

Our ref: General/40b – Planning Conformity/Final responses

18th December 2008

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Dear Chris

North Lincolnshire Local Development Framework: Core Strategy Additional Stakeholder Consultation

The Yorkshire and Humber Assembly, as the Regional Planning Body, welcomes the opportunity to comment on the North Lincolnshire Core Strategy: Additional Consultation 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 Regional Planning Body'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 Core Strategy is published prior to being submitted to the Secretary of State a formal Regional Planning Body view on its general conformity with the Regional Spatial Strategy will need to be requested (Regulation 29).

The Yorkshire and Humber Plan aims to achieve a more sustainable pattern and form of development, investment and activity across the region, putting a greater emphasis on matching needs across the region with opportunities and managing the environment as a key resource. There is a particular emphasis on achieving the regeneration and renaissance of the region's city and town centres by making them the focus for housing, employment, shopping, leisure, education, health and cultural activities and facilities in the region.

The following officer comments are made in relation to the Yorkshire and Humber Plan (Regional Spatial Strategy to 2026) which was published in May 2008. Previous comments on the Core Strategy Issues and Options and Preferred Options consultation documents were made by the Assembly throughout 2006. At the time these comments related to the 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).

Given the short consultation period I shall limit the comments in this response to those issues that have been identified in previous correspondence and other issues of key concern. I will also detail whether there are any changes in the Published RSS that may have a bearing on our previous responses.

Key Points on the Core Strategy

Below is a summary of the main points the Regional Planning Body wishes to raise with regards to the Core Strategy. Annex 1 provides further detail for each of these issues.

1. Suggest that policies are more fully evidenced;
2. Welcome references to the RSS throughout the document and the reflection of the need for general conformity, but suggest that the document notes that the RSS forms a part of the Local Development Framework;
3. Raise concerns as to whether the proposed delivery of housing in Scunthorpe will deliver renaissance elsewhere in the local authority;
4. Support the focus of development on the sub-regional town of Scunthorpe, but raise issues around meeting local objectives in the remainder of the local authority and raise critical issues with the distribution of development within and adjoining the town;
5. Question whether the approach to local service centres will deliver sufficient affordable housing to meet needs;
6. Raise concerns over the application of the sequential approach to development;
7. Suggest that the Previously Developed Land target is more clearly evidenced;
8. Raise concerns over the proposed approach to urban extensions, the levels of housing proposed in these areas, the impact that this will have on achieving a renaissance of Scunthorpe, the lack of evidence of a sequential approach to the location of development, the absence of a clear approach to alternative options, the impact this will have on regional flood risk outcomes and the impact that this may have on deliverability of RSS housing targets;
9. Raise concerns that the approach to flood risk does not reflect the nature of the majority of proposed development in the Core Strategy and suggest that a more locally distinctive policy that manages flood risk proactively be considered.

We are concerned that together these points may undermine the RSS and would not lead to the outcomes of RSS being achieved. I trust that the comments provided here, and expanded on in Annex 1 and 2, are helpful to you as you prepare the Core Strategy for submission to the Secretary of State. Clearly, we are raising a number of significant concerns at this stage. However, we are keen to work with you to rectify as many of these issues as possible. To that end, we would welcome a meeting in the New Year to discuss this response and suggest that other statutory bodies could also usefully attend

this (e.g. Environment Agency, Government Office, Highways Agency and Yorkshire Forward).

If you have any questions on the issues raised in this letter then please do not hesitate to contact me. We look forward to continuing to work with you on your Core Strategy and to meeting with you in the New Year.

Regards,

Martⁱ-Elliot

Martin Elliot
Planning Manager

ANNEX 1: DETAILED COMMENTS ON THE CORE STRATEGY

General Comments

We understand the need to keep the document short, but in doing so we feel that some of the thinking behind the different approaches may have been lost and this makes it difficult for us to form a view on the appropriateness of certain approaches. The Evidence Base Report that accompanies the Core Strategy is a list of documents used and agencies involved in the preparation of the document. To that end, we would welcome clarification on your assumptions behind key policies. Such assumptions should be made explicit to help readers understand the derivation of policies (including, but not limited to, links to the sustainability appraisal findings and responses to public consultation). We strongly recommend that this is done prior to requesting an opinion of its general conformity with the Regional Spatial Strategy under Regulation 29.

