



The Planning
Inspectorate

Report to North Lincolnshire Council

by Sue Turner RIBA, MRTPI, IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

**REPORT ON THE EXAMINATION INTO THE NORTH LINCOLNSHIRE COUNCIL
CORE STRATEGY**

DEVELOPMENT PLAN DOCUMENT

Document submitted for examination on 31 August 2010

Examination hearings held between 18 January and 20 January 2011

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ABBREVIATIONS USED IN THIS REPORT

AA	Appropriate Assessment
AAP	Area Action Plan
AMR	Annual Monitoring Review
AQMA	Air Quality Management Zone
CS	Core Strategy
DfT	Department for Transport
DPD	Development Plan Document
EA	Environment Agency
EIP	Examination in Public
ELR	Employment Land Review
ETS	Draft Western Scunthorpe Urban Extension Exception Test Strategy
HA	Highways Agency
HELADPD	Housing and Employment Land Allocations DPD
HR	The Habitat Regulations 2010
IPSCCE	Interim Policy Statement for Climate Change and Energy
LDS	Local Development Scheme
LLP	Lincolnshire Lakes Project
LP	North Lincolnshire adopted Local Plan 2003
MoU	Memorandum of Understanding for the Delivery of the South Humber Gateway Strategic Mitigation
NE	Natural England
PDL	Previously Developed Land
PPS	Planning Policy Statement
RS	Regional Strategy
RSPB	The Royal Society for the Protection of Birds
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SCG	Statement of Common Ground
SCS	Sustainable Community Strategy
SHLAA	Strategic Housing Land Availability Assessment
SHB	South Humber Bank
SHG	South Humber Gateway
SHGCM DP	South Humber Gateway Conservation Mitigation Strategy Delivery Plan
SHMA	Strategic Housing Market Assessment
SPA	Special Protection Area
SSS	Sustainable Settlement Strategy
SUE	Sustainable Urban Extension
UEA	Urban Extension Assessment

Non-Technical Summary

This report concludes that the North Lincolnshire Core Strategy Development Plan Document provides an appropriate basis for the planning of the district over the next 15 years. The Council has sufficient evidence to support the strategy and can show that it has a reasonable chance of being delivered.

A limited number of changes are needed to meet legal and statutory requirements. These can be summarised as follows:

- Introduction of contingency measures to ensure a managed supply of housing;
- Clarification that South Humber Bank is a broad location for development and not a strategic allocation;
- Changes to ensure satisfactory protection and mitigation for the Humber Estuary SPA and Ramsar site;
- Clarification of flood risk and infrastructure issues at Lincolnshire Lakes;
- Changes to provide an effective strategy for managing mineral resources;
- Revisions to the Core Strategy Infrastructure Schedule (Appendix A) to identify timing and contingency planning for key infrastructure on which the strategy depends;
- Minor changes to ensure soundness with regard to affordable housing and provision for Gypsies and Travellers, flood risk and nature conservation; and
- Minor changes to ensure consistency with government guidance.

All of the changes recommended in this report are based on proposals put forward by the Council in response to points raised and suggestions discussed during the public examination. The changes do not alter the thrust of the Council's overall strategy.

Introduction

1. This report contains the assessment of the North Lincolnshire Core Strategy Development Plan Document (DPD) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004. It considers whether the DPD is compliant in legal terms and whether it is sound. Planning Policy Statement (PPS) 12 (paragraphs 4.51-4.52) makes clear that to be sound, a DPD should be justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for the examination is the submitted draft core strategy which is the same as the document published for consultation in May 2010.
3. This report deals with the changes that are needed to make the DPD sound and they are identified in bold. They have all been proposed by the Council and are presented in **Schedule A**. None of these changes materially alter the substance of the plan and its policies, or undermine the sustainability appraisal and participatory processes undertaken. The Council has proposed some changes which are factual updates, corrections of minor errors or minor amendments in the interests of clarity. These changes do not relate to soundness and are generally not referred to in this report, but the Council's view that they improve the plan is endorsed. They are listed in **Schedule B**. The Council may also make any additional minor changes to page, figure, paragraph numbering and to correct any spelling errors prior to adoption.

