.00
2018 - 2019	67	4	71	£124,872.76
2019 - 2020	73	4	77	£223,945.76
2020 - 2021	135	2	137	£326,871.05
2021 - 2022	113	4	117	£411,536.41

Table 2: Total Number of affordable dwellings granted permission for the past five years.

2017 - 2018	54
2018 - 2019	117
2019 -2020	214
2020 - 2021	92
2021 - 2022	336

Since the start of the Local Plan period in 2020 North Lincolnshire Council has delivered above the 115 affordable housing requirements through the delivery of section 106 units and Homes England Housing Grant working with registered providers and developers.

North Lincolnshire Council is continuously working with Homes England, registered providers and developers to ensure the local affordable housing need is met. Over the past five years the council has released their own land to deliver additional affordable housing within North Lincolnshire. Throughout the Plan period the council will support registered providers to deliver additional affordable housing using other funding sources alongside section 106 monies on sites that create sustainable communities and meet our local housing need.

The council are currently undertaking work to use the section 106 financial contributions to deliver additional affordable housing in North Lincolnshire.

The Council is not relying on windfall development to meet its housing needs. Sufficient land has been specifically allocated to meet the Local Plan housing requirement to 2038.

The council have met the requirement of the NPPF paragraph 69 (a) which require local plans to accommodate at least 10% of their housing requirement on sites no larger than one hectare. 11% of the housing requirement is met in this way in the Local Plan.

The blank forms at Annex 1) to EXAM1 have been completed for every site that the Council intend to rely on to demonstrate their 5-year HLS this is submitted alongside this letter as appendix G- A sites and B sites as per the NPPF Glossary of 'Deliverable'.

Lincolnshire Lakes

In terms of the Lincolnshire Lakes allocation (Policy SS7), it appears that not all of the area currently allocated for development in the Lincolnshire Lakes Area Action Plan is allocated for development in the Plan.

IQ11 Can the Council confirm if this is the case and if so the reason for this?

Council's Response:

Yes, the Evidence base paper (LLK06) Lincolnshire Lakes Position Statement highlights the reasons for this. The Council remains committed to the delivery of the Lincolnshire Lakes scheme. The ultimate vision for the project is to deliver 6,000 homes in a series of villages within a waterside setting on land to the east and west of the M181 has not changed.

The Council acknowledges that a number of the planning permissions have since lapsed but is working proactively with partners to deliver the scheme. Given the delays to the delivery of the project, the Council is less ambitious in its approach to the timescales for delivery of Lincolnshire Lakes. Therefore, the Council aims to deliver 2,150 homes at the eastern side of the site by 2038 with the further 4000 homes being developed after the plan period including Maltgrade planning application to deliver 1,900 on the western side of the M181. Additional phases will come forward post 2038 in the future growth areas identified within inset 87 Lincolnshire Lakes.

The Council considers this approach to be in accordance with paragraph 22 of the National Planning Policy Framework (NPPF) 2021. The North Lincolnshire Infrastructure Delivery Plan – April 2022 (TRA05) sets out the infrastructure requirements and funding mechanisms required to deliver the growth proposed in North Lincolnshire's emerging Local Plan, including the strategic allocation Lincolnshire Lakes up to 2038.

The Council have secured £23m of funding for necessary infrastructure in connection with the development of this area of land.

IQ12 Is there a timescale for the delivery of this infrastructure and if so, where can we find the relevant information? Is the infrastructure required prior to any development in the Lincolnshire Lakes site taking place?

Council's Response:

The Lincolnshire Lakes Position Statement (LLK06) highlights this. It states at paragraph 5.3 To assist with the delivery of Lincolnshire Lakes, the Council has secured a total of £23m of funding to bring forward critical high-cost infrastructure in advance of development. The provision of critical infrastructure up front will assist the wider viability and deliverability of the project. This includes the following:-

- £13.3m was secured through the Humber Local Enterprise Partnership (LEP) to deliver 3.8km of continuous steel piling to improve the existing flood defence and associated works to reduce the risk of flooding to the Lincolnshire Lakes site and existing communities. This work is complete (although some minor associated work to prevent increased risk to third parties in future is ongoing). This development forms part of the overall flood mitigation solution for Lincolnshire Lakes to ensure future residents are safe.
- £4.5m of funding was secured for the northern roundabout junction on the former M181 by the Greater Lincolnshire LEP. This work is fully complete.
- £7.9m has been secured for the delivery of the southern roundabout junction through the Housing and Growth Fund by National Highways. Construction of this is due to start this year.
- The Council in 2021 was successful in securing £21.9m as part of the Towns Fund with £5m being apportioned to the delivery of an Advanced Manufacturing Park. Delivery of this has not yet commenced.

Lincolnshire Lakes will also provide greater connectivity between Scunthorpe, and the surrounding villages, with the strategic highway network through the provision of the two new junctions, and the de-trunking of the M181 motorway. Alongside these strategic infrastructure interventions, green and blue infrastructure will be required to interlink these communities providing for recreational and leisure opportunities, biodiversity enhancement and surface water attenuation. The other infrastructure required is provided alongside development of the Lincolnshire Lakes rather than as a pre-requisite to some development taking place.

IQ13 What is being done to resolve the outstanding objection to Policy SS7 from Historic England?

Council's Response:

Due to the archaeological importance of Policy SS7 Strategic Site Allocation Lincolnshire Lakes Historic England advised that a staged process of archaeological investigation based upon deposit modelling is essential, and suggested that a 'heritage' subheading/criterion should be added to the Policy. Subsequently, NLC have proposed a further modification to the Policy (a new 'Heritage' section) based on the suggested wording, which Historic England have welcomed. The proposed change has been added to the Schedule of Main Modifications (MMs). The SOCG between Historic England and North Lincolnshire Council which addresses all the above issue was signed by both bodies on 26 April 2023 and is included as Appendix D to this letter.

Page 36 of the SOCG also refers to ongoing discussions with Severn Trent Water regarding sewerage capacity including at Lincolnshire Lakes.

IQ14 What is the latest position on this matter?

Council's Response:

The SOCG explains this position at point 3.29. A new trunk sewer to Yaddlethorpe Waste Water Treatment Works is needed and is included in their investment plan, but spending on this will not commence until there is more certainty over development taking place. In the past, some allocated development has not come forward, and Severn Trent Water is conscious of not providing infrastructure until there is certainty that it is needed. Severn Trent Water are happy to work with the Council to try and address and support the delivery of the Local Plan in accordance with their aim to deliver statutory duties as outlined by the Water Industry Act 1991.