References to Regional Spatial Strategy

As you know, the Planning and Compulsory Purchase Act 2004 introduced mechanisms to help ensure that DPDs drawn up by local authorities as part of the Local Development Framework 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.

We welcome the fact that the need for there to be 'general conformity' between the RSS and the Core Strategy is highlighted. We welcome the regional planning policy context set out in Chapters 1 to 4. However, for clarity we think that it would be helpful to reinforce the fact that RSS does in fact form part of the North Lincolnshire Development Plan by virtue of Section 38(3) of the Planning and Compulsory Purchase Act 2004. This would help to clarify the significance of references throughout the Core Strategy to RSS and explain that the local authority may use policies in the RSS that are not reiterated within the Core Strategy.

Policy CS1: Spatial Strategy for North Lincolnshire

Delivering an urban renaissance for Scunthorpe is supported by the Assembly and in line with the spatial vision and core approach of RSS. It specifically aligns with Policy YH4 which states that Sub Regional Cities should be the prime focus for housing, employment and other facilities. We are also pleased to see emphasis placed on the town centre of Scunthorpe for retailing, leisure and office uses. This approach is in line with Policy E2 of the RSS which aims to develop vibrant and successful town centres and provide a focus in areas of good transport links for developments that attract a large number of people.

As part of this urban renaissance the Council is seeking to promote the development of an urban extension to the west of Scunthorpe called the Lincolnshire Lakes. The Assembly has previously raised issues with the development of Lincolnshire Lakes and this correspondence is summarised below:

- On 20 April 2006, in response to the Core Strategy Issues and Options Consultation, the Assembly noted that there would be concern “if the level and type of development proposed at Lincolnshire Lakes (including a possible hotel development) were to undermine the focus on town centres and their renaissance”.
- On 29 August 2006, in response to a revision of the Issues and Options, the Assembly reiterated that the Lincolnshire Lakes would need “careful consideration” in relation to the RSS.
- On 5 December 2006, in response to the Core Strategy Preferred Options, the Assembly noted that “it is unclear from the Core Strategy what proportion of new housing is to be accommodated within the proposed Lincolnshire Lakes Urban Extension and when this development is due for completion. We would be concerned if delivery of the housing provision targets was too reliant on the completion of the proposed urban extension.”

Clearly, the Council’s thinking on this issue has advanced and reference to the Lincolnshire Lakes development is included throughout the Core Strategy. To that end, the Assembly is in a position to make further comments on the alignment of the Lincolnshire Lakes proposal with published RSS. For clarity, I shall comment on the alignment of this urban extension proposal as it is dealt with in the Core Strategy policies so that you are clear as to how it aligns with different parts of the RSS.

A small but critical point: references throughout the Core Strategy to Scunthorpe are often taken to include the Lincolnshire Lakes urban extension. It would be helpful if the levels of development that are expected to be accommodated within the existing main urban area of Scunthorpe, as distinct from the Lincolnshire Lakes proposal or other urban extensions, are made clear in the Core Strategy.

In principle, Policy CS1 sets out a spatial strategy that is in alignment with the RSS. We especially welcome the fact that Scunthorpe will accommodate around 12,300 homes (90% of the Districts housing target for the plan period) and 100ha of employment land (see separate comments on employment land below).

We endorse the approach supporting the Market Towns of Barton upon Humber, Brigg, Crowle, Epworth, Kirton in Lindsey and Winterton as important service centres meeting the needs of local communities. This is in line with RSS Policy YH6 and will see around 1,094 homes provided through the plan period. The Core Strategy notes at paragraph 7.23 that “response to the LDF consultation has indicated that the affordability of local housing is one of the most important issues that should be addressed.” Therefore, we would have expected the Plan to reflect in this strategic policy whether there was a particular need for affordable housing in these settlements in support of their identification as Market Towns and would welcome evidence from your SHMA to support the approach taken.