Assessment of Soundness

Preamble

4. The Secretary of State for Communities and Local Government has indicated his intention to abolish Regional Strategies, including the Yorkshire and Humber Plan. Revocation was successfully challenged in the High Court. Consequently Regional Strategies continue to form part of the development plan for the time being. However their abolition remains a central policy objective of the Government and should it take place the Council will need to remove references to the RS. However abolition is unlikely to affect the plan's soundness because whilst the CS is in conformity with the RS it is not dependant on it and is supported by its own locally derived evidence base.
5. Towards the end of the Examination the government issued a Written Ministerial Statement: "Planning for Growth" which sets out its commitment to reforming the planning system so that it promotes sustainable growth and jobs. Further consultation was carried out to invite views on this policy change and its effect on the assessment of the soundness of the CS. This report takes account of this policy change and of comments made by participants on the soundness of the CS.

Statements of Common Ground

6. During the examination of the CS the Council undertook extensive discussions with a number of representors including the Environment Agency, Natural England, the Royal Society for the Protection of Birds (RSPB), the Highways

Agency, developers and landowners. The resulting 8 Statements of Common Ground (SCGs) have identified a number of agreed changes that are included on Schedule A or Schedule B as appropriate. Work on the SCGs has demonstrated positive consensual working at local level and enabled the hearings part of the examination to be reduced in length.

Main Issues

7. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings there are nine main issues upon which the soundness of the plan depends.

Issue 1 – Is the overall strategy, with a focus on Scunthorpe and high levels of employment and housing growth, justified and appropriate?

8. The CS presents a bold and ambitious vision based on significant growth in employment and housing. Making Scunthorpe the focus for development, supported by the six market towns, is key to the first of the strategy's ten spatial objectives: *An Area Wide Renaissance*. Securing the major growth potential presented by the South Humber Bank ports is key to the second spatial objective: *Delivering the Global Gateway*.

The focus on Scunthorpe

9. Scunthorpe is identified in the RS as a sub regional town and a Regeneration Priority Area. However the emergence of Scunthorpe as the focus for growth and regeneration pre-dates the RS. The town was designated as a renaissance town under the Yorkshire Forward Renaissance Town and Cities Programme in 2002. Public events in 2003 led to the publication of the 2004 Scunthorpe Declaration, setting a "town charter" with a vision of Scunthorpe as a renaissance town and economic driver for the district. The Scunthorpe Framework (2005) took this objective forward and considered the physical aspects of renaissance and growth. Thus, Scunthorpe as the focus for growth has evolved through an iterative process with support from the local communities, the Scunthorpe Town Team and the Local Strategic Partnership.
10. Scunthorpe's role as the driver of renaissance developed further through the Issues and Options and Preferred Options stages of the CS. It is clear that alternative patterns of growth were considered. However public consultation indicated strong support for focussing growth on Scunthorpe to deliver renaissance and economic prosperity for the district as a whole, whilst the sustainability appraisal identified that the level of growth should be of sufficient scale to support transformational change for the town. It identified that Scunthorpe has existing infrastructure capacity to support growth.
11. It is argued that focussing growth on Scunthorpe could harm the sustainability and vitality of the district's market towns and rural communities. However consultation undertaken as the CS developed showed public support for the strategy of expanding the market towns only to meet the needs of the local community and surrounding rural areas. The SA supports the role of the market towns as local service centres, with development to reflect their historic character and take account of infrastructure constraints that affect them. Thus, the evidence supports the strategy of focussing growth on Scunthorpe, the sub regional town, whilst maintaining and enhancing services

in the market towns to enable them to fulfil their role as service centres.

