

Our ref: General/40b – Planning Conformity/Final responses/NE Lincs Core Strategy: Preferred Options Aug 07

3 August 2007

Ian King
Principal Planning Officer
North East Lincolnshire Council
Forward Planning
Environmental Services
Origin Two
2 Origin Way
Grimsby
DN37 9TZ

Dear Ian

**North East Lincolnshire Local Development Framework – Core Strategy:
Preferred Options – Public Consultation**

The Yorkshire and Humber Assembly welcomes the opportunity to comment on the North East Lincolnshire Core Strategy: Preferred Options and to continue its involvement in the development of a coherent spatial planning framework for the region. The comments offered in this letter are intended to be within the spirit of continued and productive joint working.

At this stage, the Assembly's response to the consultation document is a set of officer comments. The aim is to highlight where issues related to general conformity with the Regional Spatial Strategy might arise. When the North East Lincolnshire Core Strategy is submitted to the Secretary of State a formal Assembly view on its general conformity with the Regional Spatial Strategy will need to be given.

The following officer comments are made in relation to the existing Regional Spatial Strategy for Yorkshire & the Humber (based on the selective review of RPG12 issued in December 2004) and the Draft Regional Spatial Strategy – the Yorkshire and Humber Plan (submitted to the Secretary of State in December 2005).

The comments place emphasis on the draft Regional Spatial Strategy (RSS), which reinforces and develops the general thrust of existing RSS. It is also more up to

date and is gathering 'weight' as it passes through the preparation process. The Panel Report of the Examination in Public of the Yorkshire and Humber Plan has now been published (May 2007). This contains recommendations to Government that may or may not be reflected in the Proposed Changes to the Plan that are due to be published for consultation in the summer. The Panel Report backs the Plan's overall approach and strategy. It also includes recommendations for changes or additions to policies. Any points from the Panel Report that are particularly relevant to this response are noted within the following paragraphs. The Yorkshire and Humber Plan should be published in early 2008.

General Conformity with the Regional Spatial Strategy

As you know, the Planning and Compulsory Purchase Act 2004 introduced mechanisms to help ensure that Development Plan Documents (DPDs) drawn up by local authorities as part of the Local Development Framework (LDF) are in general conformity with the Regional Spatial Strategy (RSS). The intention is to ensure that DPDs are contributing to the delivery of the RSS and that the two strands of the Development Plan for an area (the RSS and DPDs) are mutually supportive and not in conflict.

So that both parts of the Development Plan are working together, we feel that it is important that DPDs:

1. Ensure the outcomes/objectives of the RSS are achieved and implemented
2. Build upon policies of the RSS to reflect local circumstances, in light of a local evidence base

The Planning Inspectorate published *Local Development Frameworks: Lessons Learnt Examining Development Plan Documents* in June 2007. The aim of this guidance for local planning authorities is to focus on lessons learnt from examining Core Strategies. The advice states that 'the Core Strategy should be clear and coherent in developing national and regional policy to provide a strategy specific to the local area (i.e. providing local distinctiveness) and giving spatial expression to the Community Strategy'. It then goes further on to state that 'policies in an LDF should be locally distinctive'.

What the Assembly would therefore be expecting to see is a clear link between policies in DPDs and those in the RSS. However, it is not always clear in the Core Strategy how this has been achieved. The Assembly welcomes the reference at the start of the document for the need for general conformity and the reference to Policy HE1 of draft RSS (2005). However, we feel that there is much more in the RSS that has not been followed through and built upon in the Core Strategy.

Our comments reflect this overall concern. In addition to this key concern, our main points are:

- Need for an explanation of general conformity with RSS at the start of the document and what this means/how this needs to be reflected throughout

the document.

- Concern that the identification of Immingham as a Principal Service Centre is not backed up by a local evidence base that clearly differentiates its role/potential from other settlements such as Humberston and New Waltham.
- Need to set out what will be the principles behind the local employment study and the basis upon which potential sites will be assessed.
- Concern regarding potential support for out of centre development, including office developments.
- Need to clearly set out how new housing is to be distributed in the District and how the needs of Gypsies and Travellers are to be met.