IQ15 Are there any other issues that may delay the delivery of the Lincolnshire Lakes Allocation?

Council's Response:

Other than those raised above, we are not aware of any issues that may delay delivery of the Lincolnshire Lakes.

Neighbourhood Areas

IQ16 Has a housing requirement been provided for the designated neighbourhood areas?

Council's Response:

Within the context of the overall housing requirement for North Lincolnshire, the National Planning Policy Framework, 2021 states 'strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations.' (paragraph 66)

Policy SS6: Spatial Distribution of Housing Sites identifies the percentage requirement for the Major Sub-regional Centre, Principal Towns, Larger Service Centres and Larger Rural Settlements and translates the percentage requirement into an individual housing requirement for each eligible settlement. Residential development in Smaller Rural Settlements, Rural Hamlets & Villages and in the open countryside outside the development limits, will be strictly limited and no housing requirement is identified. This is intended to be the housing requirement provided for each designated Neighbourhood Plan area, as per paragraph 66.

In terms of the adopted Neighbourhood Plans for Appleby and Worlaby, each neighbourhood planning body was content with their designation in the adopted Core Strategy at the time and did not request an indicative figure.

Gypsy and Traveller Accommodation

The Council will be aware of the judgment *Lisa Smith v SSLUHC* [2022] EWCA Civ 1391 of 31st October 2022, regarding the interpretation of the Planning Policy for Traveller Sites (PPTS) and the application of that policy to gypsies and travellers who have ceased to pursue nomadic lifestyles.

IQ17 Can the council please consider whether, in light of this judgment, they wish to review the traveller site needs in the North Lincolnshire Council Gypsy and Traveller Accommodation Assessment Final Report (October 2021) (GTAA)?

Council's Response:

The North Lincolnshire Gypsy, Traveller and Travelling Show Person Accommodation Need Assessment (HOU02) states at paragraph 7.19:- There were no Gypsy and Traveller households that did not meet the planning definition as all were able to demonstrate that they travel away from their usual place of residence for the purpose of work, or that they have ceased to travel temporarily due to children in education, ill health, or old age. Therefore, all the Gypsies and Travellers have been identified to meet that definition and non were excluded on that basis and a review is not needed.

Paragraph 10 of Planning Policy for Traveller Sites advises, amongst other things that, "local planning authorities should, in producing their Local Plan:

- a) identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets
- b) identify a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15."

It appears from what we have read that the Council have not done this.

IQ18 It would be helpful to understand the reasons behind this and in particular if any attempts were made to find appropriate sites through a call for sites or allocating land on a part of larger residential or mixed use site, for example.

Council's Response:

It is anticipated the Council will now be in a position to answer this question by the end of June 2023.

IQ19 Did the SA consider different policy options for meeting Gypsy and Traveller needs?.**Council's Response:**

Yes the SA considered policy options for Gypsy and Traveller needs. The Issues and Options SA considered the two options :-

- Option A Seek to allocate sites as part of residential allocations.
- Option B Seek to allocate sites specifically for Gypsies, Travellers and Travelling Showpeople.

Option B scored slightly higher compared with the Objectives and impact. Specifically the appraisal stated:-

'Both options seek to deliver additional housing sites for use by Gypsies, Travellers and travelling show people. Option A would achieve this by accommodating these groups as part of regular residential allocations, whilst Option B would allocate separate sites for specific use by these groups. Both options would be unlikely to have an impact on the environmental objectives (1-8). In relation to the social and economic objectives, provision of additional sites for use by Gypsies, Travellers and travelling show people would help alleviate levels of social deprivation experienced by these groups (9) and would make a positive contribution towards promoting healthy lifestyles (10) and community facilities (13) by helping to enable access by these groups to healthcare facilities, recreational opportunities, public open space, and other key local facilities. These impacts might be more significant through Option A through which sites for Gypsies, Travellers and travelling show people would likely be more integrated into the wider community. This might help break-down barriers between these groups and the wider community, reducing social exclusion and helping to promote educational attainment levels. Conversely, there is a risk that the wider community could perceive these groups as a risk as a result of widespread negative perceptions. There is also a risk that these groups may not wish to integrate into the wider community due to concerns that they could experience prejudice or a loss of identity. Option B might alleviate some of these issues because these groups would be accommodated on their own specific sites; however, such an approach might reduce some of the beneficial effects described for Option A because it would maintain a physical barrier between these groups and the wider community. Nonetheless, both options are likely to make a significant contribution to the housing objective (11) as they will provide new accommodations sites for these groups.'

Policy H5p North Lincolnshire Travelling Communities was also considered in the Preferred options SA and the assessment conclusion states: -

'Two options were considered at the Issues & Options stage: Option A sought to allocate sites as part of residential allocations, whilst Option B sought to allocate sites specifically for Gypsies and Travellers and travelling show people. Both options were considered unlikely to have an impact on the SA environmental objectives (1-8). In relation to the social and economic objectives, provision of additional sites for use by Gypsies, Travellers and travelling show people was considered likely to help alleviate levels of social deprivation experienced by these groups and would make a positive contribution towards promoting healthy lifestyles and access to community facilities. Both options were considered likely to make a significant contribution to the SA housing objective (11) as they would provide new accommodation sites for these target groups.'

During the public consultation on the Issues & Options stage Local Plan, Option B was most supported.

The proposed policy has very similar sustainability outcomes to the two options considered previously.'

Policy H6 North Lincolnshire Travelling Communities was also assessed at the Publication draft SA stage.

IQ20 Was the option of allocating specific sites to meet identified needs, as required by national policy assessed?

Council's Response:

Yes, this would be option B as above, which was assessed.

IQ21 Is this approach to meeting the needs of gypsies and travellers and travelling showpeople justified, effective and consistent with national policy?

Council's Response:

It is anticipated the Council will now be in a position to answer this question by the end of June 2023.

Employment Land

Policy EC1 of the Plan advises that provision will be made for 131.7 ha of employment land across the plan area. However, the table of allocated sites shows that around 183.93ha of land has been allocated and this does not appear to include land allocated in strategic site allocations under policy SS8 (1,038ha) or SS7 (around 25ha).

IQ22 Why is this the case and does the Plan clearly set out the total amount of employment land allocated anywhere?

Council's Response:

The council has taken the stance of splitting the general provision for employment land and strategic sites within the plan. The 183.93 ha of employment land allocated within policy EC1 is not included within the 1,038ha of strategic employment land that is shown under policy SS8. It is acknowledged that the total amount of employment land proposed amounting to 1,221.93ha (183.93ha + 1,038ha) is not specifically shown within the Plan but the component allocations are included within policies SS8 and EC1.