Employment and housing growth

12. Making North Lincolnshire a place where the economy is diverse, dynamic and competitive, supported by an adaptable and highly skilled workforce is an ambition set out in the 2006 Sustainable Community Strategy (SCS). Further public consultation through the Issues and Options, Preferred Options and the SA process indicates that a high level of employment growth has support from the community. Evidence of the public engagement throughout the evolution of the CS demonstrates that the need to attract investment to the area is widely understood and accepted by the local community as part of the renaissance agenda.
13. South Humber Bank (SHB) was identified as a major economic development opportunity for the region in the RS, its potential having already been recognised in the 2003 adopted Local Plan. Further regional and sub regional studies, involving cross boundary working, have confirmed the opportunities provided by the Humber Ports as an international gateway for the region and the country. The reference to SHB in Policy CS12 as a Strategic Employment Site is unclear and the Council's suggested changes **CS/MAJ/032** and **CS/MAJ/033** are needed to clarify that it is a broad location for development, based on an existing LP employment allocation but without a defined boundary. CS12 anticipates that around 900 hectares of land at SHB will be developed for port related activities to be delivered through a Master Plan and detailed studies and taken forward by the South Humber Gateway Board and the South Humber Gateway Delivery Group and its Ecology Sub Group.
14. The Employment Land Review (ELR), updated in 2010, identifies a future employment land need of 168 hectares. This updates and supersedes the RS employment requirements for the district and it excludes the potential jobs growth of the SHB. The ELR also identifies the need for strategic employment sites at Scunthorpe, Sandtoft and Humberside Airport. The broad locations for strategic employment sites are together intended to support a high level of economic growth to deliver the renaissance theme which underlies the spatial vision and objectives.
15. Concerns have been raised that the identification of Sandtoft as a broad location for a business park is not a sustainable strategy. However the Sandtoft Evidence Base (2009) demonstrates the viability of connection to the existing road network and the SA highlights social and economic benefits, with the potential for significant job creation in the area to the west of Scunthorpe where employment opportunities are currently limited. Thus, the proposal to allocate land for employment at Sandtoft is supported by robust evidence.
16. The demand for housing in North Lincolnshire will be driven by the proposed high level of economic growth and by population and household growth. The Council has taken a pro-active approach to planning for housing growth and succeeded in increasing its RS housing target to 750 dwellings per year from 2011 to 2026. This is supported by high levels of housing need set out in the SHMA, recent annual housing completion rates (2004 – 2008), population projections produced by the Office for National Statistics and the Government's household projections. It underpins the ambition to create a

transformed urban area based on the vision in the Scunthorpe Framework and the significant employment growth driven primarily by the SHB broad location. It is clear that the CS housing target is supported by locally derived evidence, irrespective of the status of the RS.

17. The strategy of focussing development on Scunthorpe and the proposed high levels of employment and housing growth support the CS spatial objectives of renaissance and economic growth. This strategy has wide public support and is soundly based on a robust and extensive evidence base.

Issue 2 – Is the overall provision and spatial distribution of housing justified? Is the proposed level of housing in Scunthorpe and the Market Towns deliverable?

18. Justification for the ambitious level of housing growth is explained in the preceding paragraph and summarised in evidence in the Council's Housing Topic Paper. The housing trajectory in the CS, whilst showing no locational information, is underpinned by detailed locational information in the SHLAA.
19. The spatial distribution of housing development also flows from the renaissance agenda, but is supported by the SA, public consultation and the availability of suitable land identified through the SHLAA and the Sequential Test of Flood Risk of Potential Development Sites. The CS states that 82% of new housing will be located in and adjacent to Scunthorpe and 18% in five of the market towns.
20. Concerns have been raised that no new housing is proposed in Epworth, the sixth market town. However evidence suggests that this approach reflects the views of the majority of the local community and the fact that no new sites were identified at Epworth in the SHLAA. It also reflects constraints such as the restricted opportunities for expansion due to the surrounding historic landscape and limited public transport and employment opportunities. Epworth has been subject to high growth in recent years, some unimplemented planning permissions remain and it remains a lively and vibrant service centre. All of these factors support the proposed low growth in Epworth as an appropriate and sustainable strategy.
21. The SHLAA identifies sufficient sites in Scunthorpe and the Market Towns for the first five years of the plan period. In the second five year period it demonstrates that whilst there are specific sites to meet the housing requirements for the Market Towns, a broad location will need to be identified to achieve the strategy for housing growth focussed on Scunthorpe. This is presented in Policy CS8 as an urban extension to Scunthorpe, referred to as the Lincolnshire Lakes Project (LLP) and discussed in detail in the following section of this report. There is no reliance on windfall sites.
22. The density ranges for housing in various locations, set out in Policy CS7, are based on those achieved over recent years and developed through the SHLAA. They have been agreed with local stakeholders and the evidence demonstrates that they are achievable. Policies CS2, CS7 and CS8 all give priority to the re use of previously developed land (PDL), whilst Policy CS8 includes a target of 30% of housing provision on PDL in the built up areas. This approach is consistent with the CS objectives of renaissance and sustainability, as set out in CS Spatial Objectives 1, 5 and 7.

