

**Examination of East Lindsey Core Strategy and Settlement
Proposals DPD
Post Hearing Advice – Main Modifications and Related Matters**

Introduction

1. During the hearing sessions a number of potential main modifications were discussed. We understand that the Council has kept a running list of all of these and is currently working on a full draft. Consequently, this letter relates solely to potential main modifications that were discussed, but not confirmed, in those sessions and to the administrative arrangements relating to all potential main modifications. This is the position we outlined to the Council in the final hearing session on 4 October.
2. At this stage we are not inviting any comments about the contents of this letter or the Annex to it.

Main Modifications

3. Potential main modifications, in addition to those clearly signalled during the hearing sessions, are set out in the Annex to this letter.

Process

4. The Council should now prepare a consolidated schedule of all the potential main modifications identified during the hearing sessions and as set out in the Annex to this letter. The Council should also consider the need for any consequential changes that might be required in connection with any potential main modifications.
5. We will need to see the draft schedule and may have comments on it. We will also need to agree the final version of the schedule before it is made available for public consultation.
6. The schedule should take the form of a numbered list of main modifications with changes shown by means of strikethrough to show deleted text and new text shown in bold or underlined (or both). It should also include a column that briefly explains the reasons for the main modifications to assist consultees. For clarity and to avoid an excessive number of main modifications, it is best to group all the changes to a single policy together as one main modification.

7. The main modifications should be expressed as changes from the Publication Version of the plans and not from the Submission Modifications Draft, the latter of which contains changes suggested by the Council (in blue and red font) which have not been consulted upon.
8. The Council should also satisfy itself that it has met the requirements for sustainability appraisal by producing an addendum to the Sustainability Appraisal of the submitted plan in relation to the potential main modifications, as appropriate. We will need to see a draft of the addendum and may have comments on it. The addendum should be published as part of the public consultation.
9. The Council has previously prepared lists of proposed *additional minor modifications*. Some of these were discussed as potential main modifications during the hearing. Any remaining *additional modifications* are a matter solely for the Council. If the Council intends to make any *additional modifications* these should be set out in a separate document from the main modifications. If the Council intends to publicise or consult on any additional modifications it should be made clear that such changes are not a matter for the Inspectors.
10. Advice on main modifications and sustainability appraisal, including on consultation is provided in *Examining Local Plans Procedural Practice*¹ (in particular, see paragraphs 5.24 to 5.28). Amongst other things this states that the scope and length of the consultation should reflect the consultation at the Regulation 19 stage (usually at least 6 weeks). It should be made clear that the consultation is only about the proposed main modifications and not about other aspects of the plan (except as outlined in para 12) and that the main modifications are put forward without prejudice to the Inspectors' final conclusions.
11. The *Procedural Practice* also states that the general expectation is that issues raised on the consultation of the draft Main Modifications will be considered through the written representations process and further hearing sessions will only be scheduled exceptionally.

Other related matters

12. The following should be made available as part of the consultation:
 - Sustainability Appraisal of the proposed main modifications
 - Sustainability Appraisal – the Gypsy & Traveller full site analysis table omitted from the original document (document ED044)

¹ The Planning Inspectorate – June 2016 (4th Edition v.1)

- Sustainability Appraisal – additional appraisal relating to allocations WAI407 and SYP310 (Document ED047)
 - Habitats Regulation Assessment Addendum (Document ED024)
 - Policies Map One and Two and a key to them (Documents ED027 & 028)
 - All changes to the submission Policies Map relating to main modifications or where necessary for accuracy/clarity
 - The tables listing inland commitments, coastal commitments, allocations and the five year supply trajectory (Documents ED033, 034, 035, 036, 037) – updated as outlined in the Annex
 - Housing target table (Document ED050) – updated as outlined in the Annex.
 - Any further Habitat Regulations Assessment (see para 14)
13. Updated versions of existing documents should be given suffix numbers – eg Document ED033**a**) and dated to clearly differentiate the updated versions.
14. The Council should consider whether the potential main modifications necessitate any further Habitat Regulations Assessment. For example, this might include the deletion of the protected open space between Chapel St Leonards and Ingoldmells (Policy SP19).

Consideration of potential main modifications

15. The views we have expressed in the hearing sessions and in this letter on potential main modifications and related policies map changes are based on the evidence before us, including the discussion that took place at the hearing sessions. However, our final conclusions on soundness and legal compliance will be provided in the report which we will produce after the consultation on the potential main modifications has been completed. In reaching our conclusions, we will take into account any representations made in response to the consultation. Consequently, the views we expressed during the hearing sessions and in this letter about soundness and the potential main modifications which may be necessary to achieve a sound plan could alter following the consultation process.

