



**LANCASTER
CITY COUNCIL**

Promoting City, Coast & Countryside

INDIVIDUAL CABINET MEMBER AND OFFICER DELEGATED DECISIONS

MONDAY, 23 JANUARY 2023

Please find enclosed Decision Notices in connection with the following:

ICMD15 CATON WITH LITTLEDALE NEIGHBOURHOOD PLAN - REFERENDUM (Pages 2 - 142)

Please note that this is subject to call-in.

Queries regarding these documents

Please contact Liz Bateson, Democratic Services - email ebateson@lancaster.gov.uk.

Democratic Services,
Town Hall,
Dalton Square,
Lancaster,
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Published on MONDAY, 23 JANUARY 2023



Promoting City, Coast & Countryside

**EXECUTIVE DECISIONS TAKEN BY CABINET PORTFOLIO HOLDER OR DELEGATED OFFICER
NOTICE OF DECISION**

TITLE OF DECISION: CATON WITH LITLEDALE NEIGHBOURHOOD PLAN - REFERENDUM	
NAME OF DECISION TAKER:	COUNCILLOR DOWDING
POSITION AND RESPONSIBILITY HELD:	CABINET MEMBER WITH RESPONSIBILITY FOR PLANNING AND PLACE MAKING
CONTACT OFFICER:	FIONA CLARK
TELEPHONE:	01524 582222
E-MAIL:	fjclark@lancaster.uk.uk
Details of Decision:	
<ol style="list-style-type: none"> 1. Endorsement of the proposed changes to the Neighbourhood Plan, as set out in Appendix A of the Officer's report and for the reasons given in the Examiner's Report at Appendix B and agree that decision statement can be issued to inform interested parties that the modified Neighbourhood Plan should proceed to Referendum as soon as reasonably possible. 2. Agree to the advance funding of the Referendum which will be claimed back from the Government in due course. 	
Reasons for the decision:	
<p>The reasons for proposed changes to the Neighbour Plan are set out in the Examiner's report.</p> <p>Proceeding with the referendum would be to the benefit of adopting localism within the district, enabling communities to shape their area. It would enable the community as a whole to decide if the Neighbourhood Plan should be used by the council for determining planning applications.</p> <p>The independent Examiner has scrutinised Neighbourhood Plan to determine it meets the Basic Conditions. The Examiner has concluded that subject to the recommended modifications, the Neighbourhood Plan meets the Basic Conditions and the Neighbourhood Plan is ready to proceed to Referendum. It is considered that the Inspectors modifications are necessary for the plan to meet the Basic Conditions.</p> <p>In conclusion, the Caton with Littledale Neighbourhood Plan is ready to proceed to referendum, subject to modifications as recommended by the Examiner.</p>	
IS THE DECISION URGENT	
No	
I confirm that I have taken account of the options proposed by officers, the various implications set out in the report and the comments of the Monitoring and Section 151 Officers and am authorising the decision as set out above.	
SIGNATURE OF DECISION TAKER:	Cllr Gina Dowding
DATE:	20.1.23

**LANCASTER
CITY COUNCIL**

Promoting City, Coast & Countryside

<i>THIS SECTION TO BE COMPLETED BY DEMOCRATIC SERVICES</i>		REF NO.	ICMD15
DATE DECISION TAKEN:	20.1.23	DATE RECEIVED BY DEMOCRATIC SERVICES:	20.1.23
DATE DECISION PUBLISHED:	23.1.23	IMPLEMENTATION DATE (publication day + 5 working days):	31.1.23

CABINET

Caton with Littledale Neighbourhood Plan Decision to Proceed to Referendum

**Individual Cabinet Member Decision
(Councillor Dowding)**

Report of Head of the Planning and Place Service

PURPOSE OF REPORT				
To seek approval from the cabinet member for the Caton with Littledale Neighbourhood Plan to proceed to referendum at the earliest possible opportunity.				
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input checked="" type="checkbox"/>	Referral from Cabinet Member
Date of notice of forthcoming key decision	N/A			
This report is public				

RECOMMENDATION OF THE HEAD OF THE PLANNING AND PLACE SERVICE

1. That the Cabinet Member endorses the proposed changes to the Neighbourhood Plan as set out in Appendix A and for the reasons given in the Examiner’s Report at Appendix B and agrees that decision statement can be issued to inform interested parties that the modified Neighbourhood Plan should proceed to Referendum as soon as reasonably possible.
2. That Cabinet Member agrees to the advance funding of the Referendum which will be claimed back from the Government in due course.

1. INTRODUCTION

- 1.1 The National Planning Policy Framework (NPPF) and the Localism Act 2011 give local communities direct power to develop their shared vision for their neighbourhood and deliver the sustainable development they need. Neighbourhood planning provides a set of tools for local people to get the right type of development for their community. The referendum is the culmination of the neighbourhood plan production process.
- 1.2 Caton with Littledale Parish Council (Parish Council) has prepared their own neighbourhood plan under the powers described and have now reached an

advanced stage in the process. The Independent Examination into the Caton with Littledale Neighbourhood Plan (Plan) took place between May and November 2021 and an Examiners Report has now received indicating that, subject to modifications their Plan can be advanced to the referendum stage. These modifications have now been made.

2.0 PROPOSAL DETAILS

- 2.1 The Parish Council began work on their Plan following the areas designation in March 2015. In preparing the Plan the group has placed community engagement at the heart of their Plan, undertaking a series of consultations and building evidence to support the policies contained in the Plan.
- 2.2 The content of the Plan seeks to address a range of issues including conservation and enhancement of the landscape, wildlife, geology, heritage and settlement character; ensure development is sustainable in terms of its location and high quality design; provide appropriate housing mix with an emphasis on the provision of affordable housing without adverse impact on the AONB; support for the local economy; protection and improvement of local facilities; provision of services and infrastructure and the management and improvement of flood risk and water quality. The Plan contains a range of policies which seek to address these issues which are important to the community.
- 2.3 The Parish Council (who are responsible for preparing the Plan) have carried out various informal consultation events throughout the process. They initially undertook a formal consultation on a draft plan (Regulation 14) in the spring of 2017. The Plan was then amended and further informal consultation took place before the statutory consultation (Regulation 14) on the draft plan, which has proceeded to examination, took place in the spring of 2021.
- 2.4 Following the publication of the final version of the Plan, the documentation was scrutinised by an independent Examiner. The Examiner was appointed jointly between Lancaster City Council (council) and the Parish Council. The examination of the Plan was carried out through the written representations procedure and did not involve any form of hearing sessions. The final version of the Examiners Report was received on the 3rd November 2022 and recommended that, subject to a series of modifications, the Plan can proceed to referendum.
- 2.5 The most significant modification required relates to the removal of a policy which sought to designate 7 areas of Local Green Space and provide for their protection. The Examiner concluded that the spaces were, “already identified and adequately and appropriately safeguarded under adopted planning policy, it is considered that there is no merit in designating them as LGS in addition. Furthermore, five of the sites are listed and protected under Policy CL12 as existing recreational facilities. It is considered that there is no merit in designating them as LGS in addition.” The Examiner’s Report is attached at Appendix B of this Report.
- 2.5 The Examiner considered that the modifications set out in their report are necessary to ensure that the Plan meets the Basic Conditions as required by the Localism Act. The basic conditions for neighbourhood plan making are:
- Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan.

- The making of the neighbourhood plan contributes to the achievement of sustainable development.
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority.
- The making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
- Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

2.6 Officers have reviewed the Plan in light of the proposed modifications and conclude that the Examiner’s modifications are necessary for the Plan to meet the Basic Conditions. Since receiving the modifications, the Parish Council have agreed that the changes are acceptable, they have amended the Plan accordingly and have confirmed that they wish for it to proceed to referendum.

2.7 If approved, the referendum will be held at the earliest practicable opportunity, in accordance with legislation. The question to be used in the referendum is set by the ‘Neighbourhood Planning (Referendums) Regulations 2012’, and must be “Do you want Lancaster City Council to use the neighbourhood plan for Caton with Littledale to help it decide planning applications in the neighbourhood area?”

2.8 If more than 50% of those voting in the referendum answer “yes”, the Plan would then form part of the Development Plan (the documents that make up the Development Plan are used when making decisions on planning applications) for Lancaster district and would then need to be formally ‘made’ (adopted) by the council. This ‘making’ of the Plan would be a decision made by full council.

3.0 DETAILS OF CONSULTATION

3.1 The Plan was formally consulted upon at Regulation 16 (The Neighbourhood Planning (General) Regulations 2012 (as amended) stage prior to the submission of the Plan for examination by the appointed Examiner. The details can be found using the following link:

<https://www.lancaster.gov.uk/planning/planning-policy/neighbourhood-planning>

4.0 OPTIONS AND OPTIONS ANALYSIS (including Risk Assessment)

	Option 1: Accept the modifications of the Examiner, issue a decision statement to this effect and approve the Neighbourhood Plan to go forward to referendum.	Option 2: Reject some of the modifications of the Examiner and delegate authority to the Planning Manager to publish the decision statement.	Option 3: Reject all of the modifications of the Examiner.
Advantages	The benefit of a Plan enables the community to influence development in their area through plan	That the Plan could be prepared in line with (or closer in line with) the original intentions of the Parish Council.	None known. Rejection of all the modifications would mean rejection of the Plan on the basis that

	making. It will enable the community as a whole to decide if the Plan should be used by the council for determining planning applications.		the council could not be satisfied that the Plan could meet the Basic Conditions required by Schedule 4B Town and Country Planning Act 1990.
Disadvantages	<p>The Examiner's modifications remove policies proposed by the community and effect the influence the community will have in plan making.</p> <p>None known</p>	<p>Officers and the Parish Council have agreed the modifications are acceptable and that the Plan is suitable to be the subject of a referendum.</p> <p>Rejecting modifications may remove clarity, factual correctness or compatibility with other local authority plans or policies. It could also lead to the Basic Conditions requirement not being met.</p> <p>Rejecting modification will require further consideration by the Parish Council and the council as to the suitability of the Plan.</p>	The Plan would not meet the Basic conditions and would not be made.
Risks	Acceptance of the Examiners' recommendations and adoption could lead to legal challenge.	<p>Removal of some of the modifications may lead to the Plan not meeting the Basic Conditions and to the decision that the Plan should not be progressed.</p> <p>Removal of some of the Examiner's recommendations may also create ambiguity and uncertainty in the application of the Plan. This could lead to legal challenge and difficulty in the application of planning policy to planning decisions.</p>	The Plan, with the Examiners' recommendations, is agreeable to the Parish Council. To reject the Plan by not accepting the modifications would be contrary to the will of the Parish Council and could be subject to public law challenge.

5.0 CONCLUSIONS

- 5.1 The preferred option is Option 1. The Independent Examiner has scrutinised the Plan in making an assessment as to whether it meets the Basic Conditions and subject to modification is of the view that the Plan is ready to proceed to Referendum. Given the level of work undertaken by the Parish Council and the conclusion of the Examiner, that the Plan should go forward to referendum with the recommended modifications. This will allow the community of Caton with Littledale to determine if the support the Plan and wish it to be adopted as part of the Development Plan.
- 5.2 In conclusion, it is the opinion of the Head of the Planning and Place Service that the Caton with Littledale Neighbourhood Plan is ready to proceed to referendum, subject to modifications as recommended by the Examiner being made.

RELATIONSHIP TO POLICY FRAMEWORK

Neighbourhood Planning contributes to the Council's corporate plan priorities, in particular, supporting a sustainable district, an inclusive and prosperous local economy, healthy and happy communities and a co-operative, kind and responsible council.

Once made (adopted), neighbourhood plans will form part of the council's Lancaster District Local Plan.

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing)

The Examiner has confirmed that the Plan meets the Basic Conditions (subject to recommended modifications). One of these conditions is that it must be compatible with human rights requirements. Officers agree that the Plan, with modifications meets the Basic Conditions.

There are not considered to be any equality impacts relating to recommendations of this report.

Another of the Basic Conditions is to contribute the achievement of sustainable development. The Plan was supported by a Strategic Environmental Assessment screening that concluded that the Plan would not trigger significant environmental effects. In addition to this, the Council has confirmed that it believes the Plan meets the Basic Conditions including in terms of sustainability.

LEGAL IMPLICATIONS

The Council's Legal duties are set out within the body of this Report and within the relevant sections of the Localism Act 2011. In accordance with regulation 12 (4) Schedule 4B of the Town and Country Planning Act 1990 (as applicable by virtue of s38A (3) of the Planning and Compulsory Purchase Act 2004), the Council must hold a referendum if it is satisfied either:

a. The proposed Neighborhood Plan meets the following conditions

- (i) The basic conditions are met
- (ii) It is compatible with the ECHR
- (iii) It complies with the provision made by or under S38A (6) and S38B of the Planning and Compulsory Purchase Act 2004

Or

b. The proposed NP would meet the criteria if modifications are made (whether or not

recommended by the examiner).

As per paragraph 2.5 of the report, the modifications set out by the Examiner, will ensure that the Neighbourhood Plan will meet the basic requirements. The Examiner has also confirmed via their report that the Plan does not breach and is compatible with the ECHR.

If the council resolves to reject some of the Examiner's recommendation, it will have to give clear reasons for its rejection. If the rejection is due to some new evidence, fact or a different interpretation of a fact, then the council will have to notify prescribed persons of the proposed decision (and the reason for it) and invite representations. The council may refer the issue to independent examination.

If the council rejects all of the Examiner's recommendations then the council will not be able to satisfy itself that the Basic Conditions are met. This would mean that the Plan would have to be refused. This could be subject to a public law challenge if the council's rejection of all the modifications is not justified by sound reasoning.

FINANCIAL IMPLICATIONS

As set out in the body of the report, to support the preparation of any neighbourhood plan the council has a duty to provide officer support to the community preparing the plan and as a result will also incur additional costs to cover (1) various stages of publicity, (2) Independent Examination and (3) a referendum. The local planning authorities are able to claim monies from DLUHC to offset the costs of undertaking this work.

A payment of £20,000 becomes eligible once the local authority have set a date for the referendum following a successful examination and this is expected to sufficiently cover all costs.

Given the advance stage of the Caton with Littledale Neighbourhood Plan the Independent Examination has already taken place, costing the City Council £7,451. The Council's democratic service officers have advised that the estimated direct costs of holding a referendum (comprising printing and posting of voting materials, the Poll Station day staff and count voters) would be in the region of £7,500.

Budgets will be updated accordingly to provide provision for the costs in the year that they are expected to occur.

There are no financial implications associated with the recommended changes to the Plan as set out in the Examiners Report.

OTHER RESOURCE IMPLICATIONS

Human Resources:

Managing a referendum will also need the resources of democratic services officers, this would need to be funded from the grant, and may require additional staff resources if it impacts on other elections.

Information Services:

None.

Property:

None.

Open Spaces:

None.