23. The AMR shows that completion rates between 2004/05 and 2007/08 averaged over 700 dwellings per annum. The proposed increase above this figure, and significantly above more recent low levels of growth, takes account of the transformation agenda and projected employment growth. This information, together with more detailed and up to date projections of housing delivery prepared for the forthcoming Housing and Employment Land Allocations DPD (HELADPD), indicate that the anticipated housing supply in Scunthorpe and the Market Towns is deliverable. Delivery of housing through the LLP is considered in following section.

Issue 3 – Is the broad location for a sustainable urban extension at Lincolnshire Lakes justified and deliverable? Does the CS provide flexibility to maintain the required level of housing supply if the LLP does not deliver at the anticipated rate?

24. The concept of a western extension to Scunthorpe pre dates the CS Issues and Options. It has been part of the vision for the town's future for several years and emerged, together with the vision of a new urban heart, from a community based event held in 2002. A "Lake District" was first mentioned in the 2004 Scunthorpe Declaration when it was conceived as a landscaped area. The 2005 Scunthorpe Framework took the vision one step further, offering the alternative scenarios of soft or hard development.
25. Subsequently the Lincolnshire Lakes, presented as a sustainable waterside setting and residential neighbourhood, was included in the SCS as one of two flagship projects considered central to the overall development of North Lincolnshire. At the Preferred Options stage of the CS this flagship project was linked with the need for a broad location for housing development. These two strands are drawn together in the CS which identifies Lincolnshire Lakes as a broad location for development, linked to the town's renaissance, to be taken forward through an Area Action Plan.
26. The commitment to the LLP in the early stages of the CS and its identification as a broad location for development rather than a strategic allocation have made it difficult for the Council to demonstrate that this option is justified, deliverable and flexible. Three main areas of concern have emerged from the examination:
- Early commitment to the LLP as a "flagship project" in the SCS raises questions about the adequacy and objectivity of analysis, carried out after publication of the SCS, to establish the most appropriate area for an urban extension and a broad location to accommodate a significant proportion of the district's housing development (*justification*);
 - Presenting the LLP as a key component of the urban renaissance, which underpins the CS, places it at the heart of the strategy and raises questions about the deliverability of the project (*deliverability*); and
 - Lincolnshire Lakes is a broad location for development, to be developed through an AAP. However it is relied upon to deliver a significant proportion of North Lincolnshire's housing supply, raising the question of whether the CS can accommodate fluctuations in the rate of delivery of housing through the LLP (*flexibility*).

Justification

27. The need for an urban extension flows from the objective of accommodating sufficient development to focus housing growth on Scunthorpe and to support and deliver transformational change. In 2009 the Council undertook a comparative assessment of the constraints and strengths of areas to the north, east, south and west of Scunthorpe for an urban extension.
28. This Assessment of Possible Locations for an Urban Extension at Scunthorpe (UEA) acknowledged that a range of masterplanning and feasibility work had already been carried out on the western area since its identification as an area for development by the Scunthorpe Urban Renaissance Programme in 2002. The fact that more detailed information was available for this area and commitment to it already existed has led to criticism that the four areas were not assessed on an equal basis.
29. The UEA dismisses the area east of Scunthorpe as a viable option for an urban extension as the AQMA and other constraints in this area would result in any new housing being located away from the urban fringe. The area north of Scunthorpe, whilst capable of providing small pockets of development, does not have the scope for sufficient development to deliver the major urban extension. The evidence showing that these areas would not meet the CS objectives is clear and conclusive.
30. South of Scunthorpe is a substantial area of land which could be developed for housing. The UEA dismisses this area on the grounds that the area has a number of key difficulties that would need to be overcome before it could be developed. However in selecting land to the west of Scunthorpe as the most suitable area for urban extension the UEA takes account of the extensive work that has been carried out to address constraints to development of the LLP.
31. The assessment of the options based on differing levels of detail and stakeholder involvement is a weakness of the UEA. However even if all the constraints to development south of the town were addressed and overcome the area to the west retains three distinct advantages. These are:
 - the commitment that has already been made to the LLP through the Urban Renaissance Programme and its inclusion as a key project in the SCS;
 - analysis in the SA which identifies that only the western area is big enough to support an urban extension of sufficient scale to strengthen the economy and promote future economic prosperity; and
 - the potential for a smooth physical transition between the existing town centre, parkland and residential areas to the urban extension.
32. The UEA does not fully explain the importance of these three points but they were drawn out in the hearings and the evidence base makes it clear that they are vital to achieving the vision and renaissance spatial objective. Thus, whilst the UEA is weak, the evidence base as a whole explains and justifies the selection of the LLP as a broad location for housing development.
33. During the examination it was argued that no consideration had been given to