With regard to general employment land provision the Plan over allocates by some 53.23 ha (183.93-130.7). This is to give an element of flexibility and a wider range of sites in terms of size and location that wouldn't have been possible if the 130.7ha threshold was adhered to. Furthermore, within a North Lincolnshire context, the over allocation of employment land does not necessarily translate to a significant take of employment land – please refer further to the council's response under IQ23. The Plan allocates Strategic Employment Sites with sufficient capacity to provide 1,038 hectares of additional land over the plan period. The justification for this is because the Strategic Employment Sites are intended to meet large scale investment needs on sites that require a significant land take and are considered to be over and above the Plan's identified employment land requirement. For example, the South Humber Bank is of regional and national significance being the last undeveloped employment land fronting a deep-water estuary in the UK.

Although the allocated amount of employment land far exceeds that envisaged by the employment land forecasting that is part of the 2021 Strategic Housing and Employment Land Availability Assessment (HOU08), the Plan will not lead to a harmful imbalance between jobs and homes. This is because the nature of the sites are large, strategic opportunities which are likely to take until beyond the plan period to 2038 to implement in full.

North Lincolnshire is fast becoming a major energy capital in terms of energy generation, which includes the emerging renewable energy and off-shore wind sectors. Land at the South Humber Bank is allocated as a Strategic Employment Site for E(g), B2, and B8 Estuary Related uses including energy generation to support these sectors. The development of North Killingholme Airfield is seen as

an essential and integral part of the nearby South Humber Bank proposal and is, therefore, also identified as a Strategic Employment Site in order to assist in the deliverability of the South Humber Bank. North Killingholme Airfield is to be utilised, but not solely, for land intensive storage and distribution uses that would otherwise effectively sterilise prime industrial land set adjacent to the Humber Estuary.

Recent proposals have seen the approval of the Able Logistic Park (recently renamed Able Humber Port), a major port related development on land covering an area of around 939 acres (380ha). It includes plans for the creation of transport depots, warehousing and external storage areas, offices, a business park and motel. North Lincolnshire is also a major energy capital in terms of energy generation. This includes the emerging renewable energy and off-shore wind sectors. In essence, an “Energy Corridor” within the South Humber Bank has been formed which is expected to play a formative role in driving North Lincolnshire’s economic growth and prosperity. The “Energy Corridor” also extends into North East Lincolnshire and is pivotal in the economic success and prosperity for both authorities.

A key component of the “Energy Corridor” is Able UK’s Marine Energy Park (recently renamed Able Energy Park) that comprises the construction of a new quay approximately 1,279m long together with associated onshore facilities. This has the potential to accommodate wind turbine manufacture, assembly and commissioning covering a site of approximately 245ha of existing terrestrial land and 55ha of the existing estuary which has been approved by the Secretary of State. The two Able sites also form part of the Humber Enterprise Zone (EZ), the largest in the UK with the EZ supporting growth in ports, logistics and renewables and the region’s ambition to become a leading national and international centre for the renewables sector.

A similar level of buffer is not provided for in terms of housing land.

IQ23 What is the justification for this mismatch in supply and is it likely to result in unsustainable levels of inward migration from surrounding areas??

Council’s Response:

The council’s response to this question is similar to that shown under IQ22.

The Plan proposes to allocate a total of 1,221.93ha of employment which is substantially above the 131.7ha of land identified through the forecasted job growth element of the 2021 Strategic Housing and Employment Land Availability Assessment (HOU08). Strategic Employment Sites are intended to meet large scale, often once in a generation, investment needs on sites that require a significant land take and are considered to be over and above the Plan’s identified employment land requirement.

Although the allocated amount of employment land far exceeds that envisaged by the employment land forecasting that is part of the 2021 Strategic Housing and Employment Land Availability Assessment (HOU08), the Plan will not lead to a harmful imbalance between jobs and homes. This is due to the large nature of the sites offering strategic opportunities which are likely to take until beyond the plan period to 2038 to implement in full. Furthermore, the take up of employment land in North Lincolnshire has historically been low and is expected to remain so through the early period of the plan – see paragraph 8.38 of the Employment Land Review that forms part of the 2021 Strategic Housing and Employment Land Availability Assessment (HOU08).

The two strategic allocations (SS10 and SS9) are allocated to accommodate once in a generation investment. The South Humber Bank employment site (Policy SS10, 900 ha- gross area) is allocated as a strategic site for port activities to take special advantage of its location, flat topography and being adjacent to a deep water channel of the River Humber as an extension to Immingham Port and Humber Sea Terminal. The site has a unique employment offer. This employment site is a major part of the South Humber Gateway which forms a four-mile area fronting the Humber estuary. Land at North Killingholme Airfield (Policy SS9, 138.21ha) is allocated to broaden North Lincolnshire’s portfolio of future employment sites and promote economic diversity. Its location, close to the South Humber Bank employment allocation, would provide scope to displace some land intensive uses (for example car storage) and free up the South Humber Bank area for estuary-related uses. These sites are a large size out of necessity to ensure their full potential can be realised over the plan-period

should the specific investments be fully borne out at scale. It should also be recognised that such 'land hungry' uses will have a lower employment density than general employment land, and so the impact on the housing market will be less. In the unlikely event that the full employment potential of these sites comes forward very quickly, then potential knock-on impacts on the housing market can be addressed as part of the legal requirement to review policies in Local Plans to assess whether they need updating at least once every five years, and update as necessary.

The council has taken a similar stance in over allocating employment land since and including the land allocations contained within the 2003 North Lincolnshire Local Plan (CORE6) which was adopted in May 2003. Taking into account the local employment structure at the time and predicted future shifts in the council's Economic Development Strategy, a total of 1,229.8 hectares of land was allocated as either committed or proposed for employment use in the 2003 Local Plan (CORE6). Future employment land provision was determined by allocations or existing planning commitments. Some of these sites also had development ongoing or already established. Land was designated for industrial development to meet the anticipated diversity of demand during the Local Plan period. Allocated sites were generally concentrated in and around the key locations – the main urban area of Scunthorpe and Bottesford, the principal and medium growth settlements and the other strategic locations such as the South Humber Bank, North Killingholme Airfield and Humberside Airport. However, at the same time the land allocations were also sufficiently well distributed throughout the authority area. This was to provide smaller scale development and employment opportunities in more rural locations for the rural population, thereby perpetuating the principles of sustainable development whilst supporting the rural economy. This stance was mirrored, in terms of allocating a variety of sites at differing locations that would expand on the employment land offered in North Lincolnshire, within the Local Development Framework's Housing and Employment Land Allocations Development Plan Document (DPD) (CORE2) which was adopted in 2016. Some 1,232 ha of employment related land was allocated by means of the DPD amounting to 193 hectares if the two strategic sites of the South Humber Bank and North Airfield are excluded in the figures.