SECTION 151 OFFICER'S COMMENTS

The S151 Officer has been consulted and has no comment to make.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has no further comments to add.

BACKGROUND PAPERS

Appendix A – Caton with Littledale Neighbourhood Plan Referendum Version

Appendix B - Examiners report – the examiner's report is appended for consideration and should be read in conjunction with the submission version of the neighbourhood plan

Appendix C – Background information including the Caton with Littledale Neighbourhood Plan Submission Version, Reg16 responses and supporting documents

<https://www.lancaster.gov.uk/planning/planning-policy/neighbourhood-planning>

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OUR PARISH – OUR FUTURE – OUR PLAN



THE CATON-with-LITLEDALE NEIGHBOURHOOD DEVELOPMENT PLAN (2021 to 2031)

Referendum Plan

Acknowledgement

Work on this Neighbourhood Development Plan (NDP) has been carried out by a Steering Group of local residents, assisted by Claire Bradley of Kirkwells Ltd (Planning Consultants). Much of the initial work on writing the Caton-with-Littledale NDP and preparing for its first Regulation 14 consultation was carried out by David Walmsley who died on 19th April 2018.

Other members of the Steering group include:

Anne Jackson (Convenor)
Lucy Barron (resident)
Alan Davis (resident)
Marilyn Davis (resident)
Alison Harry (resident)
Chris Kynch (Parish Councillor and resident)
Andrew Riley (resident)
Jenny Walmsley (Parish Councillor and resident)
Ruth Wright (resident)

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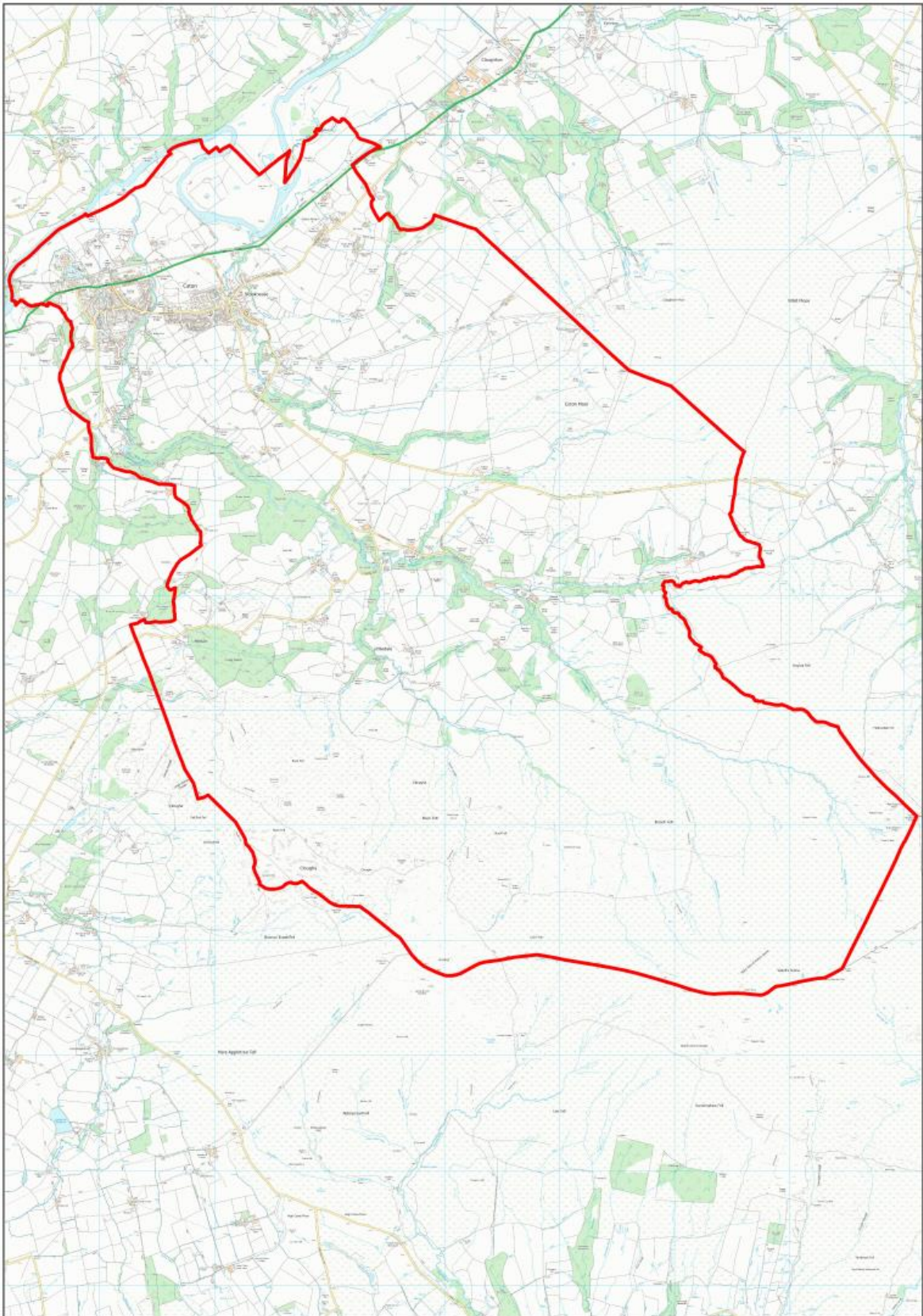
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1 Introduction

1.1 Introduction

- 1.1.1 Lancaster City Council is a Local Planning Authority with statutory responsibility for the preparation of the Local Development Framework for the city region and is responsible for determining planning applications in its area. The Lancaster Local Plan, which is part of that Local Development Framework, sets out what development is needed in an area and contains policies to ensure that those needs are met in a sustainable way. These policies are used to determine planning applications and also to influence infrastructure provision and environmental management. Once adopted, a Neighbourhood Development Plan (NDP) also becomes part of that Local Development Framework.
- 1.1.2 As a designated body, Caton-with-Littledale Parish Council is preparing a NDP for the Parish of Caton-with-Littledale. The whole of the parish lies within the Forest of Bowland area which is designated as an Area of Outstanding Natural Beauty (AONB) (see Map 1) with the statutory purpose of conserving and enhancing the natural beauty of the area. This means that the area's landscape has been identified by the government as being of national importance. Designation as an AONB and the resulting legal powers and statutory obligations arise out of the National Parks and Access to the Countryside Act 1949 and the Countryside and Rights of Way Act 2000.
- 1.1.3 The preparation of the Caton-with-Littledale NDP is being undertaken by the Parish Council in consultation with both Lancaster City Council and the Forest of Bowland AONB. When complete, the NDP will be part of the City Council's Local Plan, prepared under the Planning Acts. It will be the principal planning document for part of the Forest of Bowland AONB (a designation that incorporates land in many parishes of five further local authority areas), but there is no single planning document for the whole AONB. This contrasts with the Arnsdale & Silverdale AONB, where a [Development Plan Document](#) has been prepared jointly by Lancaster City Council and South Lakeland District Council.
- 1.1.4 The Caton-with-Littledale NDP is modelled on the Arnsdale & Silverdale AONB Development Plan Document to provide consistency of approach for similarly designated areas within the Lancaster Local Plan area.
- 1.1.5 All AONBs are also required to produce Management Plans, prepared by the statutory AONB Partnerships under the Countryside & Rights of Way Act 2000. Management Plans are not part of the Local Plan for the areas they cover, but their content is a material consideration for Local Planning Authorities in making planning decisions. So, although prepared under different legislation for different purposes, the Forest of Bowland AONB Management Plan is an important document which is complementary to the NDP.

Map 1 Caton-with-Littledale Neighbourhood Area



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- 1.1.6 The Caton with Littledale NDP has been through Independent Examination, with the Examiner reaching the conclusion that the NDP can proceed to referendum subject to a number of changes.
- 1.1.7 The document is the final plan containing the Examiner's changes and this will now proceed to referendum.

1.2 What is a NDP and why do we need one for Caton-with-Littledale parish?

- 1.2.1 A brief summary of what a NDP appears in the box. It allows local people to identify what their planning needs are and, once adopted, is a statutory document that **must** be taken into account by Lancaster City Council (LCC) when making decisions about planning in the area of that NDP.

What is a NDP?

Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops, and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided, and provides a powerful set of tools for local people to plan for the types of development to meet their community's needs.

A NDP therefore carries much greater weight for our parish in determining future planning outcomes than any existing mechanism, including the previous Parish Plan (2005). A NDP can also complement and strengthen the role of other statutory consultees, such as the Forest of Bowland AONB.

There are some things a NDP must be consistent with, some things it cannot do, and a lot of things it can influence (*Guidance on Preparing Neighbourhood Plans, Neighbourhood Development Order, and Community Right to Build Orders. Lancaster City Council: Sept 2017*). The main points are summarised here:

Our NDP

- **must:**
 - have regard to the revised National Planning Policy Framework (NPPF, July 2021),
 - be in general conformity and plan positively to support the strategic policies of LCC's adopted Strategic Policies and Land Allocations Development Plan Document (DPD)" take account of the Forest of Bowland AONB Management Plan April 2019 – March 2024
- **cannot:**
 - be a "no growth" agenda, nor a veto against development taking place.

- **is:**
 - a statutory planning document once adopted and therefore must be used by the local planning authority when deciding planning applications.
 - the result of a series of community consultations (Section 2.2)
 - able to influence what types of homes are built including the proportion that are affordable, in private ownership or have other tenure arrangements. It can also influence aspects of the style and appearance of housing. Similarly, particular types of business / employment developments may be encouraged both in the built-up areas and on farms where these enhance sustainability. In some cases, NDPs specify where such developments can occur. Desired leisure developments, enhanced facilities, infrastructure, and the preservation of the character of the parish with its biodiversity and landscape can be emphasised. Where the opportunity arises, funding for such items may be linked to a particular planning development e.g., for houses.

1.2.2 Caton-with-Littledale Parish is a special place set in the Forest of Bowland AONB. The parish mainly sits on sandstone, siltstone, gritstone, and shale, and it forms an integral part of the landscape that is widely visible from a great distance. It is characterised by a complex mosaic of varied moorland heights, wooded brooks, valleys and gorges, rolling drumlin hills and the Lune valley floodplain, which contain a network of old stone walls and hedgerows enclosing small-to-medium-sized fields and pastures, scattered farmsteads and distinctive clustered settlements. Reflecting this situation, the Forest of Bowland AONB's key characteristics as stated in the Management Plan 2019-2024 are:

- *the grandeur and isolation of the upland core*
- *the steep escarpments of the moorland hills*
- *the undulating lowlands*
- *the serenity and tranquillity of the area*
- *the distinctive pattern of settlements*
- *the wildlife of the area*
- *the landscape's historic and cultural associations*

1.2.3 Natural beauty is at the heart of what makes the Forest of Bowland AONB special: it is the reason the Bowland landscape is designated for its national and international importance. It is also a key factor in attracting visitors. This natural beauty is derived from the area's largely unspoilt countryside, combined with a number of special qualities that contribute to the area's unique character or 'sense of place'. The special qualities of the Forest of Bowland AONB are numerous and varied, but in general terms they can be summarised as follows:

- *an outstanding landscape*
- *wild open spaces*
- *a special place for wildlife*
- *a landscape rich in heritage*
- *a living landscape*
- *delicious local food and drink*
- *a place to enjoy and keep special*

- 1.2.4 A more complete description and explanation of Caton-with-Littledale Parish and the Special Qualities of the Forest of Bowland AONB can be found in the accompanying background document available on the Parish Council website (<https://www.catonvillage.org.uk/neighbourhood-plan>)
- 1.2.5 The Forest of Bowland AONB straddles six planning authorities (Lancaster, Craven, Wyre, Ribble Valley, Preston, and Pendle) and, owing to these complexities, is not currently developing a Development Plan Document, unlike the Arnside and Silverdale AONB, where the two local authorities have jointly produced a DPD for the AONB.
- 1.2.6 Caton-with-Littledale Parish Council considers that planning and development should be managed in an equivalent way in the two AONBs, noting in particular that Lancaster City Council (along with other public bodies) has a statutory duty under Section 85 of the Countryside and Rights of Way (CRoW) Act 2000 to have regard to the statutory purpose of AONBs in carrying out their functions.
- 1.2.7 Within the AONB, Government policy requires that councils give great weight to conserving landscape and natural beauty. (NPPF paragraph 176). Furthermore, Sections 88 & 89 of the CRoW Act require publication of a Management Plan for each AONB. The fundamental principle underlying this is that any new development within an AONB that has a materially adverse impact can proceed only where it is demonstrated that it satisfies an overriding national need that cannot be met elsewhere. All development is expected to conform to a very high standard of design, to be in keeping with local distinctiveness, and should seek to conserve and enhance the AONB's natural beauty.
- 1.2.8 Management of the AONB is coordinated by the **Forest of Bowland AONB Partnership**, which is made up of landowners, farmers, tourism businesses, wildlife groups, local councils, and government agencies. The Partnership adopted an updated **Statutory Management Plan** in 2019, which sets out the overall strategy for managing, conserving, and enhancing the AONB. The Management Plan also sets out some key principles for this NDP, some of which are more developed in the Arnside and Silverdale AONB Management Plan and taken forward in the Arnside and Silverdale AONB DPD. The key principles for management and development in Caton-with-Littledale should:

- reflect the national importance of the AONB;
- contain policies to conserve and enhance landscape quality and character, tranquillity, dark skies, local distinctiveness, settlement character, pattern and local vernacular architecture, and the natural and historic environment;
- identify appropriate sites for the delivery of housing to meet local community needs (demonstrated by a rural housing needs survey for the Lower Lune Valley and by Caton-with-Littledale NDP Community Consultations) prioritising affordable housing and use of brownfield sites;
- support the development and retention of local services and facilities and advocate the need for local services to support community life and the local tourism industry;
- define and conserve areas of important open green space within settlements;
- protect the setting of, and conserve the views out from and into the AONB; and
- promote appropriate diversification and sensitive re-use of rural buildings.