an option of two smaller urban extensions. However the second and third bullet points above preclude a more fragmented approach to extending the town and would clearly not meet the need for an urban extension of sufficient critical mass to support renaissance or address the importance of connectivity to the existing town.

Deliverability

34. The masterplanning work carried out in advance of preparing an AAP for the LLP identifies accessibility and flood risk as the key physical constraints to the LLP as an urban extension of the scale proposed in the CS. The transport infrastructure implications of the LLP are examined in the Lincolnshire Lakes Transport Strategy 2010 which goes into a level of detail and costings which the Highways Agency has agreed is appropriate to inform the CS. This will form the basis for masterplanning and preparation of the AAP. The Council and the HA have signed a SCG which sets out an agreed sequence of events to lead up to the de-trunking of the M181 to facilitate access. It confirms the HA's full commitment to de-trunking of the M181 and includes an agreement that this will be at no cost to the DfT or the HA.
35. The 2010 Final Report of the Sequential Test of the Flood Risk of Potential Development Sites identifies that after 2017 North Lincolnshire's new housing will need to be provided within areas identified as being at high risk of flooding. Much of the LLP study area is located in Flood Zone 3A and in parallel with the development of the CS the Council has carried out exception testing of the western Scunthorpe Urban Extension (the LLP area). The Draft Western Scunthorpe Urban Extension Exception Test Strategy (ETS) has identified a range of potential mitigation solutions to address flood risk in the broad area for development and to reduce flood risk in nearby villages. Solutions include the local raising of flood defences for areas at high risk, land raising, maintaining the River Trent flood defences, ground raising and dynamic storage. The ETS identifies two combinations of strategic mitigation solutions, either of which would enable the LLP to be developed safely, would not increase flood risk elsewhere and would provide wider sustainability benefits. A third option, currently under consideration, is not yet sufficiently advanced to be assessed but the EA is satisfied that two solutions exist that would give a high level of protection for existing villages.
36. Sufficient work has been carried out to demonstrate that the LLP can deliver the level of development required to meet housing targets and effect renaissance. However the SCG between the Council and the EA identifies agreed changes to confirm that the ETS and other investigative work has been undertaken, to emphasise the strategic base set by ETS and to highlight that delivery of mitigation measures will need to be agreed through the LLP AAP and reflected in indicators and targets. These changes, **CS/MAJ010**, **CS/MAJ021** and **CS/MAJ045** are necessary to clarify how the LLP will be delivered. Changes **CS/MAJ/044** and **CS/MAJ/051** are also required to clarify additional infrastructure requirements to the sewage network and treatment facilities to the LLP area.
37. The Council has entered into an Exclusivity Agreement with the master developer for the LLP to secure a joint venture vehicle. This will enable collaborative working with the Council to secure private finance for

infrastructure and site preparation works. Extensive and detailed work has been carried out to assess the viability of the LLP and its capability to deliver at a rate of 600 dwellings per annum. The LLP Business Case has examined the level of housing being delivered and completion rates achieved in other urban extensions of similar size to the LLP and a potential delivery strategy for the LLP is set out in the Schematic Masterplan Framework.

38. It is proposed that development will take place at a rate the market demands, driven by demand linked with the planned significant increase in employment in the area, such as that projected for SHB. Access and land to deliver the early phases of the project are controlled by the master developer and the evidence demonstrates that delivery of the first phase of the LLP is viable.