The council considers that safeguarding employment land at these key strategic locations ensures that there is sufficient land to meet present and future employment land needs which is essential in supporting the continued growth and diversification of North Lincolnshire's economy.

Environmental/Legal Compliance Matters

We note that Natural England in their response to the Plan addendum consultation in May 2022 welcomes the updates to the Plan to take on board some of their earlier concerns, however it is clear that they still have a number of serious outstanding concerns regarding various policies in the Plan, the Habitats Regulations Assessment and parts of the evidence base that underpins the Plan. Their serious concerns are reiterated in the SOCG (DLP22). These are potentially legal compliance matters and therefore it is critical they are resolved as expeditiously as possible.

IQ24 Is there an ongoing dialogue between the Council and Natural England to resolve some or all of these matters and if so, what is the up-to-date position and most importantly what are the outstanding areas of disagreement? It is critical that these are set out in a specific SOCG between the Council and Natural England. If some matters regarding wording within policies is agreed these will need to be included in a list of main modifications.

Council's Response:

Dialogue is ongoing with Natural England, and a bespoke Statement of Common Ground is being produced.

IQ25 What progress has been made on the Biodiversity Supplementary Planning Document (SPD) to address the Council’s Measurable net gain is demonstrated, secured and implemented? Assuming work has begun, have Natural England been involved in its formulation?

Council’s Response:

A draft Biodiversity Supplementary Planning Document April 2023 has been produced by the Council and sent to Natural England for their comments and to invite involvement in the process. Following the outcome of the Local Government Elections on 4 May 2023 the Place Planning Team will now seek Cabinet Member approval to take the SPD out for a period of formal consultation. The Council will actively involve Natural England in the consultation and in the preparation of the final SPD, along with other relevant national and local bodies.

The Draft SPD supports a number of policies outlined in the Draft Local Plan 2022-2038 and provides guidance for all proposals on how to encourage gains in biodiversity within development schemes in North Lincolnshire. These policies aim to ensure that new development conserves and enhances biodiversity. The SPD provides additional guidance on the application of these policies to ensure they are implemented as effectively as possible.

The SPD considers: legislation and policy context behind biodiversity and net gain; how to use the biodiversity metric; the importance of biodiversity within development and how to build biodiversity into development; and the key stages in the process of achieving biodiversity net gain.

IQ26 What methodology underpins the designation of local green spaces in Policy DEQ9, does it accord with advice in the Framework and the Guidance and would each proposed designation meet the criteria set out in paragraph 102 of the Framework?

Council’s Response:

The methodology which underpins the Local Green Space allocations meets the criteria set out in para 102 of NPPF and is contained within Evidence Base document [NA07 Local Green Space Methodology](#).

The NPPF does not define what is meant by terms such as “reasonably close”, “significant” or “extensive” for the purposes of Local Green Space designation. However, Planning Practice Guidance does provide some clarification, including:

- The proximity of Local Green Space to the community it serves depends on local circumstances. If public access is a key factor then the site would normally be in easy walking distance of the community it serves.
- Sites will not necessarily have public access to them. This is particularly the case in areas protected for reasons of wildlife, historic significance, and/or their beauty which may be protected.
- There are no minimum and maximum sizes for Local Green Space providing the criteria of NPPF paragraph 102 are met. However, blanket designation of open countryside is inappropriate.

Planning Practice Guidance does not specify how the qualifying criteria should be quantified and judged. These criteria have been left to Local Authorities to determine, and the Planning Practice Guidance was used to inform the Council’s approach to assessing prospective Local Green Space sites.

In order to invite, consider, assess, and recommend sites as Local Green Space, North Lincolnshire Council undertook a four-step approach, as follows:

Step 1: Site Submissions - where Local communities were given the opportunity to submit LGS’s during the Local Plan ‘Call for Sites’ period at the Initial Consultation (Regulation 18) between late February and mid-April 2017, at Issues & Options (Regulation 18) in February and March 2018, and at Preferred Options (Regulation 18) in February and March 2020.

Step 2: Site Sieve - sites submitted for consideration as LGS were assessed by the Place Planning team on a site-by-site basis.

Step 3: Site Assessment - the sites that remained were assessed via a Local Green Space Assessment Framework according to the criteria of the NPPF and Government guidance, as follows:

- “Reasonably close proximity” - defined as no more than 1.5km from the boundary of the settlement in question.
- “Demonstrably special to a local community” - had to be demonstrated that the site is special to the local community by meeting at least one of the following criteria: aesthetic; historic; natural; recreational; and tranquillity value. To be designated as Local Green Space each site must have shown to have value in at least one of these areas which is significant in the context of the settlement in question. Anecdotal evidence was not utilised in the assessment of a proposed site.
- “Local in character” - defined in the same way as “Reasonably close proximity” (above).
- “Extensive tract of land” - defined as a plot of land over 3 hectares in area.

The aesthetic, historic, natural, and recreational value of proposed sites (the “Demonstrably special to a local community” criterion) were assessed as follows:

Aesthetic - the site has to be of significance due to its beauty. This included, but was not necessarily limited to, ‘natural beauty’, and the site could incorporate man-made features that contribute to its overall visual attractiveness.

Historical - the site has to be demonstrably historically significant, which may be because: of historical features on the site; the site contributes to the significance of an heritage asset; an event of demonstrable historical significance has taken place on the site; the site may have a monument or memorial to an historical event or period located on it; the site has an historical artistic or literary connection or is mentioned in an historical text; the character and appearance of the site contributes to an important historical setting.

Natural - there is evidence that the site has a richness of wildlife which can be objectively supported. Habitats, species, flora, and fauna found on the site may be recognised through an existing wildlife designation or through wildlife protection regulations and acts. The site may also support irreplaceable habitats or form part of a wildlife corridor or green infrastructure.

Recreational - the public have access to the site which supports a variety of recreational opportunities that are not supported on other open spaces within the local community.

The allocation of a site with an existing planning permission on it was not permitted unless it could be shown that the permission will not be implemented or the designation would be compatible with the permission. Similarly, the allocation of a site as Local Green Space on land already designated for an alternative use in the Local Plan or Neighbourhood Plan would not be acceptable unless the Local Green Space can be incorporated into the site as part of the allocated development, or if the site is no longer being promoted for the use or is incapable of being implemented.

