

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

**NORTH LINCOLNSHIRE LOCAL DEVELOPMENT FRAMEWORK – CORE
STRATEGY DPD (ADOPTION)**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To inform Members about the outcome of the Inspector's Report on the Core Strategy DPD Public Examination in January 2011.
- 1.2 To adopt the Core Strategy DPD (see Appendix 1) for decision making purposes.

2. BACKGROUND INFORMATION

- 2.1 The council commenced work on the Core Strategy DPD in 2006. The document has been through a number of iterations and has been the subject of significant public consultation as well as Sustainability Appraisal and Habitats Regulation Assessment.
- 2.2 The Draft Core Strategy DPD was submitted to the Government for independent examination in August 2010. The examination hearings, under the auspices of an independent Planning Inspector took place between 18 and 20 January 2011. Following the closure of the examination, the Inspector considered all relevant evidence and issued her final report on 17 May 2011.
- 2.3 The Inspector concluded that the Core Strategy DPD was sound, subject to the changes agreed during the examination hearings. A copy of the Inspector's Report together with the Schedules of Changes is attached to this report (see Appendices 2, 3 & 4).
- 2.4 The Inspector also noted that Sustainability Appraisal (SA) and Habitat Regulations Assessment (HRA) had been carried out and were considered to be adequate. No changes were made to either document as result of the independent examination and as such remain unchanged from those presented to members on 12 May 2010.
- 2.5 The Environmental Statement (see Appendix 5) summarises the steps taken to ensure that the Core Strategy DPD has been produced in

accordance with the requirements of legislation governing the SA and HRA processes.

- 2.6 The recommendations of the Inspector's Report are binding on the council, and therefore must be included in the Core Strategy DPD before it is adopted.
- 2.7 Once adopted, the Core Strategy DPD will be the key document within the North Lincolnshire Local Development Framework (LDF) as it will set out the overall development strategy for North Lincolnshire up to 2026. It will then form part of the development plan for North Lincolnshire and will also be used in making decisions on planning applications. Any other LDF document prepared by the council must be in conformity with the Core Strategy DPD.
- 2.8 The policies of the Core Strategy DPD will replace a number of policies within the North Lincolnshire Local Plan (May 2003). Details of the policies to be replaced are set out in Appendix 3 of the Core Strategy DPD. The remaining Local Plan policies will continue to be "saved" until they are replaced by new policies set out in other DPDs.
- 2.9 It should be noted that, the Planning & Compulsory Purchase Act 2004, allows for legal challenge to the Core Strategy DPD to be made. Anyone who is aggrieved by the adoption of the Core Strategy DPD can apply to the High Court on the grounds that the document is not within the appropriate powers and/or a procedural requirement has not been complied with. Such an application must be made no later than six weeks after the date of adoption.

3. OPTIONS FOR CONSIDERATION

- 3.1 There are two options for consideration:
 - 1) Adopt the Core Strategy DPD as part of the Local Development Framework.
 - 2) Do not adopt the Core Strategy DPD as part of the Local Development Framework.

4. ANALYSIS OF OPTIONS

- 4.1 Pursuing option 1 by adopting the Core Strategy DPD would meet the milestones set out in the agreed Local Development Scheme for the delivery of LDF documents. Also it would be in line with the Government's requirement to ensure that planning policy frameworks are put in place to support growth and development. This is considered to be particularly important during the current economic climate.
- 4.2 The Core Strategy DPD will ensure that an update framework is put in place in order to assess planning applications.

4.3 Pursuing option 2 by not adopting the Core Strategy DPD would result in the milestones set out to deliver LDF documents being missed. Also it would not be line with the Government's requirement to ensure that local planning authorities continue to prepare and put in place up to date and relevant planning policy frameworks in a timely order to deliver economic growth in this time of recession. Without an up to date policy framework, there will be a presumption in favour of sustainable development in all cases.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 Financial – Resources for implementation of the Core Strategy DPD and its policies and proposals will be drawn from the Spatial Planning and Development Control budgets.

5.2 Staffing – Staffing for the implementation of the Core Strategy DPD and its policies and proposals will be drawn from Spatial Planning and Development Control.

5.3 Property – There are no property implications.

5.4 IT – There are no IT implications.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

6.1 Statutory - Adoption of the Core Strategy DPD will ensure that the council complies with its duties under the Planning and Compulsory Purchase Act 2004 and associated regulations.

6.2 Environmental – The adoption and implementation of the North Lincolnshire Local Development Framework will assist in the delivery of sustainable development.

6.3 Diversity – The Core Strategy DPD is subject to a Diversity Impact Assessment.

6.4 Section 17: Crime & Disorder – The policies contained in the Development Plan Document, particularly those relating to the design of buildings and spaces, will aim to contribute to reducing crime and the fear of crime.

7. OUTCOMES OF CONSULTATION

7.1 The results of various consultation exercises which took place during the preparation of the Core Strategy DPD have been taken into account in developing its policies and proposals.

8. **RECOMMENDATIONS**

- 8.1 That the contents of this report noted.
- 8.2 That the Core Strategy DPD is adopted as part of the North Lincolnshire Local Development Framework.

HEAD OF REGENERATION & PLANNING

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Background Papers used in the preparation of this report

Planning & Compulsory Purchase Act 2004
Town & Country Planning (Local Development) (England) Regulations 2004 (as amended 2008)
Planning Policy Statement (PPS) 12: Local Spatial Planning