Flexibility

39. However relying on a single project to deliver such a large proportion of North Lincolnshire's housing supply is not without risk. Later stages of the LLP will require significant lead in times to provide infrastructure and assemble sites and maintaining a momentum of delivery will depend on multiple developers working concurrently. The detailed evidence that supports the LLP goes to an appropriate level of detail to demonstrate that all of these requirements are capable of being achieved. Nevertheless the CS should include some provision for contingencies should development at LLP take place at a slower rate than anticipated.
40. An alternative strategy of meeting the supply through two urban extensions was considered in detail at the examination Hearings. However whilst broadening the area of growth might provide a more secure and more robust housing delivery strategy, it would undermine the contribution that the LLP will make to urban renaissance. CS Policy CS7 includes a trigger point for review of the CS if housing fails to be delivered in accordance with the trajectory. After discussion at the examination hearings the Council has suggested a more pro-active approach of allocating contingency sites through the HELADPD, which can be brought forward if the LLP fails to deliver as anticipated. This change, **CS/MAJ/021a**, will provide the necessary flexibility to ensure that the CS is able to accommodate changing circumstances.

Issue 4 – Is the CS approach to strategic mitigation requirements for the Humber Estuary SPA and Ramsar site consistent with the Habitat Regulations?

41. SCGs between the Council and Natural England (NE) and the Council and the RSPB identify a number of wording changes relating to nature conservation aspects of the SHB broad location. These changes, **CS/MAJ014**, **CS/MAJ/028-031**, **CS/MAJ034** and **CS/MAJ/035**, are all necessary in order to ensure that the CS fully addresses the requirement to protect sites of nature conservation. The main issue that remains relates to mitigation for the Humber Estuary SPA and Ramsar site.
42. The HR Stage 2 Appropriate Assessment, carried out during the examination, identified the likely significant effects of Policy CS12 (SHB) on the Humber Estuary Ramsar site. NE and the RSPB have provided detailed advice on the mitigation requirements and argue that the CS should specify the minimum area of strategic mitigation within the SHB area and include a commitment to

deliver appropriate offsite mitigation.

43. The Council and other players in the South Humber Gateway (SHG) project are working together to advance work on mitigation. A Memorandum of Understanding (MoU) for the Delivery of the SHG Strategic Mitigation has been prepared and signed by key stakeholders, including Natural England, the RSPB, the EA and the Council. It includes agreed commitments to acquire and manage land for the SPA/Ramsar birds that will be affected by development. In addition the SHG Conservation Mitigation Strategy Delivery Plan (SHGCMDP) sets out work plans for the acquisition and management of mitigation sites.
44. The timescales in the SHGMDP have slipped but its objectives, together with the MoU, demonstrate that the Council and its partners are taking a pro-active approach to ensure that mitigation will be delivered and managed appropriately. The Council has suggested a change to part D of Policy CS12 to replace reference to the Delivery Plan for Ecology and Industrial Development (which does not exist) with reference to the SHGMDP and to state that the areas of mitigation will be delineated and safeguarded in the HELADPD.
45. This is not an agreed change because NE argues that delegating identification of mitigation areas to a lower level DPD is not appropriate. However SHB is a broad location and work is not sufficiently advanced to determine the exact mitigation areas. However work is at an advanced stage and involves a wide range of stakeholders, including cross boundary working with North East Lincolnshire Council. Should any proposals for development of individual sites at SHB come forward in advance of the HELADPD being adopted, they will be subject to individual mitigation through Policy LC1 of the LP, a policy which remains in place when the CS is adopted. In these circumstances the Council's proposed change, **CS/MAJ/035a**, is appropriate and will provide a clear strategy for delivering mitigation.

Issue 5 – Does the CS address dealing with future minerals resources in a way which is effective and consistent with government guidance?