Timetable

16. We would be grateful if the Council could now:
- confirm a timetable through to the publication of the main modifications for consultation, including for the update to the various housing tables
 - confirm the Council's position with regard to the housing sites where there are flood risk issues, as set out in the Annex

17. Thank you for your cooperation on this. If you need any clarification, please contact us through the Programme Officer.

Jeremy Youle and Louise Phillips

Inspectors

13 October 2017

Annex to Inspectors' letter of 11 October 2017 Examination of East Lindsey Core Strategy and Settlement Proposals DPD

Post Hearing Advice – Main Modifications and Related Matters

The following are in addition to the potential main modifications signalled as being necessary at the hearing sessions. The Council should consider the need for any consequential changes as a result of these potential main modifications.

Housing land requirement

1. The plan should include a housing trajectory (preferably in the form of a graph) setting out:
 - the annual target between 2011 and 2031 based on the objectively assessed need figure
 - annual completions between 2011 and 2017
 - cumulative completions between 2011 and 2017
 - forecast annual delivery between 2017 and 2031
 - the annual requirement between 2017 and 2031, including the recovery of the shortfall in delivery from 2011 to 2017
 - the annual requirement between 2017 and 2031 plus a buffer as required by para 47/2nd bullet of the National Planning Policy Framework
2. The shortfall in housing delivery between 2011 and 2017 (identified as 1,085 dwellings) should be recovered over the remaining *lifetime* of the plan and not over an initial 5 year period, as is proposed in para 19 of the Core Strategy.
3. The additional buffer required by para 47 of the National Planning Policy Framework should be 5%, as things stand now. However, the Council should plan for the possibility that a buffer of 20% may be necessary at some time in the future.
4. During the examination, and in Document ED049, the Council accepted that changes should be made to the housing supply likely to be provided from

some commitments (sites with planning permission) and allocations in the plan. The relevant evidence documents (as set out in para 12 of the letter) should now be updated and used to inform the detail of the main modifications (for example, in relation to the Core Strategy - Policy SP3, Table A on page 25, Table B on page 26 and the supporting text on pages 21-29 and in relation to the Settlements DPD – individual housing site capacities, tables A and B on pages 12-13 and the existing commitments in the Coastal Zone on page 163).

5. The documents, policy, table and supporting text referred to above will also need to be amended as a consequence of the changes to the housing allocation sites set out below. This relates to both the overall supply over the plan period and the five year supply.
6. The supply/delivery of affordable housing set out on page 36 of the Core Strategy will also need to be re-worked having regard to the proposed changes to the overall housing supply and as discussed in the hearing sessions.
7. It is important that all the numbers in these various documents and in the plans are correct and consistent with each other.

Housing allocation – Burgh le Marsh (Site BLM310)

8. The available evidence indicates that this site meets the criteria for the designation of a local wildlife site. Unless clear evidence to the contrary is available now, this site should be deleted as a housing allocation. See the comments above about quantifying the effects of this change on the housing land supply.

Housing allocations and flood risk

9. During the examination the Council confirmed that some housing allocations include land which falls within areas with a coastal flood hazard rating as set out on page 80 of the Core Strategy. Although the area mapped as green is described as being of low hazard, it is nevertheless an area which could be affected by shallow flowing or deep standing water. We have not been made aware of any evidence to indicate that a sequential test has been applied to justify the allocation of these sites. The Strategic Flood Risk Assessment indicates that the area of search for any sequential test is the rest of the district outside these hazard zones.
10. Some of the allocations which the Council has provisionally identified as being affected appear to lie outside any of the four hazard zones. However, some sites fall wholly or partly within the hazard zones.

11. Unless there is any strong evidence available now to indicate otherwise, the allocations that fall wholly or mainly within any of the four hazard zones do not appear to be justified in line with sequential test requirements, and so should be deleted from the plan. These appear to include:
 - Marshchapel - sites MAR 217, 226, 300 and 304
 - Grainthorpe – site GRA 211

12. The Council should now assess whether any of the sites which lie partially within any of the four hazard zones can feasibly be developed using only land outside of the zones and, if so, whether any changes need to be made to the housing capacity of these individual sites (as stated in the Settlement Proposals DPD). These appear to include:
 - Tetney – sites TN 311 and 308
 - Grainthorpe – site GRA 211
 - Hogsthorpe – sites HOG 306 and 309
 - Friskney – site FRI 321

13. Please see the comments above about quantifying the effects of this change on the housing land supply.

Jeremy Youle and Louise Phillips
Inspectors
11 October 2017