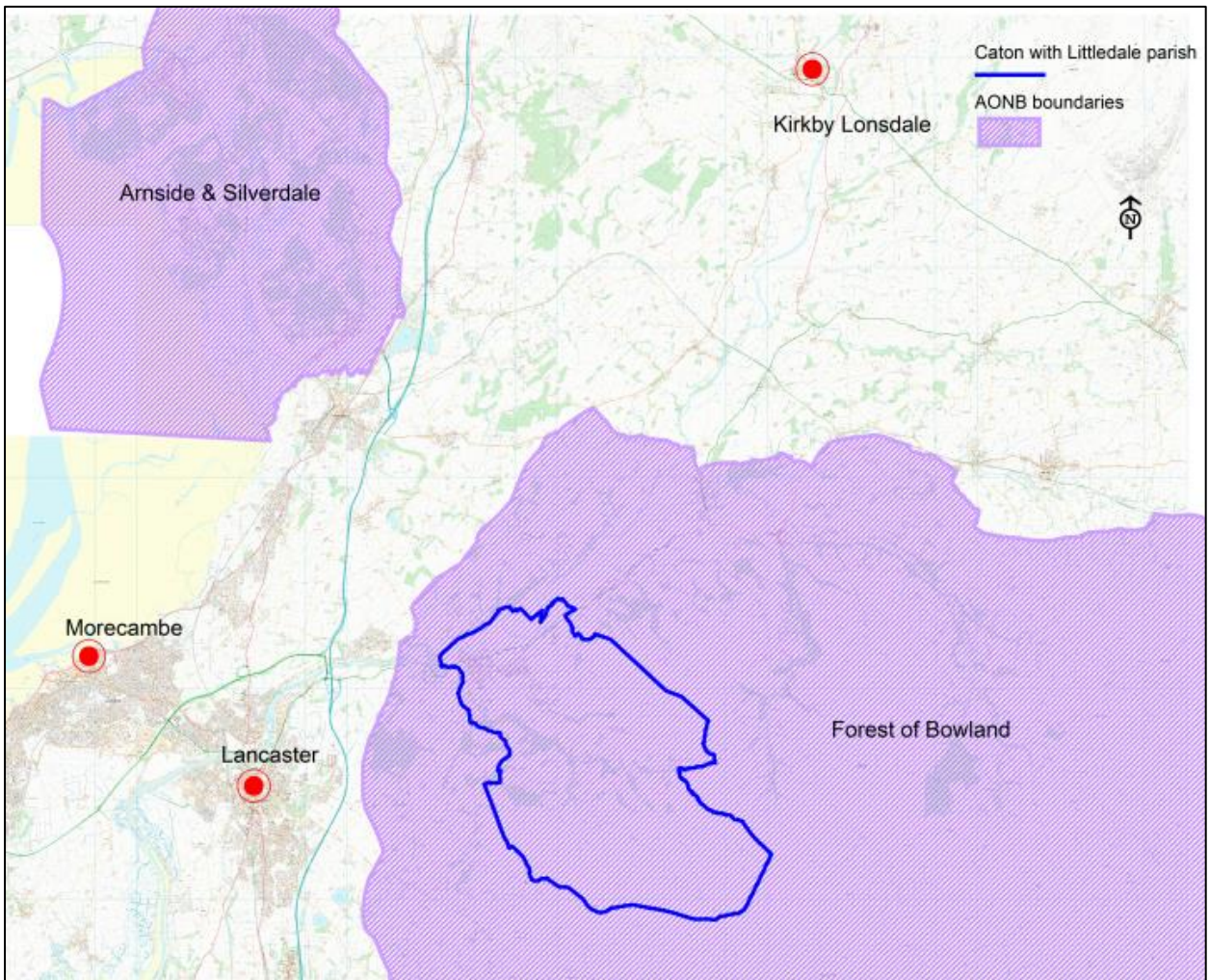
1.2.9 Therefore the reasons for preparing this Caton-with-Littledale NDP are:

- Nationally, there is a housing shortage. Additional national planning issues include energy production, resources, transport, infrastructure, and flood prevention. The government has required councils to plan for a large increase in house building. LCC has to meet these needs and to develop an appropriate local infrastructure for the wider area and economy. Therefore, all parishes are expected to work within these wider development perspectives. LCC has updated its Development Plan Documents (DPDs). Both the Strategic Policies and Land Allocations Development Plan Document and the Review of the Development Management Development Plan Document were adopted by LCC in July 2020.
- Private landowners and developers are also involved. There have been a number of recent developments and planning applications in the parish including Moor Platt, the area off Sycamore Road and the Bargh TNT Garages site on the A683. Local people have expressed mixed views about these developments, but currently have had little influence on the outcomes.
- While the Parish of Caton-with-Littledale lies entirely within the Forest of Bowland AONB and is therefore an area of national landscape importance, there is no AONB Development Plan Document for it. This means that the City-wide Local Plan for Lancaster would not have the AONB or the particular interests of Caton-with-Littledale as its main focus.
- Further planning applications will continue to arise so that a better method of assessing them against local needs and landscape impact on a statutory basis is needed.

- The NDP will be an important means of bringing the wishes and needs of the parish to the fore when deciding planning matters and enable the community to be involved in shaping its future.
- The NDP can focus on its place in the AONB and have its conservation and enhancement at its heart.
- The NDP will give statutory development plan policy weight to some of the NDP issues and policies when planning applications are considered.
- The NDP will also be a complementary and important way of helping implement the aims and objectives of the Forest of Bowland AONB Management Plan within the parish (in the absence of an AONB Development Plan Document).
- The special character of the parish within the AONB requires a different approach to local planning to that outside nationally important landscapes.
- Policies and decisions need to be consistent for similar areas in respect of the conservation significances and the response to development pressures. Therefore, this should be the case for the two AONBs within the LCC Local Plan area.

1.2.10 Caton-with-Littledale Parish covers approximately 3,380 hectares and has a population (2011 census) of 2,738. The main settlements are Caton, Brookhouse, Caton Green, Forge Mill and Littledale. Around 70 small businesses operate within the parish, which predominantly employ people living within the parish or nearby. Farming and land management are important. Other prominent sectors include education and health services. The parish has close links to Lancaster, Morecambe and Kirkby Lonsdale for employment and for services such as supermarkets and secondary education.

Map 2 Caton-with-Littledale Parish in context



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1.3 Relevant Planning Policy

1.3.1 The Caton-with-Littledale NDP is one of a number of existing plans and strategies affecting the parish including the NPPF, LCC's DPDs and the Forest of Bowland AONB Management Plan.

National Planning Policy

1.3.2 NDPs must take account of national planning policies set out in the NPPF and of online National Planning Guidance (NPG).

1.3.3 The central theme of the NPPF is a presumption in favour of sustainable development. Paragraph 11 of the NPPF states that for plan making, this presumption means that:

“Plans and decisions should apply the presumption in favour of sustainable development. For plan-making this means that:

- a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;*
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas⁶, unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁷; or*
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.**

1.3.4 Footnote 7, states: *“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 180) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 67); and areas at risk of flooding or coastal change.”*

1.3.5 In relation to AONBs, the NPPF also states at paragraph 176 that *“great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.”*

1.3.6 Paragraph 177 of the NPPF goes on to say: “*When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development⁶⁰ other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*

- a) *the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) *the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) *any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”*

1.3.7 In terms of major development the footnote 60 states:

“For the purposes of paragraphs 176 and 177, whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.”

1.3.8 While the issues around the presumption of sustainable development and the AONB are the starting point, the NPPF should be read as a whole and the appropriate balance applied to the merits (or lack of merits) of any planning application.

Lancaster Planning Policy

1.3.9 A strategic approach to development including policies is set out in some detail at a city level. The relevant documents of the Lancaster Local Plan are:

- The **Strategic Policies & Land Allocations DPD**, which was adopted on 29th July 2020. This document guides how the future development needs of Lancaster City Council are met. It sets out a spatial vision for the area and establishes what the strategic development needs of the area are; a spatial strategy then describes how those needs will be distributed. The plan then sets out a series of land allocations to identify where development needs will be met and where areas that are of specific economic, environmental or social importance will be protected.
- the **Lancaster City Council Development Management DPD**, which was adopted on 29th July 2020. The Development Management DPD sets out the generic policies that will be used by both Development Management Officers and the Planning Committee to determine planning applications.

- 1.3.10 In the Strategic Policies and Land Allocations DPD, no allocations have been made in those parishes preparing a NDP; however, it is expected that positive policies are prepared to meet local needs in those areas.

The Forest of Bowland AONB Management Plan 2019-24

- 1.3.11 The statutory AONB Management Plan, prepared by the AONB Partnership on behalf of its constituent local authorities, is a critical document. It describes the Special Qualities of the area which contribute to the national significance of the landscape and identifies the major trends and opportunities for the area. It provides a policy framework and identifies a five-year programme of actions to help guide the work of the AONB partnership organisations towards achieving the purpose of the plan – to conserve and enhance the natural and cultural beauty of the Forest of Bowland landscape.
- 1.3.11 The Caton-with-Littledale NDP and other NDPs across the AONB will be key mechanisms by which this purpose and the wider vision of the Management Plan will be delivered.
- 1.3.12 The Forest of Bowland AONB Management Plan can be viewed at <https://www.forestofbowland.com/management-plan>

1.4 Evidence

- 1.4.1 In drafting the Caton-with-Littledale NDP, the Parish Council has drawn upon the existing evidence base for the Local Plan documents.
- 1.4.2 The Parish Council has prepared a document which details the special qualities of the parish to inform the NDP.
- 1.4.3 A Local Green Space assessment was undertaken by the Parish Council to inform the allocation of Local Green Spaces. However, the Examiner was of the opinion that Policy CL6 relating to the designation of the areas as Local Green Space, should be removed, as the spaces were adequately protected under existing Policy.
- 1.4.4 Site assessments of potential residential sites have been undertaken by Lancaster City Council. Following this the Parish Council commissioned a *Cumulative Landscape and Visual Impact Assessment* to understand the cumulative landscape changes that might arise from the allocation of one or more sites within the parish. The report also looks at the impacts the sites have on the special qualities and character of the villages and the wider landscape. This work has informed the allocation of sites for housing growth in the villages.
- 1.4.5 The above documents are available on the Parish Council website at <https://www.catonvillage.org.uk/neighbourhood-plan>

1.5 Strategic Environmental Assessment and Habitat Regulations Assessment

Strategic Environmental Assessment

- 1.5.1 Lancaster City Council prepared a screening report to support Caton-with-Littledale Parish Council to determine whether the contents of the proposed NDP is likely to require a Strategic Environmental Assessment (SEA). The final Screening Opinion issued in September 2021 states as follows:

“4.1 Initial internal screening of the Neighbourhood Plan concludes that it is unlikely that the Neighbourhood Plan would result in a significant environmental effect. The strong focus of the Neighbourhood Plan on the protection of the environment, heritage assets, its AONB focus, and lack of allocations make it unlikely to result in significant effects.

4.2 Subject to the inclusion of a monitoring framework the council is satisfied that the Plan is unlikely to result in significant effects.

4.3 The views of the three statutory bodies are requested before this can be confirmed.”

Habitats Regulations Assessment

- 1.5.2 Lancaster City Council prepared a screening report to support Caton-with-Littledale Parish Council in determining whether or not the contents of the proposed NDP is likely to require a Habitats Regulation Assessment (HRA). The final Screening Opinion issued in September 2021 states as follows:

6.1 The HRA Screening Report of the Caton-with-Littledale Neighbourhood Plan has considered the potential implications for protected designated sites within and near the Neighbourhood Plan area boundary.

6.2 The detailed screening of policies within table 3 has confirmed that following amendments to Policy CL4 ‘Natural Environment’ the Council are satisfied that the Neighbourhood Plan would have no adverse effect on the integrity of the designated sites identified either alone, or in-combination with other plans or projects.

6.3 The views of the three statutory bodies is required to confirm this conclusion.”

- 1.5.3 The views of Natural England, Historic England and the Environment Agency were sought on the screening opinions. The responses were as follows:

- Environment Agency - *I have reviewed the updated HRA & SEA Screening Reports and am satisfied that the revised plan would not have a significant environmental effect, nor any effect on designated habitats. I therefore agree with the conclusions of the Screening Reports.*

- Natural England - *We have reviewed the submitted documents – Neighbourhood Development Plan Regulation 14 consultation Version, HRA screening and SEA screening opinion and have the following comments to make. We advised in our previous response that Policy CL4: Natural Environment needed to be strengthened. We recommended that reference was made to the Habitats Regulations and to net gain. We welcome that the reference to net gain has been included however our advice remains, we recommend including reference to the Habitats Regulations. The accompanying neighbourhood plan HRA can then conclude no likely significant effects for all the general policies which support development because of the strengthened environmental policy. We have no comments to make about the proposed site allocations or about the SEA screening opinion.*
- Historic England - *We have no comments to make and recommend that the planning and conservation staff at Lancaster City Council would be best placed to provide advice on the above plan.*

1.6 Community Engagement

- 1.6.1 A significant amount of community engagement has informed the preparation of the Caton-with-Littledale NDP. This will be detailed in the Consultation Statement which can be read in conjunction with this Plan

1.7 Structure of the Document

- 1.7.1 This document is split into 7 sections:

Part 1 is this Introduction. It sets out what the NDP is for, the context of the NDP and the stages of preparation of the NDP. It also explains the structure of the document.

Part 2 sets out the Vision and Objectives for the NDP.

Part 3 sets out policies dealing with the overall strategy for development in the Caton-with-Littledale neighbourhood area.

Part 4 sets out development management policies for the neighbourhood area, which will be applied in addition to other local and national policies as part of the development plan for the area.

Part 5 sets out allocations for residential development.

Part 6 identifies the planning commitments approved within the plan period.

Part 7 explains the next steps for the NDP.

Part 8 contains the Appendices.

2. Vision and Objectives

2.1 Vision

- 2.1.1 A NDP is required to have a vision and a clear set of objectives. The vision is a statement of how we envisage the parish in 2031. As Caton-with-Littledale Parish is in the Forest of Bowland AONB, the vision has been developed to be consistent with the Forest of Bowland AONB Management Plan Vision¹ and that set out in the Arnsdale and Silverdale AONB DPD.

The Vision for Caton-with-Littledale Parish

The parish maintains its character as four (*Caton, Brookhouse, Caton Green and Littledale*) distinct but inter-dependent communities within the rural setting of the Forest of Bowland AONB.

The loved and highly valued special qualities and landscape character of the parish and Forest of Bowland AONB and the way in which they combine to form a mosaic of landscape types and reflect a rich history and cultural heritage are maintained or enhanced to benefit the well-being, health and sustainability of the local communities and visitors. These special qualities are:

- the grandeur and isolation of the upland core;
- the steep escarpments of the moorland hills;
- the undulating lowlands;
- the serenity and tranquillity of the area;
- the distinctive pattern of settlements;
- the wildlife of the area;
- and the landscape's historic and cultural associations².

The parish develops to meet its residents' needs ensuring a balanced housing structure for all ages of the community while enhancing appropriate local business, landscape, leisure, educational, health and transport facilities so that residents and visitors continue to enjoy the special qualities of this area into a prosperous future.

All development within the parish will be managed in harmony with and proportionately to its status in the AONB, contributing towards meeting the needs of those who live in, work in and visit the area in a way that:

- conserves and enhances the landscape, the natural beauty, the historic context and the special qualities of the parish within Forest of Bowland AONB;
- creates vibrant, diverse and sustainable communities with a strong sense of place; and
- maintains a thriving economy.