46. Chapter 13 of the CS sets out the Council's broad objectives for managing mineral resources and explains that the minerals policy will be refined further in the Minerals and Waste DPD. It includes policy CS21 which identifies Mineral Safeguarding Areas, based on sites that are currently allocated in the Local Plan, and sets out guidelines for the sustainable extraction of minerals.
47. Concerns have been raised that Policy CS21 is too restrictive and representors have suggested that the identification of Mineral Safeguarding Areas should be revisited as part of the development plan process. It is also noted that terminology and references in this chapter do not align accurately with those in government guidance on planning for minerals, particularly in MPS1.
48. During the examination the Council and representors have engaged positively to address all of the concerns raised on this issue. The resulting SCG proposes a number of agreed changes that effectively redraft Chapter 13. These changes delegate the identification of Mineral Safeguarding Areas, Preferred Areas and Areas of Search to the Minerals and Waste DPD. Reference to buffer zones is removed as these will be more appropriately delivered in the General Policies DPD. However the policy continues to provide criteria for

major developments in the Minerals Safeguarding Areas. Changes to terminology and references ensure consistency with government guidance. None of these changes, **CS/MAJ/047a – CS/MAJ/047m**, are of a nature to require further public consultation or sustainability appraisal. However they will ensure that minerals policy can be carried forward affectively and ensure consistency with government guidance.

Issue 6 – does the CS identify the infrastructure required to accommodate the strategy and is it deliverable?

49. The Infrastructure Schedule at Appendix 1 of the CS identifies all the elements of infrastructure that are critical to successful delivery of the CS and is supported by detailed information in the Infrastructure Delivery Plan. Some elements of infrastructure, particularly major highway schemes, rely on public funding which remains uncertain. However discussion at the hearings revealed that although not shown on the schedule the Council has in place contingency plans for alternative schemes or funding which would enable the strategy to be delivered.
50. The Council has redrafted Appendix 1 to highlight elements of infrastructure that are critical to the early part of the plan period, to identify which policies depend upon the key infrastructure projects and to include the contingency plan for each item of infrastructure. The revised Appendix 1 provides a more complete and robust overview of infrastructure and delivery and should replace the existing version. For the CS to be effective change **CS/MAJ/054** should be added to **Schedule A** to ensure that the revised Appendix A forms part of the CS.
51. The need for major improvements to the sewage network to accommodate growth within and adjoining Scunthorpe has been identified. Additional wording is required to set a clear direction for ensuring that the relationship between phasing of development is addressed in the LLP AAP and the HELADPD. Change **CS/MAJ/044** which has been agreed in the SCG between the Council and the EA will achieve this objective and ensure effectiveness.

Issue 7 – Is the CS provision for affordable housing justified, consistent with national guidance and effective?

52. CS Policy CS9 sets out a range of requirements for the provision of affordable housing in the Scunthorpe urban area, the Market Towns and the rural settlements and provides a guide to tenure split. The policy is consistent with guidance in PPS3 and is supported by up to date evidence. In particular the thresholds and targets reflect the findings of the Council's Affordable Housing Financial Viability Study. A minor wording change, **CS/MAJ/023**, agreed in SCGs between the Council and housing developers, is required to ensure that the policy is sufficiently flexible to take account of the economic viability of developing individual sites.

Issue 8 - Are the CS proposals for the provision of sites and pitches for Gypsies, Travellers and Travelling Showpeople justified and effective?

53. Policy CS10 sets out the number of pitches required for Gypsies and Travellers up to 2016 based on the Gypsy and Traveller Accommodation Assessment which has been prepared in cross boundary working with North East

Lincolnshire. The Council has suggested wording changes, **CS/MAJ/024** and **CS/MAJ/027**, which are necessary to clarify that the policy will be taken forward by designating sites through the General Policies DPD. The policy includes a range of considerations which are consistent with advice in the Designing Gypsy and Traveller Sites: Good Practice Guide and which should be taken into account. However it avoids being over prescriptive and allows flexibility for the significance of these considerations to vary depending on the scale of each site. The CS is consistent with national policy and there is no need for reference to the Good Practice Guide to be made in the text.

54. During the course of the examination the Government published draft details of a proposed single Planning Policy Statement that will replace Circulars 01/2006 and 01/2007. This document is still subject to consultation and can therefore be given only limited weight at this stage. However the assessment of local needs and the cross boundary approach that have informed Policy CS10 are clearly consistent with the draft national policy.

Issue 9 - Is the CS approach to sustainable development justified and consistent with government guidance?