The attached Annex sets out more detailed comments on each of these points and each policy in the Core Strategy.

I trust that these comments are helpful to you as you prepare the Core Strategy for submission to the Secretary of State. If you wish to discuss any of the points made here please do not hesitate to get in touch. We look forward to continuing to work with you on your Core Strategy.

Regards

A handwritten signature in blue ink, appearing to read 'Jenny Poxon', written in a cursive style.

Jenny Poxon
Head of Planning Delivery and Conformity

ANNEX

General Comments

Table 1.2 and **paragraph 1.7** set out what the statutory Development Plan for North East Lincolnshire will consist of in the future. The Assembly feels that it would be helpful if the table made clear that the RSS is issued by the Government. There is also a need to ensure that the need for 'general conformity' is set out in either **Table 1.7** or **paragraph 1.7**. The Assembly welcomes the references to the RSS in **paragraphs 4.3** to **4.7** however it is suggested that these would be better placed if they were combined with **paragraph 1.7** and **Table 1.7**.

It would be helpful if the dates and status of the current and draft RSS were explained. For clarification current RSS was published in December 2004 and draft RSS was published in December 2005. It will also be helpful to note that the Panel Report of the Examination in Public of the Yorkshire and Humber Plan has now been published (May 2007). The Yorkshire and Humber Plan should be published by early 2008. It would be helpful if the reference in **paragraph 4.3** made it clear that Policy HE1 is taken from draft RSS (2005).

The Assembly is encouraged by the reference to the Regional Transport strategy in **paragraph 4.8**. However, the Assembly feels that it should be noted in this paragraph that the Regional Transport Strategy is an integral part of the current (2004) and draft (2005) RSS.

Paragraph 5.4 clearly states that Grimsby and Cleethorpes will operate together in the role of a sub-regional centre, which conforms with Policy HE1A of the draft RSS (2005). However, it is also stated that Immingham will function as a Principal Service Centre.

Immingham is not identified as a Principal Service Centre in draft RSS (2005). The Panel Report recommends that local authorities should identify Principal Service Centres based on local evidence and plans for a centre's future development. The Assembly notes the Settlement Sustainability Matrix in Annex 2 but does not feel that this provides an evidence base for Immingham's role to be distinct from other settlements. For example, the scores for Immingham, Humberston and Waltham should all be the same based on the scores in the columns. A clearer case for treating Immingham, as a Principal Service Centre therefore needs to be made if this is to be followed through in the spatial strategy and settlement hierarchy of the Core Strategy. At present, the only difference presented is by way of population.

The Assembly supports the principles outlined in **paragraphs 6.5** to **6.12**.

Policy KP1 Spatial Strategy

Policy KP1 states that the primary focus for regeneration and growth in North East Lincolnshire will be on town centres, urban areas, principle service settlements and service settlements. This is supported but it is unclear how these types of

settlements are differentiated. It is suggested that more clarity and justification needs to be provided here.

Policy KP1 proposes what the settlement hierarchy should be in North East Lincolnshire. The Assembly supports Grimsby and Cleethorpes as the main urban area as the focus for significant development and the principle of a hierarchy but feel that more evidence and justification for Immingham's role as a Principal Service Centre needs to be provided (see above comments).

Policy KP2 Sustainable Development

Policy KP2 clearly identifies the principles of sustainable development that are at the heart of the national planning system. However, in this policy there is a need to demonstrate a local interpretation of these principles and the policy needs to demonstrate how these principles listed will be met locally through opportunities in the Borough.

Policy KP3 Implementation

Policy KP3 clearly demonstrates how the Council will facilitate the delivery of the Council's strategic objectives through the preparation of Development Plan Documents and Supplementary Planning Documents, which will include supplementary guidance relating to: Design Principles, Sustainable Development, Mitigating Flood Risk, and Planning Contributions. The policy also states as future Development Plan Documents are developed consideration will be given to reviewing existing supplementary planning guidance. However, the Assembly feels that the information that is provided in this policy would be better placed in the Council's Local Development Scheme.