We also support the encouragement of small and medium scale employment opportunities in these areas to meet the need to provide local jobs. We would welcome evidence that linked the level of house building in these local services centres with the need to provide 10ha of employment land.

We have previously expressed concern about the designation of a further level of settlement below local service centre. The Regional Spatial Strategy has no policy framework for such a size of settlement, assuming that very little development at all will take place below local service centres. In general this is what CS1c infers and the document does clarify that only 2% of house building is anticipated to be spread among these 100 or so places. To that end, we acknowledge that the policy performs a role in specifying that very little development is encouraged below Market Town/Local Service Centre level. That said, the language of Policy CS1c could be subject to wide interpretation and we would not wish to see it undermine the laudable ambitions of CS1 a and b. Again, we would have expected the Plan to reflect in this strategic policy whether there was a particular need for affordable housing in these settlements and would welcome evidence from your SHMA to support the approach taken.

Policy CS1 also identifies the development of key strategic employment sites at the South Humber Bank, Humberside International Airport and Sandtoft Airfield. In principle the South Humber Bank site is supported as being in line with RSS Policy YH1 and addressing the need to optimise and support the Humber Ports as an international trade gateway and maximising the potential to use water for freight movements under Policy T4. We would expect further evidence on the links between this strategic employment allocation and its relationship with the nearest large settlement i.e. Grimsby (in North East Lincolnshire) so as to justify that the allocation would not lead to excessive commuting and undermine Policies YH7 and T1 of the RSS.

The Assembly is concerned at the lack of evidence to support the locations of Humberside Airport and Sandtoft Airfield. These sites do not maximise the use of rail or water links for freight movements in line with RSS Policy T4. It is unclear how these sites fit with RSS Policy YH7 on the location of development and a more transport oriented approach to development. Further evidence would also be required to justify the misalignment between where proposed homes are located compared to jobs.

Sandtoft Airfield in particular is located some considerable distance from where the majority of housing is expected to be delivered. This misalignment between the delivery of jobs and homes will likely lead to an increase in traffic growth, which is contrary to RSS Policy YH2. Furthermore, we are concerned that the site will have a significant impact on the M18, adding to the capacity pressures that it currently faces. The Highways Agency has recently costed proposals for improvements on the M18 in the region of £170 to £390 million.

As a whole, we are also concerned that these strategic sites may undermine the delivery of Policy CS1a, to deliver an urban renaissance and deliver the majority of employment land through a focus on Scunthorpe.

Policy CS2: Delivering More Sustainable Development

While the Assembly supports the intent of the policy in general we have concerns that CS2a is out of line with RSS Policy YH7 on the location of development and a transport oriented approach to development. Policy YH7 provides a framework for choosing locations within towns once strategic decisions about how much development should be focussed there have been made. Policy CS2a omits reference to suitable infill

opportunities within towns – the second part of the sequential approach in RSS. Evidence that supports this particular interpretation of YH7 would be welcomed prior to a consideration of general conformity between CS2a and YH7.

To confuse matters there is a reference to “other suitable infill opportunities” within the second part of Policy CS7 on the spatial distribution to housing policy. It is not clear whether the need to identify suitable infill opportunities applies only to housing outside of Scunthorpe given that it is missing from the overall policy on spatial distribution (CS2).

Policy CS6: Overall Housing Provision

In general the Assembly supports the housing requirement of 13,500 dwellings between 2008 and 2026 equating to 750 dwellings per annum. This is in line with Policy H1.

Policy CS6 also notes that 4,000 of these dwellings will be delivered on sites that already have planning permission or are under construction. It would be helpful to know how these sites (nearly 30% of the total housing requirement) align with the spatial distribution of housing below.

Policy CS7: Spatial Distribution of Housing

We also support in principle the allocation of 90% of the RSS housing target within Scunthorpe, 8% within the market towns and 2% throughout the remaining settlements. However, there is potential for a tension between the need for affordable housing across the local authority as a whole and the low levels of market housing proposed outside of Scunthorpe. We would expect to see more evidence from your SHMA that such little development outside of the sub-regional town would not impact on the delivery of a mix of housing so as to maintain sustainable communities throughout the local authority. We would also expect to see evidence that this distribution of housing supports the proposed distribution of jobs so as to reduce the need to travel in line with the Core Approach of RSS, particularly bearing in mind the strategic employment sites that are currently proposed some distance from the main focus of housing growth.