¹ Forest of Bowland AONB Management Plan 2019 – 2024: Page 26;

² As in the Forest of Bowland AONB Management Plan

2.2 Aim and Objectives

Overall Aim:

To maintain the historic context and natural landscape of Caton-with-Littledale Parish and to promote proportionate, sustainable development up to 2031 commensurate with being part of the Forest of Bowland AONB, in order to enhance the quality of the environment and the well-being of parish residents and visitors.

- 2.2.1 This will be achieved through the following seven objectives, which reflect the objectives set out in the Forest of Bowland AONB Management Plan, relevant Local Plans, national policy, the evidence gathered and the wider context:

Objectives:

- 1. to conserve and enhance the outstanding landscape and natural beauty of Caton-with-Littledale Parish, including its landscape character and visual amenity, wildlife and geology, historic context, heritage, and settlement character;**
- 2. to ensure that all development is appropriate and sustainable in its location and design, and is of high quality;**
- 3. to provide sufficient supply and mix of appropriate types, sizes, and tenures of high-quality housing to contribute to meeting the needs of Caton-with-Littledale residents and the surrounding AONB, with an emphasis on affordable housing and without adverse impact on the landscape character of the AONB;**
- 4. to support a sustainable local economy, especially rural employment and livelihoods, and tourism;**
- 5. to protect and improve local community facilities and services, including for recreation and for sustainable public transport, paths, and cycleways;**
- 6. to provide the necessary services and infrastructure to support and improve both existing and new development;**
- 7. to manage and improve flood risk and water quality.**

3. Overall Landscape and Development Strategy

3.1 The Development Strategy

- 3.1.1 This NDP places development more clearly in the context of the primary purpose of an AONB – to conserve and enhance the natural beauty of the area – and, in the interests of people living and working here, to put this at the heart of planning for this parish which wholly sits within the Forest of Bowland AONB. Furthermore, it serves both to fulfil the Management Plan of the Forest of Bowland AONB within Caton-with-Littledale Parish and to achieve an equivalent strategy and methodology for planning and development between the two AONBs within the Lancaster City area while being consistent with the Strategic Policies and Land Allocations DPD of the Local Plan.
- 3.1.2 The two policies that follow in this section are based on the equivalent section in the Arnsdale and Silverdale AONB DPD and are designed to ensure that the primary purpose of the AONB is at the heart of the overall approach to development in this parish, and to ensure that new development supports the Forest of Bowland AONB’s primary purpose and Special Qualities alongside the interests of residents.

Policy CL1: Development Strategy

A landscape capacity-led approach to development will be taken in the parish. Great weight will be given to the principle of conserving and enhancing landscape and natural beauty, wildlife and cultural heritage in the parish due to its location in the Forest of Bowland AONB.

1. All Development

All development in the Parish of Caton-with-Littledale, located in the Forest of Bowland AONB, should be sustainable, consistent with the primary purpose of AONB designation³, and support the Special Qualities of the AONB as set out in the Forest of Bowland AONB Management Plan. Development must be determined by the capacity of the landscape to hold it and be in keeping with the primary purpose of the AONB. Within the parish, housing, employment, services, infrastructure and other development should contribute towards meeting the needs of those who live in, work in and visit the area in a way that:

³ As set out in the National Parks and Access to the Countryside Act 1949; confirmed by Section 82 of the Countryside and Rights of Way Act 2000:

- The primary purpose of the designation is to **conserve and enhance natural beauty**.
- In pursuing the primary purpose of designation, account should be taken of the needs of agriculture, forestry, and other rural industries and of the economic and social needs of local communities. Particular regard should be paid to **promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment**.
- Recreation is not an objective of the designation, but the **demand for recreation should be met insofar as this is consistent with the conservation of the natural beauty and the needs of agriculture, forestry, and other uses**.

- a) conserves and enhances the distinctive landscape, the natural beauty, historic context, and the Special Qualities of the AONB; and
- b) creates a vibrant, diverse, and sustainable community with a strong sense of place; and
- c) maintains a thriving local economy.

2. Development within the Sustainable Settlements of Caton and Brookhouse

To promote vibrant local communities and support services, small-scale growth and investment will be supported in the identified Sustainable Settlements of Caton and Brookhouse where it closely reflects identified local needs within the parish or immediately surrounding areas of the AONB, and conserves and enhances the local landscape and settlement character.

3. Development on the edge of and outside Sustainable Settlements

Development proposals on the edge of and outside settlements, including in hamlets and the open countryside, will be permitted only where they demonstrate that:

- d) there would be no adverse impact on settlement or landscape character; and that;
- e) there is an essential need for a rural location; or
- f) it will help to sustain an existing business, including farm diversification schemes; or
- g) it contributes to the meeting of a proven and essential housing need in that location; or
- h) it represents a sensitive and appropriate reuse, redevelopment, or extension of an existing building.

3.1.3 The primary purpose of the AONB designation is to conserve and enhance the landscape and natural beauty of the area. It is therefore entirely appropriate that the Development Strategy for the Parish of Caton-with-Littledale identifies a landscape-capacity led and criteria-based approach to development, consistent with this primary purpose and the Forest of Bowland AONB's Special Qualities. A strategy that does not put the conservation and enhancement of the landscape central to the approach to development would compromise the primary purpose and undermine the national designation and the value of the AONB.

3.1.4 Where any development proposal would create conflict between the primary purpose of the AONB and other uses of the AONB within the parish, greater weight will be attached to the purpose of conserving and enhancing the landscape and natural beauty of the parish.

- 3.1.5 Proposals for major development in Caton-with-Littledale Parish will be considered against the guidance in the NPPF and the additional local guidance:

“Whether a proposal is ‘Major Development’ is a matter for the decision-maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined and taking into account CWLNP Policy CL2 Landscape and other relevant planning policies.”

- 3.1.6 In determining whether exceptional circumstances exist, Lancaster City Council will assess the proposal using the criteria set out in the NPPF paragraph 177 (or as revised).
- 3.1.7 The nature of the AONB landscape means that even some smaller-scale proposals may be considered to be major developments depending on the local context.
- 3.1.8 Whilst the Plan seeks to promote the role of brownfield sites for new development, proposals on such sites should be assessed against whether they help to deliver the primary purposes of the designation of the area as AONB.
- 3.1.9 In determining planning applications, the Local Planning Authority will seek to carefully assess the ambitions of securing the long-term and productive re-use of brownfield sites against the importance of protecting this nationally important landscape. In doing this, careful consideration will be given to wider policy ambitions within the Lancaster District Local Plan, specifically Policy DM46 which relates to development and landscape impact.

Housing growth in the parish

- 3.1.10 LCC has indicated that an important part of NDP preparation is ensuring that the NDP supports the Strategic Development needs of the City Council.
- 3.1.11 LCC has carried out a “Call for Sites” exercise, for the emerging Strategic Policies and Land Allocations DPD. However, where a parish is designated as a Neighbourhood Planning body, the City Council expects the Parish Council to plan positively for housing growth and to bring forward allocations for future housing development through the NDP.
- 3.1.12 As the AONB is a protected landscape, sites that are suitable for housing should be developed specifically to help meet local affordable or other locally identified housing or other needs, thereby contributing towards meeting the needs of those who live in, work in and visit the parish or Lower Lune Valley Ward (both of which lie within the AONB). To do otherwise would fail to address these needs, which could then only be met by releasing more sensitive sites, causing harm, and compromising the primary purpose of the AONB designation.

- 3.1.13 The Strategic Housing and Employment Land Availability Assessment (SHELAA) performed by Lancaster City Council (2018) formed the initial assessment of land availability for the parish, noting the methodology⁴ which seeks to afford equivalent standards in the Forest of Bowland AONB as has been achieved for the Arnside & Silverdale AONB during preparation of its DPD.
- 3.1.14 An essential and integral report is the Landscape and Visual Impact Assessment (LVIA) with recognition of the special qualities of the parish within this process, applying the Forest of Bowland AONB Management Plan and its Landscape Character Assessment⁵.
- 3.1.15 Site Allocation must then be performed on the basis of landscape capacity using the assessments described above, and whether the housing development needs of the parish and surrounding AONB have been met. Local Plan Policy SP2 sets out the settlement hierarchy and the strategic approach to development in sustainable rural settlements in the AONB and other rural villages. An allocation for in the region of 12 dwellings is included in the CWLNDP under Policy CL15.
- 3.1.16 In determining the suitability of any development site in relation to the settlements of Caton and Brookhouse, a planning judgement will have to be applied as to how well the site relates to the built form of the settlement.
- 3.1.17 From time to time, additional or “windfall” development proposals will be made. Residential development proposals should demonstrate that they contribute towards meeting a proven housing need in the parish and surrounding area through an up to date housing needs survey. They should be in accordance with Local Plan Policy SP2 and contribute to the delivery of the housing requirement set out in Local Plan Policy SP6. They should also include a landscape assessment proportionate to the scale of the proposal and the level of impact of the proposed scheme on the landscape. For larger or otherwise more sensitive sites or schemes (including most new development), this will require an LVIA undertaken by a qualified professional to Landscape Institute standards as set out above and showing how impacts may be minimised or mitigated.

⁴ <http://www.lancaster.gov.uk/planning/planning-policy/evidence-monitoring-and-information>

⁵ <https://www.forestofbowland.com/Landscape-Character-Assessment>

3.2 The Landscape Strategy

Policy CL2: Landscape

Within the Parish of Caton-with-Littledale set in the Forest of Bowland AONB, development proposals will be required to demonstrate how they conserve and enhance the landscape, and the natural beauty of the area. Proposals will not be permitted where they would have an adverse effect upon the landscape character or visual amenity of the AONB or its setting.

Development proposals will be supported where they:

- a) take into account the Forest of Bowland AONB Landscape Character Assessment for the Caton-with-Littledale Parish area, and other relevant evidence;
- b) reflect the rural nature, historic character and local distinctiveness of the area including settlement character and separation, local vernacular traditions and building materials and native vegetation/planting;
- c) respect the visual amenity, views, tranquillity, dark skies, and the sense of space and place, avoiding the introduction of intrusive elements, or compromise to the skyline or settlement separation;
- d) take full account of the cumulative and incremental impacts of development having regard to the effects of existing developments (including unintended impacts and impacts of development that has taken place as a result of Permitted Development Rights, licensing, or certification) and the likely further impacts of the proposal in hand; and
- e) include a landscape assessment, the level of detail of which should be proportionate to the scale of the proposal and the level of impact of the proposed development on the landscape. For larger or otherwise more sensitive sites or schemes (including the majority of new developments), this will require a Landscape and Visual Impact Assessment (LVIA) undertaken by a qualified professional to Landscape Institute Standards, showing how impacts may be minimised or mitigated.

3.2.1 The AONB benefits from the highest status of protection in relation to landscape and natural beauty and great weight will be given to conserving and enhancing natural beauty when considering development proposals.

3.2.2 'Natural beauty' is not just an aesthetic concept, and 'landscape' means more than just scenery. The natural beauty of the AONB is strongly linked with its distinctive landscape character. The landscape of the AONB is largely due to natural features and processes such as geological diversity, landforms, climate, soil, water features, biodiversity and habitats, but is in part the product of many centuries of human modification and management, including communities, settlements, heritage assets, people and

perceptions. Many of these elements are recognised as being of national or international importance and are protected by law. The special qualities of the Forest of Bowland AONB, as set out in the Management Plan, define and describe the elements that give the area its natural beauty as well as those human elements that contribute to its unique landscape character.

- 3.2.3 The area was designated as a landscape of national significance due to a variety of factors:
- the grandeur and isolation of the upland core;
 - the steep escarpments of the moorland hills;
 - the undulating lowlands;
 - the visual contrasts between each element of the overall landscape;
 - the serenity and tranquillity of the area; the distinctive pattern of settlements; the wildlife of the area;
 - and the landscape's historic and cultural associations.
- 3.2.4 The area can be characterised as a complex interplay of many different landscape types, all intrinsic to its overall landscape character; from the dominant and wide-open moorland vistas of the high fells, to the more subtle, but no less important, lower-lying landscapes such as the rolling, pastoral farmland, woodlands, parkland, reservoirs, river valleys and floodplains. The area's distinctive character is determined not simply by the presence of particular natural elements or their rarity value, but also by the way in which they combine to form a mosaic of landscape types and reflect a rich history and cultural heritage.
- 3.2.5 The AONB forms part of the extensive Pennine Chain, which extends eastwards into the Yorkshire Dales National Park and southwards across Lancashire. The unique landscape character of the Forest of Bowland reflects its historical and present-day management for farming and sporting activities, from the royal forest of mediaeval times to the sporting estates of the present day. This has had a taming influence on the landscape.
- 3.2.6 It is the unique combination of characteristics in this area that makes the landscape so distinctive, and which creates the highly valued natural beauty of the area, resulting in a strong sense of place. The AONB is part of the cultural and natural heritage of the nation and if these characteristics are damaged, for example by insensitive development, then that will compromise the primary purpose of the AONB and the enjoyment of the area by the public.
- 3.2.7 National Character Areas (NCAs) divide England into 159 distinct natural areas. Each is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision-making framework for the natural environment. The Caton-with-Littledale Parish is contained within 'Bowland Fringe and Pendle Hill' (NCA 33)

- 3.2.8 In addition to the national landscape character assessment, a number of local landscape character studies have been undertaken to improve understanding of the character of the Forest of Bowland landscape and describe it. The most recent and comprehensive of these is the Forest of Bowland AONB Landscape Character Assessment:
- 3.2.9 [The Forest of Bowland AONB Landscape Character Assessment \(2009\)](#) has confirmed the diversity of the Forest of Bowland's landscapes, identifying, mapping and describing 14 Landscape Character Types and 82 Landscape Character Areas within only 803 square kilometres. The assessment seeks to provide a framework for developing a shared understanding of the current character of the Study Area's landscapes and its future management needs.
- 3.2.10 Caton-with-Littledale Parish contains seven of the Landscape Character types:
- A. Moorland Plateaux
 - B. Unenclosed Moorland Hills
 - C. Enclosed Moorland Hills
 - D. Moorland Fringe
 - F. Undulating Lowland Farmland with Wooded Brooks
 - I. Wooded Rural Valleys
 - J. Valley Floodplain
- 3.2.11 Particularly relevant characteristics of the Caton (F4) Landscape Character Area, which includes the villages of Caton and Brookhouse, are:
- a patchwork of small-to-medium pasture fields deeply incised by wooded brooks and river gorges;
 - a network of hedgerows and stone walls delineating field boundaries;
 - scattered farmsteads and clustered villages;
 - panoramic, open and framed views northwards across the wide floodplain of the river Lune; and
 - to the south, the dramatic rising profile of the moorland hills forming the skyline backdrop to views.
- 3.2.12 In the Lancaster Local Plan Part 1: Strategic Policies and Land Allocations (2011-2031), Policy SP7 seeks to maintain Lancaster's unique heritage and Policy SP8 seeks to protect the Natural Environment. Policy EN2 relates to Areas of Outstanding Natural Beauty and states that the landscape and character will be protected, conserved, and enhanced.