Policy CP1 Strategic Employment Zones

The Employment Land Study will be a vital evidence basis when looking at existing allocations and future needs in the context of achieving sustainable patterns of development. There is need for greater clarity on how the Employment Land Study will be carried out and what principles will guide it in terms of assessing needs/allocations in relation to the overall spatial strategy.

Policy CP1 states that in exceptional circumstances that major office development will be permitted where an out of centre location has been justified. Both current and draft RSS seek to locate office uses in city or town centres. Policy E4 of current RSS (December 2004) specially states, "offices should be located in town and city centres". Policy E2 of draft RSS (December 2005) reinforces these principles by stating, "city and town centres will be the main focus for office...and other uses which generate a high level of people movements."

The Panel Report (May 2007) considers 'that Policy E2 represents the most appropriate strategy for guiding new town centre type development' (paragraph 4.49, page 44).

Policy CP2 Town Centres, and Retail Developments

Policy CP2 states new major development and other key town centre uses likely to attract a lot of people will be required to adopt a sequential approach to site selection. The Assembly has particular concern with option three – out of centre locations, as the RSS does not support this approach to development. Policy E2 of draft RSS (2005) states that “city and town centres will be the main focus for office, comparison shopping, health, education ... and other uses which generate high level of people movements. These uses should not be located outside of these centres if they would undermine the delivery of the Plan’s Core Approach (YH1-YH8)”. It would be helpful if this policy made reference to policies E1 and E4 of current RSS (December 2004) and policies YH5 and E2 of draft RSS (December 2005).

The Panel Report (May 2007) does not recommend changes to Policy YH5 and considers ‘that Policy E2 represents the most appropriate strategy for guiding new town centre type development’ (paragraph 4.49, page 44).

Housing Provision

Paragraph 9.55 states that the housing requirement figure of 400 dwellings between 2004-2011 per annum reflects North East Lincolnshire Council’s submission to the draft RSS. The provisional housing figures are further expanded upon in **Policy CP3**, which states that provision has been made for the development of homes and associated infrastructure in the Borough which equates to at least an average annual net rate of 400 homes within the period 2004-2011; and an average annual net rate of 420 homes within the period 2011-2016. These figures do not accord with draft RSS (2005), which sets an average annual net completion rate of 310 dwelling for North East Lincolnshire between 2004-2011, 420 dwellings between 2011-20016 and 510 dwellings between 2016-2021. **Policy CP3** does not make reference to annual completion rates for the period of 2016-2021, which would be helpful to include.

It should be noted that the Panel Report (May 2005) recommends higher housing targets for North East Lincolnshire. The Panel Report (May 2005) recommends an average annual net completion rate of 310 between 2004-2011, and 510 between 2011-2016 and 2016-2021.

The Assembly is encouraged that **Policy CP3** includes a target stating that at least 50% of homes are to be built on previously developed land over the period 2004-2011. This percentage is in line with the percentage set in draft RSS (2005) in Table 13.2.

Given the detail that is provided in the RSS, it will be important that the Core Strategy sets out more specifically where the priorities will be for housing and the overall distribution, as at present the Core Strategy does not add much local detail to the spatial strategy.

It would also be helpful to include a reference to the work recently undertaken

across the region into provision of sites for Gypsies and Travellers. Policy H5 of draft RSS (2005) encourages Local Authorities to carry out an assessment of the housing needs of Gypsies and Travellers, and through the Local Development Frameworks ensure there is an adequate provision of sites made available.

The Panel Report (May 2007) accepts that there is an overall shortfall in provision for Gypsies and Travellers across the Region.

Affordable Housing

Policy CP4 states that residential developments of 15 units and above (or on sites of 0.5ha and above) will be permitted provided that they include an appropriate contribution to the provision of affordable dwellings. **Policy CP4** suggests that the appropriate contribution is 30% of the total number of dwellings. Current RSS (December 2004) encourages local authorities to set targets for the provision of affordable housing based on housing needs assessments (Policy H4). Draft RSS identifies North East Lincolnshire as an area of 'low need' for affordable housing (based on the Regional Housing Strategy, 2005). Policy H3A of the draft RSS suggests that in areas of 'low need' (including North East Lincolnshire) up to 29% of housing (on sites of 15 homes or more) needs to be affordable.