Evidence base document [NA08 Local Green Space Assessment](#) sets out the assessment of sites submitted through Call for Sites at each stage, and makes a recommendation for inclusion in the new North Lincolnshire Local Plan as ‘Local Green Space’.

Step 4: Selecting Sites for Local Green Space Designation - a detailed assessment of each site was created based on the information submitted during “Call for Sites”. A list of suitable sites was established from this framework along with a justification as to why each site was suitable or why it was rejected. This process was replicated after each new “Call for Sites” engagement exercise. A total of 16 sites are recommended for designation as LGS.

Members of the public, landowners, and organisations had the opportunity to comment on the proposed LGS designations as part of the Local Plan consultations. Sites recommended for designation as LGS are shown on the policies map that accompanies the Submission Local Plan.

Infrastructure

In the SOCG at paragraph 5.47 the Environment Agency (EA) suggest the inclusion of land to the North of the Humber Sea Terminal will require a flood defence scheme and that this needs to be reflected in the Infrastructure Development Plan (IDP) which the Council will update and include.

IQ27 Has this been done?

Council's Response

Yes the TRA05 [Infrastructure Development Plan \(IDP\) Evidence paper](#) on page 21 has been updated to include this infrastructure requirement. It states on page 21 'Flood defence enhancement scheme is also required on the Humber Estuary land to the north of the Humber Sea Terminal to support the development of the Strategic Site Allocation South Humber Bank. Work is still be undertaken to understand the full costing of this scheme. The Infrastructure Delivery Schedule (TRA06) on page 6 No 16 under Flooding and Drainage also lists this requirement.

The SOCG at paragraph 5.79 refers to outstanding matters regarding wastewater treatment capacity at sewerage treatment works. Some of these relate to committed sites. However, the EA expressed concern that the IDP did not include location specific details of improvements required or liaison with Anglian Water to ensure it could be provided.

IQ28 Has this matter now been resolved and if not, this needs to be dealt with in an up-to-date SOCG setting out the outstanding areas of disagreement?

Council's Response

The Local Plan lists committed sites in areas in which the planning process has already occurred. Therefore, any issues should have already been addressed on this matter and it is not for the Local Plan to address issues for committed sites, only proposed sites.

Within North Lincolnshire there are 24 wastewater recycling centres (formerly sewerage treatment works), 13 of which are operated by Seven Trent Water (STW), and 11 by Anglian Water (AW). Under the IDP 'Infrastructure Capacity and Requirements' section on page 23 it states Seven Trent Water has carried out a high-level impact assessment and has found that eight water recycling centres have limited additional capacity with one centre in Crowle described as having minimal additional capacity. However, in relation to planned growth, two of the centres are not expected to encounter issues due to scheduled improvements (in the case of Crowle), or are not constrained to allow their physical expansion. This requirement is also listed in the [IDS](#) under section 17 Services: Utilities.

The Environment Agency and Anglian Water are progressing work on permit reviews for WRCs at Hibaldstow, Brigg and North Ferry to ensure that growth can be accommodated after 2035. Whilst Severn Trent Water are happy to continue to liaise with all parties involved with providing capacity for growth, including relating to sewerage capacity at Lincolnshire Lakes, until such time as their wastewater capacity improvements have been carried out they cannot agree that there are no outstanding unresolved strategic issues. However, ongoing dialogue continues between STW and NLC in order to provide appropriate solutions.

In engaging in planning the spatial distribution of growth, Anglian Water primarily seek to support North Lincolnshire Council to most effectively identify and use existing infrastructure capacity and the embedded (capital) carbon in that infrastructure and so identify the most sustainable locations for growth. North Lincolnshire Council will be looking to support the Water Resources and Drainage and Waste Water Plans of Anglian Water as they are progressed over the next 18 months insofar as they plan to reduce demand for water from existing and new developments to improve resource efficiency and limit the need for new infrastructure to support growth. Through the exchange of information now and during the next series of Plans, AW, North Lincolnshire Council and the EA will consider the role that planning conditions can have alongside education, sustainable design and more efficient white goods and fittings to reduce water demand and the amount of waste water requiring off-site treatment. Anglian Water discussed with the EA the preference for future plans to apply the sustainability hierarchy and so utilise existing infrastructure to reduce emissions from building new infrastructure to

support growth. Anglian Water would want to support the Council in its plans to tackle climate change in particular via work on planning, land use, and infrastructure to take action on reducing emissions.

Severn Trent Water work with the Environment Agency to develop a programme of works that meet their fair share of water quality improvements, looking to limit the impact of their assets on the environment. However, the Water Industry National Environment Programme (WINEP) has only been developed for the next AMP period (5 years). Because the Local Plan is intended to cover a longer time frame, Severn Trent cannot commit to a statement that details all issues are resolved.

Severn Trent anticipate that climate change will have an impact on the performance of some of their assets and that schemes will need to be carried out to mitigate these impacts. As such, further assessments and investigations will need to be undertaken to better understand how wider climate change will impact on sewer performance. The recent publication of their Drainage and Wastewater Management Plan (DWMP) looks to address some of this. The DWMP provides robust evidence to support and inform STW's business plan covering the period from 2025-30 to ensure short-term investment needs align with the longer-term needs of their catchments up to 2050 and beyond. The DWMP is a milestone for STW as it sets out how they are going to address issues such as flooding and sewerage management and keep pace with the challenges arising from population growth and climate change. It will be reviewed and updated every five years to account for industry developments and to update their assumptions, especially around climate change.

STW are supportive of the approach to develop a Supplementary Planning Document for Lincolnshire Lakes that will set out a site-wide master plan and design code. However, a new trunk sewer to Yaddleshope WWTW is needed and is included in their investment plan, but spending on this will not commence until there is more certainty over development taking place. In the past, allocated development has not come forward, and STW is conscious of not providing infrastructure until there is certainty that it is needed. Therefore, it is not felt that the lack of Severn Trent sign-up to the SOCG is indicative of a lack of agreement with NLC nor an insurmountable infrastructure constraint into the future.

It appears that the Brigg Link Road has been costed at £8,821,000 and that it will be delivered by the private sector developer of the site, that the Council are also looking for alternative funding to assist and accelerate the delivery of the site.

It seems that the proposed Brigg Link Road will, among other things, open up land to deliver 820 homes.

IQ29 What is the timescale for the delivery of this link road and is it likely to hold up the delivery of these homes and does the trajectory take account or realistic timescale for delivering road?