Justification

- 3.2.13 The character of the landscape in the Neighbourhood Plan area is a highly valued asset. The wooded valleys and field patterns stretching out to open moorland are defining features, in addition to the valley floodplain. It is the unique combination of elements and features (characteristics) in this area that makes the landscape so distinctive and resulting in a strong sense of place. The AONB is part of the cultural and natural heritage of the nation and if these characteristics are damaged, for example by insensitive

development, then that will compromise the primary purpose of the AONB and the enjoyment of the area by the public.

- 3.2.14 In order to best serve the primary purpose of AONB designation, new development must relate to the established character of the area (as described in the Forest of Bowland Landscape Character Assessment) in which it is to be located. It must integrate with its setting and be in keeping with neighbouring buildings and the landscape by appropriate siting, nature, scale, proportion, massing, design, materials and landscaping. It must respect the prevailing proportion of buildings to gardens and green space.
- 3.2.15 New development can make a positive contribution to the landscape but can also harm it in a number of ways. For example, new features that are uncharacteristic of the landscape may be introduced that detract from the local vernacular building style, intrude into skylines or obstruct or erode important views. Important landscape features such as hedges, drystone walls and mature trees may be damaged or removed. Over time, development can lead to the gradual erosion of local distinctiveness and in a protected landscape of such unique character; this sort of cumulative loss and harm must be avoided in order to serve the primary purpose of AONB designation.
- 3.2.16 Development proposals within the AONB or affecting its setting will have to demonstrate clearly that they are appropriate to the landscape character type and designation, taking into account the wealth of landscape character evidence and guidance available. Lancaster City Council may require the submission of a Landscape and Visual Impact Assessment (LVIA) undertaken to recognised Landscape Institute standards and will also expect proposals to have regard to the content of the AONB Management Plan.
- 3.2.17 When considering the cumulative and incremental impacts of development, developers and decision makers should ask themselves: 'Can the impacts of this development proposal (in the context set out in the policy) on the landscape character and visual amenity be mitigated?' If yes, proceed with considering proposal in principle, subject to all other considerations. If no, refuse permission.
- 3.2.18 The sense of tranquillity is a special quality of the AONB but is gradually being eroded by increases in noise, activity, traffic and disturbance. The scale and type of new development and level of activity along with journeys to and from a site will affect tranquillity and will be a factor in determining whether or not a proposed development can proceed.
- 3.2.19 All light pollution, however small, contributes to the general erosion of darkness in the AONB. The spilling of light beyond a site boundary and into the surrounding countryside can be disturbing to wildlife and have an intrusive visual impact. Light pollution contributes generally to the urbanisation of the rural landscape and the loss of darkness in our night skies and should be minimised in any new development.

- 3.2.20 There are many opportunities to conserve and enhance the special and distinctive character of the AONB landscapes by managing development and supporting the conservation of distinctive landscape features such as in-field trees, hedgerows, dry stone walls and ponds.

4. Policy Issues

4.1 Housing Provision

- 4.1.1 Caton and Brookhouse are identified as Sustainable Rural Settlements under Local Plan Policy SP2 as they have good access to a wide range of services and good connectivity to other larger settlements. In principle, they are a suitable location for future housing growth in the rural area to meet the needs of rural communities for various types of housing. Growth must however be achieved in the context of the surrounding national landscape designation and within the context of national planning policy. Section 5 of the CWLNP and Policies CL15 and CL16 set out the approach to site assessment and allocate a site for the development of about 12 dwellings.
- 4.1.2 The Forest of Bowland AONB is a protected landscape, within which Caton-with-Littledale Parish is located; therefore, sites that are suitable for housing should be developed specifically to help meet local affordable or other locally identified housing needs.
- 4.1.3 To do otherwise would fail to address these needs, which could then only be met by releasing more sensitive sites, causing harm, and compromising the primary purpose of the AONB designation. This policy seeks to ensure that the approach to housing delivery in the AONB reflects the local needs within the AONB and better ensures that new development supports the AONB's primary purpose and Special Qualities.

Policy CL3: House Type and Tenure

Within the NDP area, the number, size, types, and tenures of all homes provided should closely reflect identified local needs in accordance with current parish housing needs evidence at the time of the application.

Proposals for new housing development will be supported where they deliver affordable housing in accordance with the relevant policy of the Lancaster Development Management DPD (Currently Policy DM6).

Priority will be given to the delivery of affordable housing and maximising the potential for meeting identified local needs and local affordable needs from development proposals. These will be expected to demonstrate that housing densities reflect local settlement character.

- 4.1.4 The provision of new housing, especially affordable housing and first homes, is one of the highest government priorities. Section 5 of the revised NPPF sets this out in some detail, beginning with the requirement that Local Planning Authorities will use their evidence base to ensure that their area-wide Local Plan meets the full, objectively assessed needs for market and affordable housing, including identifying key sites for development. Lancaster City Council will work with the Parish Council and Housing

Associations and other providers to achieve the required mix of housing types.

- 4.1.5 New housing developments should offer a range of housing sizes, types, and tenures to meet identified local needs, including provision for vulnerable communities such as older people and people with disabilities.
- 4.1.6 Lancaster City Council has undertaken a city-wide housing needs assessment which provides up-to-date evidence about housing need and is in the process of producing a Supplementary Planning Document in relation to “Meeting Housing Needs”.
- 4.1.7 Currently the Lune Valley CLT Housing Needs Survey provides parish evidence for housing needs at present, however, this will eventually become out of date. This survey should be reviewed and updated periodically to ensure that it is kept up to date.
- 4.1.8 The Lune Valley Housing Needs Survey 2019 found that:
- “The housing profile of the area is not in step with the predicted needs of local households. Like many rural settlements the population is predominately elderly and ageing, but with some younger and newly forming households being unable to afford the premium prices associated with villages rather than town environments.
 - There has been a shift in demand for market housing, as older households seek to downsize from large houses;
 - There is significant need for affordable housing from younger and older households, with affordable products such as First Homes and shared ownership housing being potentially affordable to local households, in addition to traditional social rented housing;
 - The proportion of social rented housing is smaller in the study area than the district and England as a whole, indicating a shortage; and
 - The level of interest in cohousing is greater than in other studies. This is likely to be due to the success of the scheme that has been established locally.”
- 4.1.9 Where an up-to-date Housing Needs Assessment for the village and or parish is not available, then supporting evidence to an application must include:
- A village or parish housing need survey and an appraisal of the results, the scope of use must be first agreed with the Council.
 - Analysis of the number and type of dwellings in the village and the identification of gaps in provision.
 - A minimum of the percentage of affordable housing required by the Local Plan.

4.1.10 For an assessment of supply and need for the village / parish, the assessment must take account of:

1. Allocations or permissions in the settlement, parish or nearby settlements or parishes.
2. People on the housing register in housing need.
3. The population from the latest census, mid-year ONS estimates and population growth.
4. Age and household structure.'

4.2 Natural Environment

- 4.2.1 Biodiversity and geodiversity are key environmental concerns for the Forest of Bowland AONB. There are sites which are subject to high levels of protection in national or international law which include Calf Hill and Cragg Woods Special Area of Conservation and Bowland Fells Special Protection Area. Lancaster City Council has comprehensive policies on biodiversity and geodiversity with clear implications for their protection and enhancement. This policy clarifies and expands on these to ensure that new development supports the AONB's natural environment, primary purpose, and Special Qualities.
- 4.2.2 Natural capital assets are the elements of the natural world from which flow a series of services or benefits to society. For example, woodland, species-rich grassland, wetlands, peatland, and other soils are all aspects of natural capital, while carbon storage, clean air and water and opportunities for recreation are some of the ecosystem services which flow from them.

Policy CL4: Natural Environment

Development proposals affecting directly or indirectly an international designated site's qualifying habitat and/or species are subject to the requirements of The Conservation of Habitats and Species Regulations 2017. In accordance with these Regulations, where a proposal has implications for internationally designated sites, the proposal will be expected to be accompanied by sufficient information to inform a suitable Habitats Regulation Assessment.

The high quality of the natural environment is a key feature of the parish within the Forest of Bowland AONB. New development will conserve and enhance the biodiversity and geodiversity, avoid the fragmentation and isolation of or disturbance to wildlife, habitats, and species. It will also help to create and reinforce green corridors, blue infrastructure and ecological networks and deliver ecosystem services⁶ as a means of maximising wider public benefits and in reinforcing the local area's identity and sense of place.

Development proposals should protect and enhance biodiversity and/or geodiversity, to minimise both direct and indirect impacts. There should, as a principle, be a net gain of biodiversity assets wherever possible.

To protect and enhance the robustness, function and value of the natural environment, development proposals must protect and contribute to the appropriate enhancement of the extent, value and/or integrity of:

- a) any site or habitat protected for its biodiversity or geodiversity value, at an international, national, or local level;

⁶ Ecosystem services are the benefits provided to us by the natural environment when it is allowed to function healthily, including clean air and water, climate and disease regulation, crop pollination and cultural, health and recreational benefits.

- b) any priority habitat or species;
- c) ecosystem services;
- d) ecological networks and their connectivity, including steppingstones, buffer zones, functionally linked land, corridors and other linkages;
- e) the mosaic pattern of habitats and species and the mosaic approach to their management and protection⁷;
- f) any other natural features or assets of significance and value in the AONB or characteristic of the AONB, including those that do not enjoy formal protected status.

Exceptions will be made only where:

- g) there is an overriding public need for the development; and
- h) the development cannot be located elsewhere; and
- i) Where harm from development cannot be avoided, a developer must clearly demonstrate that the negative effects of a proposal can be mitigated, or as a last resort, compensated for.

Before works to traditional buildings or features take place, appropriate species surveys should be undertaken and an appropriate plan for their protection, mitigation and enhancement put in place.

New buildings and conversions will be required to incorporate measures to support biodiversity as part of their fabric as is appropriate, based on site-specific and other local biodiversity evidence.

Development should restore and enhance water bodies, prevent deterioration, promote recovery, reduce flood risk and conserve habitats and species that depend directly on water. Where relevant, this should involve the opening up of culverts.

Proposals that enable or facilitate specifically tailored or targeted action to restore or enhance rare or priority species or habitats will be particularly supported.

Trees and woodland

New development should protect and enhance existing trees unless there are clear and demonstrable reasons why their removal would aid delivery of a better development overall, and positively incorporate new trees.

Proposals that would result in the loss or deterioration of trees that are subject to Tree Preservation Orders, are Ancient, Veteran or located within Conservation Areas, or that are otherwise significant, will not be permitted unless:

- j) an overriding need for the development and its benefits in that location clearly outweigh the loss or harm; and
- k) compensatory planting is provided.

⁷ The Mosaic Approach integrates the requirements of species into habitat management, ensuring that plants and wildlife have the places they need to live and reproduce.

New or replacement planting in proposals for development should:

- l) be at appropriate ratio and of appropriate species to conserve and enhance the special character of the area and to reflect the purpose of the planting;
- m) promote a wider diversity of species, including diversity of height;
- n) reinforce adjacent habitats and reflect historic planting patterns in the locality;
- o) be supported by an appropriate management regime; and
- p) support the need to manage mature or over-mature trees.

Landscaping in new development should remove invasive species. Account should be taken of the needs of particular species dependent on the retention of dead wood and mature trees within woodland.

Development proposals will be accompanied by a proportionate ecological survey including an assessment of the role the site plays in the local ecological network, taking into account connectivity and activity at different times of year. There should be clear links between the survey outcomes and any protection, mitigation and enhancement measures proposed.

- 4.2.3 Traditional buildings or features include farmhouses and farmsteads, barns, cart sheds, stables, animal houses and other solid walled structures like flax and cotton mills, and other rural buildings, largely dating before 1914. The term 'traditional' relates to the materials of which they are built (in this area often sandstone or gritstone, sometimes with timber frames) and the associated craft skills handed down from generation to generation. It excludes modern methods of construction using industrialised factory-produced concrete blocks, sheet roofing and plastic products more commonly employed since the 1950s.
- 4.2.4 The Parish has important wildlife and geology, with some sites protected at the highest level in national and international law and a number of locally protected sites and priority habitats, as well as a wider environment rich in wildlife. Lancaster City Council has adopted comprehensive policies on biodiversity and geodiversity, which have clear implications for the protection of sites within the parish. However, there is scope in the NDP to expand on some of the detail, for example to ensure that biodiversity can be enhanced by creating or restoring habitats and including measures to help urban wildlife e.g., swift bricks and bat boxes. Particular measures, species, habitats, connectivity and geological features can be referenced.
- 4.2.5 The neighbourhood area's multifunctional blue infrastructure includes a network of a major river (River Lune), ponds, wetlands, watercourses and floodplains. Development should restore and enhance water bodies, prevent deterioration, promote recovery, reduce flood risk and conserve habitats and species that depend directly on water. Where relevant, this should involve the opening up of culverts."

- 4.2.6 Healthy, functioning blanket bog on the tops of the fells acts as a carbon store. Work to restore and re-wet areas of blanket bog will boost carbon sequestration. In addition, these blanket bogs are important in helping to mitigate downstream flood risk for communities, both inside and outside the parish and the AONB.
- 4.2.7 The need to protect the natural environment and develop robust ecological networks is now well established. At the time of publication, Section 15 of the revised NPPF requires Local Planning Authorities to set criteria-based policies against which to judge proposals for any development on or affecting protected wildlife or geodiversity sites.
- 4.2.8 Effective conservation and enhancement of biodiversity means taking action at a landscape scale across local authority boundaries to develop robust ecological networks. Policies should protect and enhance the hierarchy of international, national, and locally designated sites of importance for biodiversity and also wildlife habitat corridors and steppingstones that buffer and connect them.
- 4.2.9 Single trees, tree groups, woodland and hedgerows are all features of the natural environment of the AONB; in-field and boundary trees, fruit trees, mature and notable trees are particularly characteristic of the area. Ancient trees and woodland and veteran trees are an irreplaceable resource.
- 4.2.10 Habitats and species are sensitive to and can be harmed by new development, for example through degradation or absolute loss or through impacts caused by development, such as increased activity and light spillage. However, if approached imaginatively in a way that is appropriate to the context, there is scope for new development to enhance biodiversity. These should include measures such as swift bricks, hedgehog highways, bat boxes, access tiles, living roofs or walls, and special consideration for species that are dependent on the built environment.
- 4.2.11 The Forest of Bowland AONB supports many important habitats and species which contribute significantly to the area's landscape character and 'sense of place'. The Bowland fells (part of which is located in the south of the parish) support rare and endangered species associated with a very rare mosaic of upland habitats. At lower levels, the ancient woodlands contain an array of wildflowers, while the few remaining traditionally managed pastures and meadows are an oasis for wildflowers and insects. Numerous rivers and watercourses provide habitats for salmon, brown trout, and sea trout, as well as birds including kingfisher, dipper, grey wagtail, common sandpiper, and oystercatcher. Otters are also present along rivers on the northern side of the Bowland Fells.
- 4.2.12 The Forest of Bowland is an internationally important area for conservation, as nearly one fifth of the AONB is designated as a Special Protection Area under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended), with a proportion being within the Parish of Caton-with-Littledale. Where a proposal has implications for internationally designated sites, the proposal

will be expected to be accompanied by sufficient information to inform a suitable Habitats Regulation Assessment.