I reiterate my confusion, expressed in relation to CS2 above, around the sequential approach and the apparent contradiction between Policies CS2 and CS7 where the former does not include the second stage of the sequential approach as set out in Policy YH7 of RSS whereas the latter refers to the need to consider other suitable infill opportunities in the second part of the policy. If this approach is to be taken forward we would wish to see clear evidence supporting it so that a consideration on its alignment with the RSS can be made.

We understand the background to the reference in Policy CS7 which states that 40% of the housing delivered in North Lincolnshire will be on previously developed land (PDL). However, while the 40% PDL target was included in Draft RSS (2005) it has since been removed by the Secretary of State and Published RSS requires in Policy H2 a contribution towards a 65% regional target. To that end, you should provide sufficient evidence to support a lower PDL target than the regional average. I assume that this can be achieved through your Strategic Housing Land Availability Assessment.

Policy CS7 notes that 12,300 homes will be delivered in and adjacent to Scunthorpe. However, paragraph 7.17 states that “in support of Scunthorpe’s Urban Renaissance Framework approximately 90% of Scunthorpe’s housing allocation will be located within the Lincolnshire Lakes project area.” This area is defined on the Key Diagram as being outside of the current Scunthorpe settlement boundary and separated from the main urban area by the M181 highway.

This approach is also reflected in paragraph 7.12 that sets out the ‘Distribution of Future Housing Provision in North Lincolnshire’. This states that Scunthorpe will deliver 12,300 homes of which 1,300 will be delivered on previously used sites and 11,000 in urban extensions. I have interpreted this to mean that 1,300 homes will be delivered within the current settlement limits of Scunthorpe and 11,000 homes in Lincolnshire Lakes and other potential urban extensions.

This approach raises several key issues detailed below:

- We are concerned that the focus of development on urban extensions will not have the renaissance impacts that are sought by the Core Strategy. The identification of Scunthorpe as a sub regional town in Policy YH4 of the RSS requires that it be the prime focus for development. The relative lack of housing proposed in Scunthorpe itself means that there will be little opportunity for the re-engineering and re-modelling of places through increased investment.
- We are concerned that the approach to housing distribution within Scunthorpe is not based on the sequential approach set out in RSS. Policy YH7 provides a framework for choosing locations within, and if necessary adjoining a town. One of the key reasons for this is to help minimise the need to develop Greenfield sites and make best use of sites (both previously developed and other suitable infill) within towns. Such a major disparity between the stages of the sequential approach should have been supported by a Strategic Housing Land Availability Assessment. In the absence of a SHLAA we are unaware of other evidence that has been put forward to demonstrate the inability of Scunthorpe to accommodate higher levels of house building befitting its sub regional town status.
- We are confused and concerned around the impact of the distribution of housing growth around Scunthorpe on the ambition for 40% of housing (or 5,400 dwellings) to be delivered on previously developed land. If 11,000 dwellings are to be provided on Greenfield urban extensions then even if the remainder were to be on previously developed land the target would not be met.
- We are concerned that the policy notes that “further opportunities for urban extensions in Scunthorpe to the north and south will be investigated.” This does not provide the certainty required to ensure alignment with the delivery policies of RSS. Such investigations should have been made during the options stage of Core Strategy preparation so as to more fully support the preferred approach.