55. Policy CS18 includes a requirement for developments above 500 square metres or five residential units to incorporate on site renewable and decentralised energy systems to reduce predicted CO2 emissions. It refers to out of date target dates for carbon emissions reductions. A wording change agreed with developers will update these figures to reflect statutory targets in the Climate Change Act 2008. This change, **CS/ MAJ/042**, is necessary to ensure that the CS is consistent with national policies.
56. The Council also suggested additional wording to reflect its Interim Policy Statement for Climate Change and Energy (IPSCCE) which includes a code for sustainable homes and renewable energy. The Supplement to PPS1: Planning and Climate Change notes that there will be situations where it could be appropriate for planning authorities to anticipate levels of building sustainability in advance of those set out nationally. However such standards must be justified by local circumstances.
57. In this case, although the Council refers to its Climate Change Action Plan, there is little evidence to justify imposing higher standards and no evidence that the effect of implementing such a policy has been viability tested. Furthermore whilst agreed by signatories to the SCG and endorsed by the Council's Planning Committee (by approval of the IPSCCE), these standards have not been subject to wider public scrutiny. Whilst the Council has decided to rely on the IPSCCE in development control, importing the proposed standards into the CS at this late stage is not justified.

Other Matters

Flood risk

58. The SCG signed by the Council and the EA has identified a number of further changes which are required for soundness but do not need to be addressed in detail in this report. Changes **CS/MAJ/002** and **CS/MAJ/049** correct reference to the Humber Flood Risk Management Strategy, **CS/MAJ/053** add precision to the funding sources for flood risk management; **CS/MAJ/012**

introduces a necessary reference to flood management in taking forward redevelopment of Sandtoft Airfield for employment use; changes **CS/MAJ/037** and **CS/MAJ/038** clarify the application of the sequential test; and change **CS/MAJ/050** provides up to date information from the Transport Plan in order to clarify the situation on work to the A1077 strategic road scheme. These changes will ensure that the CS is effective.

Monitoring framework

59. The SCG signed by the Council and the EA has also identified additional indicators and targets to enable monitoring of development in areas at risk of flooding and effects on areas of biodiversity importance. Changes **CS/MAJ/019** and **CS/MAJ/046** are required to ensure that the monitoring framework is effective.

Other Nature Conservation Issues

60. Changes **CS/MAJ/003** and **CS/MAJ/013** have been identified in the SCG signed by the Council and the EA and are necessary to ensure that the CS includes complete and accurate information about nature conservation sites and is therefore effective in this respect.
61. Working with Natural England to produce a SCG, the Council has proposed changes **CS/MAJ/036** and **CS/MAJ/039** to clarify the way in which green infrastructure strategy will be taken forward and to confirm commitment to cross boundary working. Both changes should be made to ensure that the CS is effective.

Legal Requirements

62. My examination of the compliance of the Core Strategy with the legal requirements is summarised in the table below. I conclude that the Core Strategy meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Core Strategy is identified within the approved LDS July 2010 which sets out an expected adoption date of July 2011. The Core Strategy's content and timing are compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The final SCI was adopted in July 2010 and consultation has been compliant with the requirements therein.
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	Appropriate Assessment has been carried out (December 2010) and is adequate.
National Policy	The Core Strategy complies with national policy except where indicated and changes are recommended.
Sustainable Community	Satisfactory regard has been paid to the SCS.

Strategy (SCS)	
2004 Act and Regulations (as amended)	The Core Strategy complies with the Act and the Regulations.
Regional Strategy (RS)	The Core Strategy is in general conformity with the RS.

Overall Conclusion and Recommendation

63. I conclude that with the changes proposed by the Council, which are set out in **Schedule A**, the North Lincolnshire Core Strategy DPD satisfies the requirements of s20(5) of the 2004 Act and meets the criteria for soundness in PPS12. Therefore I recommend that the plan be changed accordingly. And for the avoidance of doubt, I endorse the Council's proposed minor changes, set out in **Schedule B**.

Sue Turner

Inspector

This report is accompanied by:

- **Schedule A** (separate document) Council Changes that go to soundness
- Revised **Appendix A to the CS** (appended to Schedule A)
- **Schedule B** (separate document) Council's Minor Changes