- 4.2.13 There is a Special Area of Conservation within the parish and two Sites of Special Scientific Interest (SSSIs) designated under UK legislation. Within Bowland Fells SSSI, the AONB management (with landowners) has been implementing a peatland restoration project. There are a number of other wildlife sites in the parish, which form part of a national network of non-statutory sites that are recognised for their ecological value. These are called Biological Heritage Sites (BHS). This valuable habitat is a big attraction for visitors to the AONB – many keen birdwatchers visit Bowland just to catch a glimpse of the hen harrier, the area's iconic bird of prey, which breeds in very few other places in England. Equally impressive are wading birds such as lapwing, snipe, curlew, and redshank, which arrive in spring to nest and rear their young on the open farmland and moors of Bowland.
- 4.2.14 Restoring blanket bog so that it can become an active carbon store is a vital contribution to combatting climate change. Adapting to climate change can also be achieved through the AONB environment, especially when considering flood management.
- 4.2.15 Rivers, streams, woodland, trees and natural planting and landscaping play an important role in the local natural environment and contribute to the biodiversity of the parish. Multi-functional Green Infrastructure (GI) is important to underpin the overall sustainability of development by performing a range of functions. This means encouraging developers to incorporate landscaping, open space and enhancements for local wildlife into new developments, to respond to climate change and to provide suitable opportunities for recreation, all at the same time.

4.3 Area of Separation and Open Spaces

- 4.3.1 Open spaces are important to the health and wellbeing of a local community because of their contribution to a high-quality environment and opportunities for play, recreation, and social activities, as well as maintaining an attractive environment for tourism.
- 4.3.2 Open spaces, green gaps and corridors are an important part of the landscape and the rural character of the parish, provide views from, into and within the settlements and help keep individual settlements distinct.
- 4.3.3 The villages of Caton and Brookhouse are separated by Artle Beck and an adjacent swathe of grazed farmland, which provides an attractive rural setting to the two villages, characteristic of the wider Forest of Bowland AONB.
- 4.3.4 This Area of Separation reflects the historic character of the settlements and creates a visual separation which is considered essential to maintaining the distinct identities of the two villages.
- 4.3.5 There is a strong visual link between Brookhouse Road and Hornby Road with far-reaching views stretching both across the valley towards Aughton Woods and up to the rising land towards Littledale. The Area of Separation is also distinct in views from elsewhere in the parish.
- 4.3.6 The area consists of small irregular fields bounded by mature hedgerows and trees with Artle Beck to the west, forming an important green habitat corridor between the settlements and a direct link to surrounding open countryside. This area contributes strongly to creating a pastoral feel highly characteristic of the rural nature of the settlements. The field pattern is recognised to be ancient enclosure.

Area of Separation

Policy CL5: Area of Separation

In order to maintain the established pattern of development and conserve the character of the Forest of Bowland AONB and its distinctive villages, development should not impact on the open character of the Area of Separation identified on the Policies Map and should not result in the further coalescence of Caton and Brookhouse.

Development will be assessed in terms of its impact upon the Area of Separation, including any harm to the effectiveness of the gap between settlements and, in particular, the degree to which the development proposed would compromise the function of the Area of Separation in protecting the identity and distinctiveness of settlements.

Justification for the proposed boundaries

- 4.3.7 The background evidence report on the assessment of the Area of Separation sets out the rationale for defining the area, the evidence of the process of assessing alternative boundaries and the criteria used to select the boundaries. The following paragraphs detail the reasoning behind the proposed boundaries.

Northern Boundary.

- 4.3.8 The field adjoining the A683 is essential to visual amenity and the separation between the settlements especially when travelling from the East. The A683 therefore forms the Northern boundary.

Western Boundary.

- 4.3.9 The western Boundary follows the path of the Artle Beck from the A683 to the most southerly and westerly piece of woodland labelled Bridge End on the Map.

Southern Boundary.

- 4.3.10 This extends from the Point of the woodland where the Track moves from an East to West direction to a southerly one. The line following the natural field boundaries and hedge lines carries on in a westerly direction until it meets the field boundary of the area identified as Site 39 in the LCC SHEELA.

Eastern Boundary.

- 4.3.11 The eastern boundary follows the natural field boundaries and hedge lines from the A683 turning in a westerly direction before moving southwards at Lane House Farm to follow the contours of the residential properties on both sides of Brookhouse Road and then forming the western boundary of Site 39.

- 4.3.12 It should be noted that that this area of separation is highly visible from viewing points along the Lune Valley and from Halton Park on the other side of the river Lune.

- 4.3.13 It is also the site of the main water pipe from the Thirlmere Reservoir supplying water to Manchester.

Protection of Open Spaces

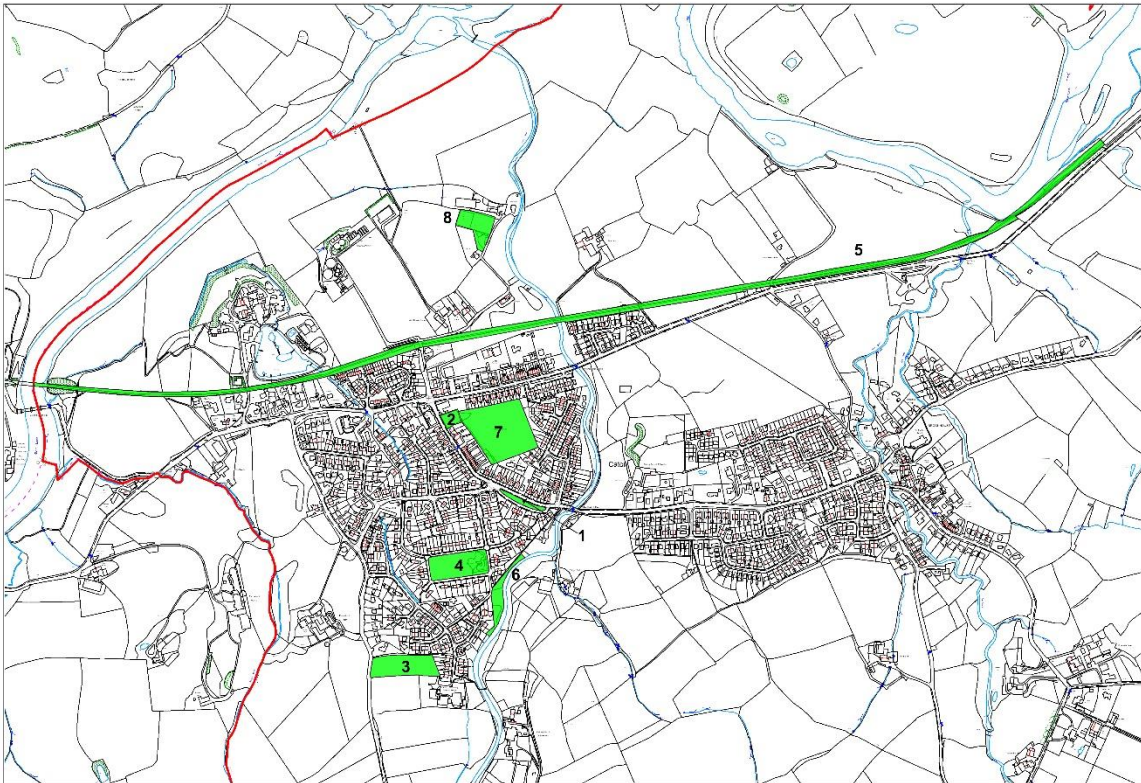
- 4.3.14 Local Plan Policy SC3 identifies the following areas as important for sport, recreation, and leisure, as shown on Map 3. They are safeguarded through Local Plan Policy DM27:

1. Becksde
2. Caton Bowling Green
3. Caton Primary School Fields
4. Fell View

5. The River Lune Millennium Park (Millennium Way) – Crook o’ Lune to end, including adjacent land.
6. Parish Woodland
7. Station Field
8. Lunesdale Lawn Tennis Club

4.3.15 Local Plan Policy DM27 sets out measures to protect and safeguard the areas to retain them as open areas for enjoyment for sport, recreation, and leisure.

Map 3: Important Sport Recreation and Leisure spaces



4.3.16 The following paragraphs are a description of each area.

4.3.17 **Beckside**

Beckside is an area of grassland maintained by the Parish Council, planted extensively with spring flowering bulbs. Trees were donated by a member of the community and make a valued and beautiful contribution to Beckside. It is a relaxing and tranquil area, with a Parish Council installed donated bench at the centre, which is well used. It creates a visually pleasing 'village green' feel to this area of Caton.

4.3.18 **Caton Bowling Green**

This space is a traditional outdoor bowling green and surrounds which has been at the heart of village life for over a century and makes a vital

contribution to the health, social wellbeing, and history of the community. It is bordered by substantial historic stone walls on all sides which provide shelter to both players and spectators enabling the enjoyment of fresh air and the stunning views of surrounding countryside. The upkeep of the bowling green is a matter of village pride and kept in one family for at least four generations.

4.3.19 **Caton Primary School Field**

This site is highly valued as an open green space on the edge of the village of Caton, regularly and frequently used for both formal and informal recreation by residents of all ages for many generations and crossed by a historic footpath. The field is enjoyed both for its recreational value and for its natural beauty, tranquillity, and wildlife. It forms a transition between the urban setting of the village and the surrounding open farmland with far-reaching rural views characteristic of the Forest of Bowland AONB. It is fringed by wildlife-rich hedgerows with large trees, including a particularly special veteran oak. The sights and sounds of breeding curlew on adjacent pastures can be readily enjoyed in spring and summer.

4.3.20 **Fell View**

This space is a 'green' with an open grassland area, sports facilities, trees and shrubs and a play area used daily by children of all ages throughout the year. The play area was designed with involvement from residents and plays a valuable role as a safe area in which children can play. The picnic tables are used intensively by parents and grandparents. The site is an informal meeting place and village focal point and is also used for community events, promoting a strong sense of community identity.

4.3.21 **Millennium Way**

This space is an accessible pathway following the route of the old railway line fringed by trees, verges, hedgerows and stone walls. The pathway makes a significant contribution to the health and wellbeing of the community and economy of the parish being a very well-used facility and popular visitor attraction. The pathway is also used for commuting by cycle into Lancaster. There are stunning views of the river Lune and surrounding countryside, and the path is the backbone of many popular circular walks.

4.3.22 **Parish Woodland**

This space is a distinctive 'surprise' area of natural woodland along the natural banks of Artle Beck. It is secluded with a beauty enhanced by the mottled sunlight on trees and water and the sights and sounds of the beck and is rich in wildlife. The site is used as a tranquil riverside location used by residents of all ages.

4.3.22 **Station Field**

This space is an open sports field valued as a green space in the centre of Caton, in an otherwise built-up area. It has good views of the upland moors

and a long history of use for recreational purposes and other community activities, and makes an important contribution to community identity. Formal sports pitches are managed by Caton Sports Association. The fringes of the field are left wild to attract a variety of flora and fauna.

4.3.23 **Lunesdale Lawn Tennis Club**

Lunesdale Lawn Tennis Club goes back to 1905. It now occupies a beautiful, wooded site close to the river Lune, on Ball Lane. There are three refurbished grass courts used from April to September and two all-weather courts, open all year. This thriving club welcomes children, young people and adults of all ages and abilities. League tennis and knock-out competitions. Classes and coaching provided.

4.4 Dark Skies

- 4.4.1 Over the last century large parts of Britain have rapidly lost access to naturally dark skies. Light in the wrong place, or obtrusive lighting, is one of the major unaddressed sources of pollution in this country and it affects people, wildlife, and our landscapes. In 2009 the Royal Commission on Environmental Pollution published its report on Artificial Light in the Environment and recommended that those responsible for the management of existing National Parks and Areas of Outstanding Natural Beauty and the equivalent National Scenic Areas in Scotland seek to eliminate unnecessary outdoor light and to design and manage better that which cannot be eliminated.
- 4.4.2 In the Forest of Bowland AONB the relative isolation means that there are areas of land still largely unaffected by light pollution; however, where lighting is obtrusive, this can seriously affect the quality of the landscape which was designated partly because of its tranquility and its value to heritage and biodiversity. In the words of the Royal Commission: *'we believe that access to the natural beauty of the night sky is every bit as important as the preservation of other aspects of natural beauty which society routinely seeks to protect for the enjoyment of its citizens and for posterity.'*
- 4.4.3 The Forest of Bowland is an area recognised for its dark night skies and visibility of the stars. A policy approach can ensure that any new development does not compromise this status by incorporating measures to minimise light spillage and avoid any intrusive lighting, reflecting the Forest of Bowland AONB position statement.
(http://forestofbowland.com/files/uploads/pdfs/aonb_ob_lighting_pos_stmt.pdf)
- 4.4.4 Policy DM29 of the Lancaster Development Management DPD which sets out Key Design Principles refers to the need to mitigate light pollution. This policy within the Caton-with-Littledale provides a more detailed approach to how this will be achieved.
- 4.4.5 The Institute of Lighting Professionals guidance entitled "*The Reduction of Obtrusive Light*" can be found at: <https://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2021/>

Policy CL6 Dark Skies

To minimise light pollution and to maintain the views of our night-time skies, planning proposals that include external lighting and significant openings that would allow internal lighting to be seen externally will have to demonstrate the following:

- a) They have undertaken an assessment of the need for lighting and can demonstrate need; and

- b) The proposed lighting is the minimum required and only appropriate to its purpose, so as to protect the area's natural surroundings and intrinsic darkness; and
- c) All development with external lighting should meet or exceed Institute of Lighting Professionals guidance for the environmental zone in which the development is set to take place; and
- d) Proposals should consider whether the benefits of the lighting outweigh any harm caused. Proposals should consider the impact of external lighting on:
 - I. the character of the area; and
 - II. the visibility of the night sky; and
 - III. biodiversity (including bats and other light sensitive species; and
 - IV. viewpoints and locations used to view dark skies.

4.5 Historic Environment

- 4.5.1 The parish contains a wide range of significant historic landscapes, a conservation area and historic buildings and features. Lancaster City Council has policies on the historic environment, which include Listed Buildings, Conservation Areas, and their settings. In addition, there is a policy in relation to development affecting non-designated heritage assets and their settings.
- 4.5.2 This policy sets out additional measures to ensure that new development supports the heritage assets and historic character of the parish within the Forest of Bowland AONB and reflects the AONB's primary purpose and Special Qualities.