- We are concerned that the urban extension(s) are still at a very early stage of development and yet to be the subject of Masterplans or AAPs. As such we raise an issue that there are neither alternatives for the delivery of long term housing development nor clarity over the potential of Scunthorpe town to accommodate increased housing numbers within its current settlement limits if the urban extensions failed to be delivered. Such a “high-risk” approach may lead to a failure to deliver housing targets set out in Policy H1 of RSS and lead to unsustainable development in the absence of a clear Core Strategy approach.
- We are concerned that the proposal for Lincolnshire Lakes runs counter to the need for the Region to manage flood risk. Policy ENV1 C1 recognises that flood management will be required to facilitate development around Scunthorpe, provided that the sequential approach has been used to inform decisions about flood risk. As such you will need to demonstrate that you have had regard to both the sequential approach and the exceptions test in PPS25. From the evidence submitted for consultation, we are concerned both at the lack of evidence regarding alternative sites in areas of lower flood risk and of the use of greenfield land without the necessary demonstration that there are no suitable brownfield alternatives. Such an approach may not be in accordance with the exceptions test and you should seek the opinion of other statutory bodies on this. Policy ENV1 B provides for a sequential approach (i.e. in line with national guidance contained within PPS25) to the location of development within areas of flood risk, backed up by Strategic Flood Risk Assessments. We note that a Review of the SFRA is still outstanding. This needs to be completed before an assessment of the appropriateness of development in Lincolnshire Lakes can be undertaken. We would caution against submitting your Core Strategy in the absence of this evidence given the strategic importance of the Lincolnshire Lakes proposal to the delivery of the spatial strategy as a whole.
- Such a lack of evidence on flood risk raises further concerns in relation to the “high-risk” approach noted above and increases the likelihood that the urban extension will fail to deliver the quantum of housing proposed.

As noted above, these are not new concerns about the aspect of this Core Strategy and our concern at this stage is that, given the scale of development proposed, they risk undermining the ability to conclude that the overall delivery of the Core Strategy will be in line with the RSS.

Policy CS9: Gypsy and Travellers

The Assembly supports the approach to Gypsy and Travellers as being in line with RSS Policy H6. We welcome the use of your own GTAA in deriving more locally representative figures.

Policy CS10: Provision and Distribution of Employment Land

The approach to the location and amount of employment land to be allocated in the Core Strategy is currently not clear. Paragraph 8.9 states that “North Lincolnshire will require a net change in land for industrial & storage/distribution uses of 40ha. This is in

addition to the 1,120ha of employment land that was allocated in 2006.” We understand how you have reached this interpretation of RSS Policy E3, but in fact it is not what was intended. For clarity, Annex 2 sets out how Policy E3 and Table 11.3 should be interpreted.

Notwithstanding this, the Core Strategy should have been informed at this stage by an up to date Employment Land Review (ELR). Policy E3 of the RSS requires that ELRs should review land in use or allocated for economic development during the preparation of their LDFs. Given that the strategic sites are identified in the Core Strategy, the ELR should have underpinned their selection. Currently it is not clear what land is currently in employment use, whether that land is in the right location in line with the Core Strategy and RSS and what additional land is needed. These issues should be explained so as to ensure better alignment between the emerging Core Strategy and the RSS.

Policy CS16: Sustainable Resource Use and Climate Change

While we welcome your ambition to incorporate on-site renewable energy and decentralised energy systems we recommend that you more fully evidence the lower threshold for such measures in the Core Strategy of development greater than 500m² or 5 dwellings (as compared to RSS Policy ENV5 of 1000m² and 10 dwellings). We also support your ambition to reduce CO₂ emissions, but consider that a reduction of 35% in 2008 and 70% in 2009 needs further explanation.

Policy CS17: Flood Risk

Given the concerns set out above around the delivery of the Lincolnshire Lakes urban extension and the fact that it accounts for over 80% of new homes within the plan, the Assembly would have expected Policy CS17 to have reflected North Lincolnshire’s particular flood risk circumstances upfront.

Section 14 – Infrastructure delivery plan

We would be interested in helping you in more detail to consider and develop an infrastructure delivery plan given your ambitions for growth.

ANNEX 2: REGIONAL PLANNING BODY INTERPRETATION OF TRANSLATING RSS TABLE 11.3

Introduction

This annex is intended to set out the position of the Regional Planning Body, currently the Yorkshire and Humber Assembly, on the interpretation of Table 11.3 of published RSS (May 2008).

Policy E3

RSS Policy E3 is provided to inform the scale of provision of employment land and premises in LDFs and other strategies in accordance with the overarching approach to the economy and employment land set out in the plan.