Policy H4 in draft RSS (December 2005) emphasises the need for the current mix of housing in the Region to change so that it better supports the creation of more sustainable communities. The Assembly feels that in terms of housing mix **Policy CP4** could be further developed.

It should be noted that the Panel Report (May 2007) recommends changes to Policy H3 and Policy H4 (see pages 80 – 85 and recommendations 5.9, 5.10 and 5.11).

Policy CP5 Transport and Accessibility

The Assembly feels that there is a need for a greater emphasis to be placed on public transport in **Policy CP5**, as reducing car use is a key theme of the RSS. This is explored further in policies T2 and T3 of current RSS (2004) and YH8 C, T1, and T3 of draft RSS (2005).

The Assembly is concerned that there is no reference in this document to the accessibility criteria set out in the RSS. Ensuring the accessibility of development by non-car modes is a key principle of regional planning policy. Accessibility criteria are set out in both the current and draft RSS (Table 7.1 and 7.2 of current RSS and Table 16.8 and 16.9 of draft RSS) and they provide guidance for developments in terms of their accessibility to employment and social infrastructure uses.

It should be noted that the Panel Report (March 2007) makes no recommendations with regard to these criteria.

The Assembly is encouraged that the policy addresses the need to provide car-parking facilities in a manner consistent with the approach that is set out in the

RSS. To strengthen **Policy CP5** it is suggested that reference is made to Policy T2 of draft RSS (2005). Policy T2 of the draft RSS states that maximum parking standards for new developments must be in line with Table 16.5.

It should be noted that the Panel Report (May 2007) recommends changes to Policy T2 (see pages 142 – 143 and recommendation 8.6).

Policy CP6 Design Quality

The Assembly is encouraged that **Policy CP6** encourages the use of resources more efficiently. It would be helpful if **Policy CP6** build upon policies on the sustainable use of resources such as Policy S6 of current RSS (2004).

Policy CP7 Flood Risk

The Assembly is encouraged that **Policy CP7** provides for sites to be identified and planning permission to be granted to development that adopts a risk based approach to flooding. Current RSS (Policy R2) states that a sequential risk-based approach to planning for flood risk should be taken and that development in high flood risk areas should be avoided. Draft RSS policy (Policy ENV1) states that development in high flood risk areas should be avoided where possible and flood management should be undertaken pro-actively. ENV1 of draft RSS (December 2005) specifies that flood management will be required to facilitate development on land on the south bank of the Humber.

It should be noted that the Panel Report (May 2007) recommends changes to Policy ENV1 (see pages 104 – 107 and recommendation 6.6).

Policy CP8 Community Infrastructure

Policy CP8 states that development will be supported which ensures a satisfactory provision of community facilities for residents. The policy clearly aims to improve existing and new educational facilities. Policy SOC2 in current RSS (2004) emphasises that development plans should recognise the importance of the educational infrastructure in the region to promote both social inclusion and economic growth and regeneration.

Policy SOC3 of current RSS (2004) provides for development plans to ensure that primary and secondary health care facilities are located in locations that are accessible by public transport. This should be further expanded upon in **Policy CP8**.

Policy CP9 Sport, Recreation and Open Space

Policy CP9 recognises the importance of open spaces, sport and recreational facilities to the health and well being of the residents of the Borough. The Assembly feels that this policy could be further strengthened by making reference to Policy SOC4 in current RSS and Policy ENV11 of draft RSS (2005).

The Panel Report (May 2007) does not recommend changes to this aspect of Policy ENV11.

Policy CP10 Environment

In general terms the Assembly feels that this policy would benefit from being more spatially specific, by identifying the special characteristics of the Borough and any specific areas to be safeguarded.