Historic landscape and settlement character

- 4.5.3 The rich cultural history of the parish is reflected in the landscape and settlement character, layout, form and pattern and numerous heritage features. Unlisted features, buildings, archaeology, and parts of settlement character such as field patterns may well be locally important through their contribution to the local landscape and heritage but are vulnerable to adverse effects from insensitive development. Gradual incremental erosion of historic character over time is also an issue to consider. Lancaster City Council is in the process of preparing a Local Heritage List which will identify any such buildings and features.
- 4.5.4 The NDP offers an opportunity to provide greater detail in planning policy to ensure local heritage is conserved and enhanced. Design of new development and alterations/extensions is critical to ensure that any new buildings are in keeping with the historic landscape and built environment.

Brookhouse Conservation Area

- 4.5.5 Brookhouse is a small rural village with medieval origins. The Brookhouse Conservation Area, focused on St Paul's Church, abuts open countryside to north, south and east although the village has expanded westwards (almost merging with the larger settlement of Caton).
- 4.5.6 The Conservation Area comprises over 50 dwellings, the majority of which date from 1650-1900. These historic stone-built dwellings (detached, semi-detached and in short rows) combine with a church partly dating from Norman times and restored in the 19th Century, a school, and a chapel to create a place of special historic interest with a strong local identity. In order to delineate a clear boundary, the Conservation Area includes some 20th century development that does not form part of the area's special historic interest.
- 4.5.7 The Brookhouse Conservation Area was first designated in 1981 by Lancashire County Council under provisions that are now contained in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This defines a Conservation Area as *'an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.'*

- 4.5.8 The Brookhouse Conservation Area Appraisal available on Lancaster City Council's website (www.lancaster.gov.uk) identifies negative features and issues in the Conservation Area. The above policy is included in the NDP to ensure that future development conserves and enhances the special characteristics of the Brookhouse Conservation Area.

Policy CL7: Historic Environment

Where development proposals may affect the significance of designated heritage assets, either directly or indirectly within their setting, they must take account of the unique heritage assets.

Before works to heritage assets take place, an assessment of its significance should be undertaken, proportionate to the asset's importance, to understand its architectural and historic interest and to assess the nature and scale of impact on its significance.

Development proposals affecting designated heritage assets or affecting non-designated heritage assets that are identified on any Local List or in the Historic Environment Record, or discovered during the application process, will be supported provided that they:

- a) conserve and enhance the significance of the asset, including its contribution to the wider historic character and landscape of the AONB. This may include schemes that specifically aim to (or include measures to) protect, restore, enhance, reveal, interpret, sensitively and imaginatively incorporate, or record historic assets or features.
- b) reflect local vernacular and the distinctive historic and settlement character.
- c) conserve and enhance the character and setting of the asset; and
- d) promote enjoyment, understanding and interpretation of the asset(s), as a means of maximising wider public benefits and reinforcing the AONB's identity and sense of place.

Development proposals will not be supported where they cause unjustified harm to the significance of heritage assets and historic landscape character, including cumulative impacts, that lack clear public benefit." Proposals affecting ancient/historic field patterns should reinforce and reflect the pattern.

Within the Brookhouse Conservation Area, all new development will be expected to satisfy the relevant Lancaster City Council policies (currently DM38 and DM39)

- 4.5.9 This topic was not directly addressed in any of the reports or surveys until the informal consultation (March 2017), and therefore was inferred from other commentary to that point. These all show the heritage is valued and developments should be in keeping with it:

- Dislike of modern developments and “off-the-peg housing” designs which do not fit the character of the villages was expressed through Parish Council meetings, verbal and “post-it note” responses at NDP public meetings and in free text answers to the 2016-17 survey. Similarly, there should be a presumption in favour of the retention of non-designated heritage assets. Any loss of the whole or part of such an asset will require clear and convincing justification. No such loss will be permitted without taking all reasonable steps to ensure that the proposed new development will proceed.
- Any special features which contribute to an asset’s significance should be retained or reinstated, where possible, in accordance with paragraph 135 of the NPPF.
- Any extensions or alterations should be designed sympathetically, without detracting from or competing with the heritage asset. Proposals should relate appropriately in terms of siting, style, scale, massing, height and materials.
- Proposals within the setting of a non-designated heritage asset will be required to give due consideration to its significance and ensure that this is protected or enhanced where possible.
- Positive settings should be protected, preserved and where possible enhanced by new development. A preference for vernacular design is clear.
- Favourite views identified as part of the NDP process include many historic features within older parts of Brookhouse, Caton and Low Mill, and wider views encompassing them. Some quotations from the 2016-2017 survey encapsulate the values attached to them: *“all are important, that’s why I came to live in Caton. If it becomes more developed and loses its village feel I will likely move.”* and *“I love the view in all directions, it’s a beautiful part of the country and the buildings are picturesque too, so fit in well with the backdrop of the countryside.”*
- The March 2017 informal consultation supported the approach of the draft NDP, some responses that disagreed with it doing so because it was not worded strongly enough rather than because of its direction. Some emphasised that conservation should *“not prevent thoughtful and well-planned development”*, but that this should include: *“Where buildings are adjacent to stone-built properties, then an appropriate match of re-constituted stone or real stone should be used to reflect the local existing stone buildings. Recent new builds ... have not been close enough and do not match the area.”*

4.6 Design

- 4.6.1 The quality of design and the character of the settlements within the parish are strongly linked to the surrounding landscape of the Forest of Bowland AONB. Settlement character is not only shaped by the landscape and topography, but also contributes to the landscape through its style, construction methods, materials, form, scale, layout and pattern. This policy ensures that new development throughout the parish continues and reinforces this mutual relationship, ensuring that the design of new development contributes fully to conserving and enhancing the landscape and settlement character and better supports the AONB's primary purpose and Special Qualities. This policy should be read in conjunction with Local Plan Policies in particular Policy DM29.

Policy CL8: Design

For development proposals within the AONB the highest standards of design and construction will be required to conserve and enhance the landscape, built environment, distinctive settlement character and historic, cultural, and architectural features.

In addition to the design requirements set out in the relevant Lancaster Development Management DPD policies, the design of development proposals should:

- a) respond to the character of the landscape and local built environment including buildings, boundary treatments, open spaces, trees, roofscapes, historic village layouts and have particular regard to local vernacular traditions, building to plot/green space ratios and to the quality, integrity, character, and settings of natural, built, and historic features; and
- b) reinforce what is special and locally distinctive about design in the AONB through careful consideration of visual amenity, layout, views, scale, height, solid form, massing, proportions, alignment, design detailing, lighting, materials, colours, finishes and the nature of the development; and
- c) provide well designed landscape schemes that retain distinctive trees and include new structural planting that contributes to the character and amenity value of the area; and
- d) ensure that boundary treatments, screening and entranceways reflect local character and context including through retention (or appropriate replacement where necessary) of existing features of value such as hedgerows, trees, verges, and traditional stone walls and through the careful consideration of materials and heights for gates, gateposts and fencing and of appropriate species for planting; and
- e) must not use existing development that is poor quality or harmful to landscape and settlement character to inform the design of new development or proximity to it as justification for further poor quality or harmful development.

- 4.6.2 High quality design is fundamental to conserving and enhancing the character of the parish and ensuring any new development reflects local traditional character wherever possible including using local stone.
- 4.6.3 Modern development has led to a wide diversity of different building styles in the parish, but the NDP offers an opportunity to promote high quality design, including contemporary designs, in any new development as long as this does not harm the landscape or historic environment. Local distinctiveness and a sense of place should be promoted in contrast with the formulaic house designs often promoted by commercial housebuilders across the country. Climate change is an issue that affects us all and sustainable, energy and water efficient design must also be promoted.
- 4.6.4 Local distinctiveness and visual harmony between buildings and the surrounding landscape are important within the parish due to its location in the Forest of Bowland AONB. This is highly significant in the visual appeal of the landscape and built environment and is valued by the public – both residents and visitors to the AONB.
- 4.6.5 Gradual erosion of local distinctiveness, character and visual harmony has occurred within parts of Caton and has seen the addition of some modern development, often with little respect for the historic settlement pattern, character or materials. Harmful modern development should not be taken to set the character or provide a reference point for new development. Similarly, being in close proximity to existing development that is harmful to the landscape or settlement character of the AONB should not be used to justify further poor quality or harmful development.
- 4.6.6 The control of design, materials and cumulative impacts is crucial. Use of appropriate materials is essential to ensure that new development is in keeping with its surroundings and avoids the gradual, incremental erosion of character.
- 4.6.7 The grouping of buildings, use of local building materials, road and footway surfaces, signs, and lighting apparatus all affect settlement character and the quality of the street scene.
- 4.6.8 To sustain character and quality, development should reflect traditional materials, styles, and proportions. For proposals affecting the street scene and local landscape and settlement character, the following factors are important:
- retaining traditional surfaces and layouts, or reintroducing them;
 - ensuring that the scale, texture, colour, finish, and patterns of new materials are sympathetic to the area's character and appearance;
 - avoiding the creation of dominant or incongruous extensions and alterations to existing buildings;

- ensuring that road layouts, construction materials, signs, lighting and markings are of appropriate scale, appearance, and quality, with no unnecessary duplication. Signs should be fixed, where possible and appropriate, to buildings or existing street furniture. Every effort should be made to avoid or minimise clutter;
- minimising the use of lighting equipment as much as possible, confining it to built-up areas and locations where it is essential for safety. Lighting should be low intensity and appropriate in colour and design to minimise light spillage and disturbance to wildlife and to conserve landscape tranquillity and dark skies.

4.7 Economic Development

- 4.7.1 This policy seeks to ensure that the NDP provides a positive approach towards the promotion of economic growth and rural diversification within the parish.
- 4.7.2 LCC has policies that protect existing employment, promote small business generation and the rural economy. It is important that new employment opportunities within the parish are addressed, and this policy seeks to promote small scale employment opportunities within the context of the Forest of Bowland AONB. This policy clarifies and expands on these to ensure that new development supports the AONB's natural environment, primary purpose, and Special Qualities.

Policy CL9 Economic Development

The development of new small-scale employment opportunities within the settlements of Caton and Brookhouse will be supported where they bring economic benefits to the AONB, the proposals allow businesses to adapt to alternative ways of working and the development:

- a) is appropriate to the village and AONB landscape setting in terms of scale, location, design, and materials;
- b) demonstrates consideration of impact on infrastructure and incorporates mitigation measures to minimise any adverse impacts;
- c) provides adequate car parking for employees and visitors;
- d) consists of small-scale business / start up units or facilities which support local services and the visitor economy linked to the enjoyment of the countryside;
- e) Business signage should be of an appropriate design and scale which is in keeping with its wider setting.

Proposals for employment uses in the wider rural area will be assessed against the relevant Lancaster City Council policies and will encourage developments that help secure the viability of local farms.

- 4.7.3 The following policy seeks to ensure that the NDP provides a positive approach towards maintaining the vitality of local shopping and business areas in the parish.
- 4.7.4 Lancaster City Council has policies that promote small business generation, the rural economy and local centres and retail development outside defined centres. It is important that the services within the parish and specifically within Caton and Brookhouse are retained for existing and future residents. This policy clarifies and expands on the overarching policies to ensure that new development supports the AONB's natural environment, primary purpose, and Special Qualities.

- 4.7.5 Lancaster City Council provides additional guidance on the design of advertisements and shopfronts within the *Shopfronts and Advertisements Supplementary Planning Document*.

**Policy CL10 Maintaining the Vitality of Local Shopping/
Business Areas**

Within existing shopping/business areas in Caton village centre, Brookhouse shopping area and Willow Mill business centre, development that help maintain the vitality and viability of the local shopping and employment areas will be supported subject to the following criteria:

- a) new shop frontages are of high-quality design and scale and enhance local distinctiveness of appropriate design and scale in keeping with the setting by ensuring that corporate branding is subordinate to the site and appropriate materials are used; and
- b) distinctive and detailed features of buildings are retained and enhanced; and
- c) secure areas for refuse and recycling are included; and
- d) cycle parking is included where possible.

The shared and flexible service and facility uses of buildings in Caton and Brookhouse centres will be supported where this will help the continued operation of key services.

Proposals that would result in the loss of buildings / uses, which currently (or have previously) provided the community with a local service, and which could include services such as local shops and community facilities, must provide compelling and detailed evidence as detailed within Policy DM56 of the Development Management DPD.

- 4.7.6 The centre of Caton is identified as a Rural Local Centre under Local Plan Policy TC1; guidance on development in Local Centres is set out in Policy DM18. The area contains a shop, café, pubs, petrol station and community facilities around the junction of the A683 and Brookhouse Road. Brookhouse contains three premises on Sycamore Road. Willow Mill is identified as a Rural Employment Site under Local Plan Policy EC1. Willow Mill is a converted Grade II listed stone mill which is divided into office space for 16 business units.
- 4.7.7 There are a number of community buildings which provide services to the community located throughout the two settlements. Policy DM56 sets out the approach to be taken in considering proposals for new local services and community facilities and evidence to be provided for proposals that would result in their loss.”

- 4.7.8 The future sustainability of the parish is dependent upon maintaining a buoyant local economy and services; otherwise, there is a risk that Caton and Brookhouse could become solely satellite, commuter settlements.
- 4.7.9 The NDP offers an opportunity to support existing local businesses and encourage appropriate new employment development within the parish. Provision of small business units, live/work units, farm diversification (e.g., farm shops and sustainable tourism) and businesses which contribute to the management of the landscape should be encouraged.
- 4.7.10 The type, location and scale of new employment opportunities should be balanced against the need to protect and value the distinctiveness of the rural character, landscapes and villagescapes which are essential for sustainable tourism. Any development will be required to meet the requirements in other policies and no major development will be permitted.
- 4.7.11 **Local Economy and Rural Services**
The NDP
- supports the retention of services (e.g., the health centres, the post office, schools, shops, public transport, public toilets and car parking) and resists developments which would result in their loss;
 - supports affordable housing and workspace initiatives within the area, where development meets local housing, employment and business need and will also conserve and enhance the landscape; and
 - supports landscape-sensitive delivery of super-fast broadband and mobile telecommunication networks.
- 4.7.12 **Sustainable Tourism**
The NDP supports the AONB stance on sustainable tourism

4.8 Community and Recreational Facilities

- 4.8.1 A vibrant and resilient local community requires services and facilities to function in a sustainable way. These make a major contribution to the health and wellbeing of local residents and their quality of life.
- 4.8.2 Caton-with-Littledale has a good range of services and facilities, which serve not only residents of the parish but also large areas of the Lune Valley. Consultation carried out so far shows that they are highly valued by local residents. As more development takes place across this whole area, demand for services and facilities is likely to increase.
- 4.8.3 Play, sport and recreation areas and facilities, both formal and informal, outdoor and indoor, enable local residents to lead healthy active lifestyles and are vital to the wellbeing of the community. These include play areas, playing fields, green spaces, footpaths and cycleways. Outdoor play areas and playing fields are of particular importance for the health of children and young people growing up in the village. There are no allotments in the parish.