For town centre uses such as offices (Policy E3 A.1), that are difficult to give consistent advice on in terms of a hectares land requirement, the Policy uses the job growth forecasts in table 11.2.

This approach is intended to reflect the issue that such uses have widely differing job densities, both between types of business making up sub sectors and (particularly) between different parts of the region. Using the example of offices, at the most simplistic level it is a reality that office floorspace will be delivered in premises at much higher densities in the parts of the region with a strong service based sectoral economic mix and high land values such as central Leeds.

In terms of the need to provide allocations for more traditional "employment land", Policy E3, explicitly frames the need to consider restructuring/modernisation in the context of the background evidence in table 11.3. This driver for this approach is set out in paragraph 11.15 of the supporting text.

Table 11.3

Table 11.3 sets out three columns. The first Column "Potential Net Change in Land in Industrial & Storage and Distribution Uses" sets out the results of the econometric modelling and the derived employment land calculations carried out to underpin the development of draft and published versions of RSS.

It is important to realise that this figure represents an estimation of the net change in the **total** area of "traditional" employment land in active use (for example B2 & B8) over the period 2006 to 2021. It is effectively saying: **If there is "X" hectares of employment land in active use in North Lincolnshire in 2006, it is forecasted that there could be X+40 hectares of land in use in 2021.**

Paragraph 11.14 confirms that this figure for the change relates to the potential **net** change to the total amount of land in industrial and storage/distribution uses in each district.

The figure in Column one is therefore intended to give a strategic context for LPAs to review their portfolio of this type of employment land. In some districts it can be seen

that there will be a positive change in the total amount of land in use, in others, there is a more neutral or marginally negative change.

This is not to say that LPAs just need to plan for virtually no change in employment land in their district, indeed it is expected that within the total area of employment land there will be significant amounts of movement and churn as older manufacturing business close and more modern operations, with potentially different site requirements, open or relocate. It is, in effect, suggesting what the end situation could be in relation to the amount of land currently in use.

However, there is a difficulty with interpreting the table in terms of Column two "Employment Land Allocated in 2006". This has been mislabelled in the final Secretary of State changes to the RSS. Paragraph 11.14 also states "...Table 11.3 also sets out how much employment land is currently allocated".

What Column two actually shows is not the amount of employment land currently allocated; it is the amount of allocated employment land that was vacant or **available for development in 2006**. It is not the total amount of employment land allocated or in use, such a figure will be significantly higher for each district.

What this column was intended to demonstrate was a context for the challenge of local employment land reviews – in some parts of the region there is obviously a huge mismatch between the predicted level of change (Column 1) and the land currently allocated but vacant. This driver is clearly reflected in the Paragraph 11.15 comment "this suggests that the Region has more land allocated for industrial and storage/distribution uses than is likely to be required in the future".

Column 2 is therefore not a forecast of land needed, an estimation of change or even a reflection of regional strategy; it is the amount of land allocated in UDPs at the time of RSS preparation that was then **currently vacant or available**.

Therefore, as labelled, Column 2 is not directly related to Column 1 in the manner suggested above; in the logical argument **"If there is "X" hectares of employment land in active use in North Lincolnshire in 2006, it is forecasted that there could be X+40 hectares of land in use in 2021."** The X figure does not relate to the figure in Column 2, it relates to the total amount of land in active economic use in 2006.

Even though the Inspector at the RSS EiP acknowledged that it would be useful for RSS to give a base figure for economic land in use to inform reviews, Column 2 does not represent or suggest this figure.

Conclusions and statement of RPB view

The figures in Column 2 of Table 11.3 of RSS do not seek to establish any form of target for the amount of allocations in LDFs; in fact the inverse is truer. The figures are provided in order to give a context for the varying degrees of challenge faced by LPAs in reviewing their allocations of employment land for industrial and distributive uses.

Column 1 gives an indicative level of likely change over the forecast period. Column 2 does not present the total amount of allocated sites; instead, it gives an indicative feel as to unused allocated land that should perhaps be looked at in the first instance when reviewing the portfolio of sites in a district.

For further details on this note please contact Rob Murfin, Planning Manager on 01924 331 555 or rob.murfin@yhassembly.gov.uk.