Policy CP10 states that the historic environment will be protected and enhanced. Policy N2 of current RSS (2004) provides for the preservation and enhancement of the historic environment. Policy ENV9 of draft RSS (2005) provides for the Region to safeguard and enhance the historic environment, and also places emphasis on the protection of maritime archaeological assets, seaside resorts, and the purpose built historic docks and infrastructure of the East Coast and the Humber.

It should be noted that the Panel Report (March 2007) recommends changes to Policy ENV9 (see pages 109 – 112 and recommendation 6.8).

Policy N3 of current RSS (2004) and ENV10 of draft RSS (2005) provides for the Region to safeguard and enhance landscapes that contribute to the distinctive character of the Yorkshire and Humber. Policy ENV10 emphasises that development strategies, plans and decisions should maintain and enhance the coastal landscapes of the East Coast and the Humber. It is felt that **Policy CP10** could be strengthened through referencing Policies N3 of current (2004) and ENV10 of draft RSS (2005).

Policy ENV3 of draft RSS (2005) provides for the Region to maintain high standards of water quality, and emphasises the need to achieve and maintain a high quality at Cleethorpes. **Core Policy CP10** reflects Policy ENV3 of draft RSS (2005) emphasising the need to protect water resources from threats to the quality and quantity of ground waters, including maintenance of 'blue flag' status for Cleethorpes Beach.

The sustainable use of resources is a key theme of both current and draft RSS. Policy P6 of current RSS encourages new development to maximise energy efficiency and minimise resource demand. The Assembly welcomes **Policy CP10** that encourages the implementation of energy efficiency measures, including opportunities for small-scale renewable energy schemes. **Policy CP10** could be further strengthened by making reference to Policy ENV 5A iii) which encourages development to be located where it can utilise community heating scheme opportunities near major sources of power generation, especially those at Immingham.

To further encourage the development of renewable energy resources, it would be helpful to reflect Policy ENV 5B iii) of draft RSS (December 2005) at a local level in the Core Strategy. Policy ENV5 B iii) of draft RSS requires at least 10% of the energy to be used in sizeable new development to come from on-site renewable energy sources. The Panel Report (May 2007) recommends that Policy ENV5

should be applied to developments of 10 houses or more (see pages 102 – 103 and recommendation 6.5).

Policy CP11 Tourism

Policy E6 of current and draft RSS provides for Local Development Documents to set out policies and proposals that place particular priority on tourism. Policy E6 Bi) promotes opportunities to diversify the economic base of the Region's coastal resorts, whilst consolidating and upgrading tourism facilities in ways which promote higher value activity, reduce seasonality and support urban regeneration. The Assembly is encouraged that **Policy CP11** focuses on the Cleethorpes Resort. Policy HE1B of draft RSS (2005) places emphasis on enhancing the tourism offer and attraction of Cleethorpes.

It should be noted that the Panel Report (May 2007) recommends changes to Policy E6 (see pages 43-47 and recommendations 4.6) but these do not suggest change to the policy direction.

Policy CP12 Rural Development

The Assembly feels that it would be beneficial if this policy were incorporated into **Policy KP1**, along with the explanatory text contained in **paragraphs 9.7 – 9.10**. This would help to strengthen the overall spatial strategy of the district.

Policy CP13 Waste Management

The Assembly would expect the Core Strategy to build upon RSS policies in both current and draft RSS on Waste Management, looking to Policies R5, R6, R7, R8, R9, R10 and R11 of current RSS (2004) and ENV12, ENV13 and ENV14 of draft RSS (2005).

It should be noted that the Panel Report (May 2007) recommends changes to Policies ENV12, ENV13 and ENV14 (see pages 115-123 and recommendations 6.11).

Policy CP14 Minerals

The Assembly would expect the Core Strategy to build upon RSS policies in both current and draft RSS on Minerals, looking to Policies R4 of current RSS (2004) and ENV4 of draft RSS (2005).

It should be noted that the Panel Report (May 2007) recommends changes to Policy ENV4 (see pages 113-115 and recommendations 6.10) but these do not suggest change to the policy direction.