The Council does not have a timescale for the delivery of the link road, however the homes can come forward independent to the provision of the proposed Link Road and so the delivery of phases are not reliant on the full completion of this piece of infrastructure.

IQ30 What is the latest position on this and is it likely that the delivery of the site will not be viable without alternative funding for the link road? Are there implications for other allocations in the Plan if this road is not delivered in a timely manner?

Council's Response:

These three allocations can come forward independent to the provision of the proposed Link Road and so the delivery of phases are not reliant on the full completion of this piece of infrastructure. Nevertheless, the landowner/developer can demonstrate that these three sites would not prejudice the creation of a Link Road between Atherton Way and Wrawby Road.

Viability

The North Lincolnshire Council Local Plan and Community Infrastructure Levy Viability Assessment October 2021 whole Plan viability appraisal conclusions find that based on the proposed policy combination of affordable housing and section 106 contributions, insufficient additional margin exists, beyond a reasonable return to the landowner and developer to accommodate CIL charges for residential development.

IQ31 Does it recommend changes to the plan and if so have they been made?

Council's Response:

The affordable housing requirement of the North Lincolnshire Local Plan was amended in the Publication Draft Plan to reflect the findings of the Council Local Plan & Community Infrastructure Levy Viability Assessment October 2021 (DLP18). This effectively reduced the affordable housing requirement from 20% for larger settlements to 10% overall, with the testing showing that the Plan Policies are viable and deliverable for most forms of housing development based on the Council's preferred contribution combination of 10% Affordable Housing and £5,000 per dwelling S106 contribution.

The study demonstrated that most of the development proposed by the Local Plan are viable and deliverable taking account of the cost impacts of the policies proposed by the plan including infrastructure and the requirements for viability assessment set out in the NPPF (2021) and associated viability practice guidance (2019).

In order to provide a robust assessment, in line with the Government's viability practice guidance, the study uses generic development typologies to consider the cost and value impacts of the emerging local plan policies and determine whether any additional viability margin exists to accommodate a Community Infrastructure Levy. The development viability assessments take account of policies in the Local Plan, affordable housing requirements, National Housing Standards and current construction requirements to determine whether the overall Local Plan is deliverable and will not hinder the delivery of development in the plan period.

It is acknowledged that based on the proposed policy combination of Affordable Housing and S106 contributions, insufficient additional margin exists, beyond a reasonable return to the landowner and developer to accommodate CIL charges for residential development.

The study was not intended to represent a detailed viability assessment of every individual site and applied Local Plan policy requirements in respect of affordable housing and considered a number of more general planning policy cost impacts and identified site mitigation factors based on generic allowances. The study sought to determine if the policies within the plan were deliverable and whether additional viability margin exists to accommodate CIL charges, taking account of those policies including the provision of affordable housing. In line with the Government's viability practice guidance, it will be for applicants to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage.

IQ32 Is the Council satisfied that the viability assessment of the Plan has properly addressed the impact of other factors including First Homes provision, Electric Vehicle Charging Points (EVCP), carbon offsetting, accessibility and adaptability, housing for older and disable people and the requirement to deliver 20% net gain in biodiversity on the viability and deliverability of the overall Plan strategy?

Council's Response:

The Council is satisfied that the viability assessment of the Plan has properly addressed the impact of other factors including First Homes provision, Electric Vehicle Charging Points (EVCP), carbon offsetting, accessibility and adaptability, housing for older and disable people and the requirement to deliver 20% net gain in biodiversity on the viability and deliverability of the overall Plan Strategy

These issues are addressed within The North Lincolnshire Council Local Plan & Community Infrastructure Levy Viability Assessment October 2021 (DLP18) which incorporates the Whole Plan Viability Assessment Construction Cost Study November 2020. The Viability Assessment (DLP18).

Paragraph 4.5 of the Viability Assessment explains how first home provision has been factored into the appraisal assumptions used.

Accessibility and adaptability are covered under Access Standards Category 2 and 3 (pages 9-10) of the Whole Plan Viability Assessment Construction Cost Study November 2020 with costings provided for Category 2 and 3 under 'Detailed Construction Cost Study'.

Electric Vehicle Charging Points (EVCP) are covered by Local Plan Policy T4: 'Parking' with the Viability Assessment (DLP18) stating under Appendix 3 'Proposed Local Plan Policy Schedule Illustrating Policy Impact Assumptions' that there are no cost impacts for development. Notwithstanding this the council is proposing a modification to Policy T4 to reflect the recent changes to the Building Regulations with regard to Electric Vehicle Charging Points by replacing the detailed Electric Charging Point Table as listed in part 6 with a requirement to comply with the amended Building Regulations.

Housing for older and disable people are covered under Access Standards Category 2 and 3 (pages 9-10) of the Whole Plan Viability Assessment Construction Cost Study November 2020 with costings provided for Category 2 and 3 under 'Detailed Construction Cost Study'. Affordable Housing is covered by Local Plan Policy H3: Affordable Housing with the Viability Assessment (DLP18) stating under Appendix 3 'Proposed Local Plan Policy Schedule Illustrating Policy Impact Assumptions' that "Affordable Housing requirement in the Study".

Biodiversity net gain is covered by the section on Site Specific Biodiversity Mitigation / Ecology (page 14) of the Whole Plan Viability Assessment Construction Cost Study November 2020 with costings provided under 'Detailed Construction Cost Study'. Biodiversity and Geodiversity is addressed by Local Plan Policy DQE3 Biodiversity and Geodiversity with the Viability Assessment (DLP18) stating under Appendix 3 'Proposed Local Plan Policy Schedule Illustrating Policy Impact Assumptions' that "Land use matter only. Biodiversity Net Gain is tested in the study and included as part of the S106 contribution cost." The Local Plan only seeks to deliver a minimum of 10% biodiversity measurable net gain unless national standards increase this in the future. In order to properly inform applications, surveys will be required in line with the latest British Standard or its replacement (currently British Standard for Biodiversity Net Gain BS 8683). The standard applies to development and land management and can be used in project specifications, procurement and planning conditions. Part 1.c of Policy DQE3 seeks to use the latest version of the DEFRA Biodiversity Metric to demonstrate that a proposal will deliver a minimum 10% measurable biodiversity net gain (unless national standards increase this in the future). This is reinforced by the Infrastructure Delivery Plan April 2022 (DLP19) Pages 82-85 Biodiversity net gain (BNG).

IQ33 Does the Plan take account of recent changes last year to the Building Regulations in respect of EVCP and energy efficiency?

Council's Response:

At the moment the plan does not take account of recent changes last year to the Building Regulations in respect of EVCP. Following the addition of Part S Building Regulations in December 2021 and having taken effect in June 2022, it is considered that the Local Plan no longer needs to set specific requirements in relation to electric vehicle charging infrastructure. Doing so could result in conflict and duplication. Instead, it is proposed that policy T4 will refer to the newly introduced Part S Building Regulations.

The council is proposing a Main Modification to Policy T4 that would delete part 6 of Policy T4 that states: -

6. Electric Charging Points are to be provided to the following standards:-

Type of Development		Requirement
Residential	Dwellings with secure parking (defined as a house with a garage or a private driveway)	1 electric vehicle charging point per dwelling.
	Dwellings with private allocated off curtilage parking	1 electric vehicle charging point per 10 parking spaces. Passive provision (cabling laid out to enable future provision) is provided for the remainder of the spaces.
Other types of development (Commercial/ industrial/retail etc.)		<p>Up to 50 parking bays</p> <p>At least one electric vehicle charging point which must be marked out for use by electric vehicles only.</p> <p>Greater than 50 parking bays</p> <p>Electric vehicle charging points totalling 5% of the total car parking space provision. These must be marked out for use by electric vehicles only.</p> <p>Type of charging equipment provided to be agreed with the Local Planning Authority and is dependent on end use requirement.</p> <p>Where provision is required for taxi waiting, the taxi spaces will be expected to include electric vehicle charging facilities.</p>
Mixed use		A combination of the above requirements to be agreed with Local Authority.

Part 6 would then be replaced with the following wording: - “The provision of electric charging points will be required to meet the requirements of Part S of the Building Regulations.”

General Matters

We are unaware as to whether the Council has a running list of draft MMs. It would be helpful if you could draw up a list of MMs. If the Council is unsure which modifications in the list are MMs, then we can assist with this.

Any proposed changes that materially affect the Plan’s policies can only be included in the Plan if we consider them to be necessary for soundness or legal compliance and recommend them as MMs.

IQ34 Does the Council wish us to recommend changes to the Plan should we consider them necessary for the purposes of soundness or legal compliance? If so, the Council will need to make a formal request for us to make such MMs under section 20(7c) of the Planning and Compulsory Purchase Act 2004 as amended.

Council’s Response:

The Council has already made a request to the Inspectors to recommend modifications to the Plan- see letter here: [EXAM 2 - NLC Modifications Request - Section 20\(7c\).pdf \(northlincs.gov.uk\)](#).

We confirm the Council is keeping a running list of draft Main and Minor modifications.

IQ35 Where necessary do the policies in the Plan make it clear that their geographic application is illustrated on the policies map? From our initial inspection of the Plan this does not appear to be the case for a number of the policies/allocations.

Council’s Response:

Whilst a number of the Plan’s policies do make specific reference to the Proposal/Policies Map regarding their geographic application it is acknowledged that many do not. The table below shows the current breakdown between policies that do and do not make direct reference to the Proposal/Policies Map. The council is therefore proposing that as Main Modifications that the policies, where appropriate, listed in the 2nd column that do not already have a direct reference to the

Proposals Map be amended to include the following wording within the policy at an appropriate place:
- “as shown on the Proposals Map”.

It is also proposed to delete the Tourist Attractions annotation from the Proposals Map as there is no current reference to it within the plan.

Furthermore, to make it more evident to which policies refer to the geographic applications on the Proposals Map Key it is proposed to list the relevant policy next to the annotation on the key. For example, the Strategic Employment Site annotation would have policies SS8, SS9 and SS10 shown next to it.

As part of the proposed deletion of the Tourist Attraction annotation and the listing of policies on the Proposals Map Key these changes will be shown on a Proposals Map Modification Schedule which is totally different and separate from the main Modifications and Additional Modifications Schedules.

Proposals Map Key	Main Policy Ref that key relates to	Direct reference in policy to Proposals/Policies Map in Submission Plan
Allocations Boundary	SS7: Strategic Site Allocation – Lincolnshire Lakes	
Ancient Woodland	DQE3: Biodiversity and Geodiversity	
Area of High Landscape Value	DQE1: Protection of Landscape, Townscape and Views	Yes
Area of Historic Landscape Interest	HE2: Area of Special Historic Landscape Interest	
Authority Boundary	For information	
Biodiversity Opportunity Mapping	DQE3, MIN8, WAS7, SS7: Strategic Site Allocation – Lincolnshire Lakes, SS10	
Blue/Green Infrastructure	DQE11: Green Infrastructure Network	
Burringham Road Upgrade	SS7: Strategic Site Allocation – Lincolnshire Lakes, T7	
Cemetery	CSC13: Burial Grounds and Cemetery Provision	
Committed Housing	H1: Site Allocations, H1C-1/H1C-79	
Conservation Area	HE1: Conserving and enhancing the Historic Environment	
Development Limit	SS11: Development Limits	Yes
District Centre	TC1: Retail Hierarchy and Town Centre and District Centre Development, SS7:	

	Strategic Site Allocation – Lincolnshire Lakes, CSC10: Community Facilities and Services	
Existing Employment Area	EC2: Existing Employment Areas	Yes
Existing Lakes	SS7: Strategic Site Allocation – Lincolnshire Lakes	
Future Development Area	SS7-2: Southern Strategic Allocation	
Green Infrastructure	DQE11: Green Infrastructure Network	
Gypsy and Traveller Site	H6: North Lincolnshire's Travelling Communities	
Important Open Space	DQE10: Important Open Space	Yes
Landscape Enhancement	DQE2: Landscape Enhancement	Indirect - highlighted in supporting text, para 9.9
Listed Buildings	E1: Conserving and enhancing the Historic Environment	
Local Centre	CSC12: Restaurants and Hot Food Takeaway Establishments	
Local Geological Site	DQE3: Biodiversity and Geodiversity	
Local Green Space	DQE9: Local Green Space	Yes
Local Nature Reserve	DQE3: Biodiversity and Geodiversity, Policy DQE4: Local Nature Reserves	
Local Wildlife Site	DQE3: Biodiversity and Geodiversity	
M181 Junction	SS7: Strategic Site Allocation – Lincolnshire Lakes	
National Nature Reserves	DQE3: Biodiversity and Geodiversity	

Playing Fields	CSC3: Protection and Provision of Open Space, Sports and Recreation Facilities	
Playing Fields Extension	CSC3: Protection and Provision of Open Space, Sports and Recreation Facilities	
Port Operational Boundary	EC1: Employment Land Supply	Yes
Primary Route	SS7: Strategic Site Allocation – Lincolnshire Lakes	
Primary Shopping Area	TC1: Retail Hierarchy and Town Centre and District Centre Development	Yes
Proposed Education Facility	CSC8: Educational Facilities	
Proposed Employment Site	EC1: Employment Land Supply, EC1-1/EC1/9	Yes under EC1
Proposed Housing	H1: Site Allocations, H1P-1/H1P-33	
Proposed Primary School	CSC8: Educational Facilities	
Ramsar/Special Protection Areas	DQE3: Biodiversity and Geodiversity	
Safeguarded Route for Link Road	T7: Safeguarding Transport Infrastructure	Yes
Scheduled Ancient Monument	HE1: Conserving and enhancing the Historic Environment	
Site of Special Scientific Interest	DQE3: Biodiversity and Geodiversity	
South Humber Bank Landscape Initiative	EC4: South Humber Bank - Landscape Initiative	
South Humber Bank Mitigation Area	SS10: Strategic Site Allocation - South Humber Bank	Yes
Special Areas of Conservation	DQE3: Biodiversity and Geodiversity	
Strategic Employment Site	SS8: Employment Land Requirement (including Strategic Employment Sites), SS9: Land at North Killingholme Airfield, SS10: Strategic Site Allocation - South Humber Bank	

Strategic Mixed Use Area	SS7-3: Strategic Mixed Use Allocation	
Sustrans Landscape Enhancement	DQE2: Landscape Enhancement	
Tourist Attractions	No direct reference	
Town and District Shopping Centre	TC1: Retail Hierarchy and Town Centre and District Centre Development	Yes for Scunthorpe
Water Vole Mitigation Area	SS7-1: Northern Strategic Allocation, SS7-3: Strategic Mixed Use Allocation	
Wharf	EC5: Wharves	

The Framework establishes that plans should set out clear policies on what will and will not be permitted and where. Paragraph 16 indicates that plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals (d). Plans should also serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in the Framework where relevant) (f). They should also not duplicate other policies in the Plan or other legislation. We are concerned that a number of the policies in the Plan (or parts of them) do not accord with this guidance.

IQ36 Please can the Council reconsider the policies in the Plan in light of this context and provide a response?

Council's Response:

The Council has reconsidered the policies in the Plan and the resulting outcome are the following proposed changes to Local Plan policies and associated supporting text:

- Policies H7: New Agricultural Workers or Forestry Dwellings, H8: Replacement, Alteration and Extensions to Dwellings in the Open Countryside, and EC6: Supporting the Rural Economy have been deleted and combined into Policy RD1: Supporting Sustainable Development in the Countryside
- Policy EC2: Existing Employment Areas has been rationalised from a five to a four-part policy
- Policies EC3: Defined Industrial Buffer Areas and EC4: South Humber Bank – Landscape Initiative have been merged into one policy covering landscaping around industrial areas
- Policy CSC15 Tourism and Visitor Attractions has been merged into Policy EC7: A Sustainable Visitor Economy, as there was a very large degree of duplication between the two
- Policy TC2: Placemaking and Good Urban Design is proposed for deletion and combined with Policies SS3: Development Principles and DM1: General Requirements
- Policy DQE2: Landscape Enhancement is proposed for deletion and combined with Policy DQE1: Protection of Landscape, Townscape and Views
- Policies CSC11: Entertainment and Cultural Facilities and CSC14: Churches, Prayer Houses and Other Places of Worship are proposed for deletion and combined with Policy CSC10: Community Facilities and Services

IQ37 Have all of the all the documents referred to in the Plan been published on the examination website?

Council's Response:

Yes, all documents referred to in the Plan have been published on the examination website.

Some of the text included in the Introduction to the Plan at Section 1 (including but not limited to paragraphs 1.14, 1.16 to 1.24, 1.35, 1.39 to 1.48, 3.9) will be out of date when the Plan is finalised for adoption.

IQ38 Please can potential MMs to ensure that this part of the Plan be prepared?

Council's Response:

Yes, MMs will be prepared.

IQ39 Reference is made in the Plan to a number of SPDs. Please can a comprehensive list of the above relevant to the Plan showing their status, purpose, and their programme for preparation be provided?

Council's Response:

The plan refers to the following SPDs and an updated position on their preparation is shown below:

Biodiversity Supplementary Planning Document- this will support a number of policies outlined in the Local Plan. These policies aim to ensure that new development conserves and enhances biodiversity. The SPD provides additional guidance on the application of these policies to ensure they are implemented as effectively as possible. A draft has been prepared and sent to Natural England for comment. Now the local elections have taken place the Council is seeking member approval to consult on this document.

Developer Contributions Supplementary Planning Document- This is to help the Council consider whether specific development would generate the need for new or improved facilities and infrastructure without which the development would be unacceptable in planning terms. Planning obligations help to mitigate the impacts of a development. The contributions will either be delivered directly by the developer or by financial contribution to the council who will then spend the contribution on the specific infrastructure or service that is needed. A draft of this SPD is complete dated October 2022 and is part of the evidence base HOU09.

Lincolnshire Lakes Supplementary Planning Document- The Council has adopted the Lincolnshire Lakes Strategic Design Guide (LLK05) to set out a site wide masterplan and design code to guide development in the area. It is the intention of the Council to review this document following adoption of this plan to inform the production of a Lincolnshire Lakes Supplementary Planning Document (SPD). This document will set out an updated site wide masterplan and design code to guide development at Lincolnshire Lakes.

The Council is currently compiling the representations in a different manner so that they are easier to work with and interrogate.

ID40 Can the Council please advise when this work will be completed and uploaded to the examination website?

Council's Response:

We can confirm that this work will be completed by the end of May 2023.

The Five Year Housing Land Supply Statement on the examination website (HOU1) is dated August 2021.

IQ41 Is there a more up to date version than this and if so, can it please be placed on the examination website and the details of its location provided?

Council's Response:

Now the local elections have taken place the Council is seeking member approval for a more up to date version to be placed on the website.

We cannot find an Annual Monitoring Report on the examination website.

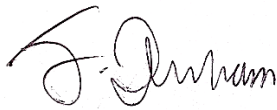
IQ42 Can the Council indicate where it is on the examination website and if it is not there can it please be placed on the examination website and its location provided?

Council's Response:

The latest AMR is located here: [Annual Monitoring Report 2022 Final.pdf \(northlincs.gov.uk\)](#)

With your agreement this can be placed on the examination website.

Yours sincerely,



James Durham MRTPI
Place Planning Specialist