Policy CL11 Community and Recreational Facilities

1. Existing Facilities

Existing Community and Recreational Facilities listed below have been identified as facilities of importance and are protected in accordance with Policies SC3 and DM56 of the Lancaster City Council Development Management DPD:

1. Station Field.
2. Fell View Children's playground and field.
3. School grounds and playing fields.
4. Bowling green.
5. Tennis Courts.
6. Millennium Way
7. Victoria Institute & Brookhouse Community Church
8. Scout Hut
9. Becksde,
10. Parish Woodland,
11. Catholic Church, Station Yard
12. Caton Methodist Church/Lune Valley Methodist Hub, Brookhouse Road
13. Caton Baptist Church, Brookhouse Road.
14. St Paul's Church of England, New Street Brookhouse
15. Church Hall in the curtilage of St Pauls C of E Church."

Proposals that would result in the loss of buildings / uses, which currently (or have previously) provided the community with a local service, and which could include services such as local shops and community facilities, must provide compelling and detailed evidence as detailed within Policy DM56 of the Development Management DPD.

2. New Facilities

The NDP will support proposals for new community facilities and improvements to existing community facilities. Development will be permitted where it is in accordance with the following criteria:

- a) the site is located in or adjacent to the existing villages;
- b) the site is accessible by walking and cycling;
- c) there are opportunities to integrate services where relevant;
- d) detrimental impacts on road safety or traffic flow can be satisfactorily mitigated in the interests of both road users and users of the proposed development; and
- e) the proposal would not have an adverse effect on residential amenity.
- f) the proposal is in accordance with all other relevant policies.

4.8.5 The following important parish facilities and services also provide local employment:

- Caton Health Centre
- Hillcroft Nursing Home at Caton Green
- a residential centre for addiction treatment at Littledale Hall
- two primary schools (both with a pre-school facility)
- a thriving village hall (The Victoria Institute) with community IT facilities and small community library
- five churches (one Church of England, one Baptist, two Methodist and one Roman Catholic)

4.8.6 Children travel to secondary schools in Kirkby Lonsdale, Lancaster, Carnforth and Milnthorpe. There is a church hall and scout hut (for Cubs, Beavers, Rainbows, Brownies, Scouts, and Guides) close to St Paul's Church and a popular Scout and Guide camp in Littledale.

4.8.7 A mobile library visits Caton and Brookhouse every 3 weeks.

4.8.8 Regarding recreation, facilities include:

- a bowling green and a large recreational field (also used for the Village Gala) behind The Station public house in the centre of Caton.
- a small sports hall and playing and recreational fields with two junior football pitches hosted at Caton Primary School.
- outdoor public play and activity area for children aged up to 14 years on Fell View green, Caton.
- activities including dance and keep fit groups and a range of social groups for all ages at the Victoria Institute, which has a sprung floor;
- a tennis club;
- an extensive network of Public Rights of Way (Map 8);

- concessionary footpaths, cycle, and bridleways – Open Access Land is mainly at the top of Littledale on Clougha and Caton Moor;
- Millennium Way, which is a real asset for walkers, runners, horse riders and cyclists from the parish and beyond. The North Lancashire Cycleway and North Lancashire Bridleway also uses part of this route and some minor roads through the parish, encouraging visitors to the village.

4.8.9 The village has been twinned with the French community of Socx, near Dunkirk, since 2008.

4.9 Supporting Infrastructure for New Development

- 4.9.1 It is recognized that Caton and Brookhouse have been designated as Sustainable Settlements; therefore, new development will provide homes and jobs for current residents of the parish.
- 4.9.2 Although development within the parish is unlikely to generate significant developer contributions, the Parish Council will work with relevant bodies to seek to ensure that new development is supported by infrastructure that is appropriate to both the character and the needs of the AONB and that supports the AONB's primary purpose and Special Qualities. This Parish Aspiration does not form part of the planning policies of the neighbourhood development plan.

Parish Aspiration 1 – Supporting Infrastructure for New Development

The Parish Council will work with relevant bodies to ensure that new development contributes towards new infrastructure or seeks to improve the capacity of existing infrastructure in a way that reflects the primary purpose of the Forest of Bowland AONB designation and conserves and enhances its landscape character and visual amenity.

Compliance with the following Development Management DPD policies is essential:

- DM60: Enhancing Accessibility and Transport Linkages,
- DM61: Walking and Cycling,
- DM62: Vehicle Parking Provision and
- DM29: Key Design Principles

in order to ensure that the issues raised for Caton-with-Littledale Parish in the City of Lancaster Highways and Transport Master Plan are fully addressed and any necessary mitigation measures identified.

The Parish Council will give high priority to supporting active travel and enhancing sustainable travel networks, including infrastructure investment to benefit walking, cycling and public transport.

Should external funds become available, the NDP priorities for spending within the parish are as follows:

- public transport links to local towns and facilities
- expansion of local routes and networks for walking, cycling and horse riding.
- accessibility for disabled people and those with limited mobility in relation to local routes and footpaths
- provision of green infrastructure
- wildlife enhancements

Opportunities will be taken to fund such improvements through planning applications. Proposals which support these aspirations are likely to be considered favourably.

- 4.9.3 A strong community requires services and facilities that contribute to its quality of life, vibrancy, and vitality. Lancaster City Council has adopted policies to ensure that there are opportunities to develop and maintain features including recreation facilities, health services, allotments, shops, places of worship, pubs, and village halls. There are also locally specific needs such as new pedestrian or cycle routes. In some cases, it will be possible for new development to contribute towards the provision or maintenance of these facilities, through the use of planning obligations, which may be sought where they are necessary to make the development acceptable in planning terms.
- 4.9.4 In the Lancaster Local Plan the following infrastructure needs have been identified:
- to investigate sustainable and innovative options for rural public transport provision in accordance with Lancaster Highways and Transport Masterplan (2016);
 - extension to the Lune Valley Cycle Network to deliver improvements and extensions to the Lune Valley Cycle Network in accordance with Lancashire Cycle and Walking Strategy (2016) & Lancaster Highways and Transport Masterplan (2016);
 - Flood Risk Prevention: Surface Water Run-Off Mitigation within new development, by the creation of permeable surfaces and other related design measures to ensure that surface water run-off is reduced to greenfield levels;
 - Sustainable Drainage Systems (SuDS) must be provided within new development to help to address matters of Climate Change and Flood Risk.
- 4.9.5 New development places a burden on existing infrastructure such as utility provision, highway capacity and school places. Planning obligations are designed to help mitigate the impact of development in a way that benefits local communities and supports the provision of local infrastructure. In addition to providing the minimum services and utilities necessary to support development proposals, it is expected that Lancaster City Council will negotiate a suitable package of supporting infrastructure to ensure proposals are self-supporting and do not harm the Special Qualities of the AONB.
- 4.9.6 Critical service and utility infrastructure can include access, clean water provision, wastewater and sewerage, power supplies and telecommunications connectivity. While the Council has cited better broadband speeds as one of the infrastructure needs, it is expected that within the duration of this plan much of the parish will have access to hyper fast broadband via the fibre optic broadband network provided by B4RN (Broadband for the Rural North).

4.10 Managing flood risk and water quality.

- 4.10.1 **Flood Risk:** Storm Desmond and a local storm in November 2017 caused extensive flooding in the parish affecting a number of houses, farms, and businesses on the flood plain of the river Lune and along the Artle Beck and Bull Beck. In addition, many areas were affected by surface water run-off, particularly buildings at Low Mill, Forge Mill and Copy Lane. This demonstrates that water flow and drainage need careful attention and improvement.

Policy CL12 Managing flood risk and water quality.

New development should be designed to ensure that runoff rates and volumes achieve greenfield rates or below. All development proposals will be expected to apply the hierarchy for the management of surface water and sustainable drainage systems (SuDS) should be implemented unless there is clear evidence that this would be inappropriate. SuDS must be considered early in the design process and must be integrated with other aspects of a site design. New development proposals will be expected to incorporate site drainage as part of a high-quality landscaped environment.

Applicants will be expected to manage surface water through sustainable drainage features with multi-functional benefits in preference to a reliance on underground conventional piped and tanked storage systems. Any sustainable drainage system should be designed in accordance with ‘Ciria C753 The SuDS Manual’ or any subsequent replacement guidance.” Development proposals on land used for public water supply catchment purposes will be required to consult with the relevant water undertaker. The first preference will be for proposals to be located away from land used for public water supply purposes. Where proposals are proposed on catchment land used for public water supply, careful consideration should be given to the location of the proposed development and a risk assessment of the impact on public water supply may be required with the identification and implementation of any required mitigation measures / management regimes.

The design of new buildings and infrastructure should take account of existing topography to manage the flow of water along specific flow routes away from property and into appropriate storage facilities and/or “slow the flow” systems.

Water attenuation facilities such as lagoons, ponds and swales should be provided within development sites.

Sustainable design of buildings which support rainwater harvesting are supported. Storage of rainwater for non-drinking water purposes such as watering gardens and flushing toilets is encouraged.

Areas of hard standing such as driveways and parking areas should be minimised and porous materials used where possible, with associated soakaway facilities.

The NDP will support initiatives that rationalise or improve the provision of wastewater treatment in areas not connected to mains drainage, including installing new treatment works.

Any development which will overload or proposes to make use of an already overloaded, leaking, or out-of-date septic tank, sewerage treatment place or cess pit infrastructure will be required to make provision for appropriate upgrading infrastructure.

For new development in locations where there are vulnerable aquifers, applicants will need to provide an assessment that demonstrates that surface and foul water will be kept out of the aquifer, and how.

Proposals for new development should reflect the specific circumstances and Special Qualities of the AONB and relevant current evidence in relation to probable impacts on and potential benefits for water quality, sewerage infrastructure and sustainable drainage.

- 4.10.2 Policy DM34 of the Lancaster City Development Management DPD relates to surface water runoff and sustainable drainage and states that *“Sustainable drainage systems should be designed with due regard to the Department for Environment, Food and Rural Affairs technical standards (2015) or any future replacement.*

All proposals for major development will require a drainage strategy to be submitted. The drainage strategy must show the type of drainage system and/or measures proposed, how minimum standards of operation are appropriate and that clear arrangements are in place for ongoing maintenance over the lifetime of the development.”

Local Evidence

- 4.10.3 Managing flood risk is an issue of great concern for local residents, particularly after the effects of Storm Desmond in 2015 and a local storm in November 2017. Lancaster City Council has adopted policies to ensure that development is directed away from areas of highest risk from flooding. Some areas are not served by mains drainage or do not have mains sewerage systems. There are also areas that can be susceptible to surface water runoff, which can lead to flooding. Through their role as Lead Local Flood Authority (LLFA), Lancashire County Council now leads on flooding and drainage issues. As such, these issues are likely to be covered at County and city area levels. The Development Management DPD contains a policy (DM34), which deals with the new requirements for surface water and sustainable drainage, following the enactment of The Floods and Water Management Act 2010.

4.11 Energy and Communications

- 4.11.1 Renewable energy is a more sustainable use of natural capital than burning fossil fuels. National planning guidance challenges all communities to respond to the need for sustainable energy generation, including through the use of renewable and low carbon technologies. Technological developments also heighten demand for telecommunications infrastructure. In practice this includes the delivery of faster broadband connections and scope for small-scale renewable and low-carbon energy schemes to be introduced in the AONB. This policy seeks to ensure that the communities of the AONB can make a contribution to and benefit from renewable and low carbon energy and up-to-date communications infrastructure in a way that supports the AONB's primary purpose and Special Qualities.

Policy CL13 Energy and Communications

Medium-to-large scale energy or communications infrastructure is likely to be major development contrary to national policy and will not be permitted in the parish owing to its location in the Forest of Bowland AONB.

Small-scale low-carbon energy, renewable energy or communications infrastructure schemes in the parish will be encouraged providing that:

- a) the siting, scale, design, and appearance will not have an adverse impact upon landscape or settlement character or views into, out of and across the AONB, including from Public Rights of Way;
- b) they do not have an unacceptable adverse impact on the significance of heritage assets and their settings, historic character, biodiversity, geodiversity assets, or catchment land used for public water supply purposes;
- c) noise, disturbance, vibration, stroboscopic effect, glint, glare, or electromagnetic interference will not have an adverse impact on adjoining uses, visual and residential amenity, tranquillity, or the quiet enjoyment of the AONB;
- d) existing public access is not impeded; and
- e) they give careful consideration to cumulative impacts, the technology used, site location and decommissioning.

Development proposals that promote the AONB as a low carbon landscape will be particularly encouraged. This includes provision of low carbon, energy efficiency and renewable energy systems within new developments and through the retrofitting of existing buildings.

New development will include superfast broadband infrastructure, if appropriate. Opportunities to share communications infrastructure in order to enhance services while avoiding or minimising landscape impacts should be fully explored before additional infrastructure is considered. Sensitive developments that enhance mobile phone coverage will be supported.

- 4.11.2 Definitions within this policy are provided within the Forest of Bowland AONB Renewable Energy Position Statement⁸.
- 4.11.3 The character of the AONB landscape is particularly vulnerable to the impacts of energy and telecommunications development. Turbines, masts, and power lines can detract from important open skylines that are otherwise free of vertical structures and can intrude into key views. Overhead cables and service poles can add visual clutter to the rural landscape. Also, turbines, buildings and other structures related to energy projects along with masts and other communications infrastructure can have an industrial character, which would be out of keeping with the rural landscape of the AONB. Such development can also detract from the character or setting of listed buildings, scheduled monuments, or conservation areas.
- 4.11.4 Renewable or low-carbon energy schemes in the parish will be supported where the nature, type, scale, design, and location of the installation does not adversely affect the Special Qualities. Whereas, for much of the country, permitted development rights apply to solar PV and solar thermal technologies, these do not automatically apply in designated landscapes including AONBs. There are also more specific restrictions that apply to the installation of renewable technologies in listed buildings or conservation areas. Potential applicants should seek guidance from the Lancaster City Council on the nature of these restrictions and the best way of accommodating renewable or low-carbon energy schemes, making use of relevant pre-application advice.
- 4.11.5 In the parish, renewable energy potential is diverse and appropriate schemes could include:
- wood fuel or wood chip boilers (biomass);
 - domestic scale solar energy;
 - anaerobic digestion plants that are fueled by agricultural feed stocks.
 - ground, air, and water source heat pumps.
 - micro hydro-electric power.
 - other microgeneration schemes.
- 4.11.6 Policy CL13 draws on the approach to energy and communications infrastructure set out in the Forest of Bowland AONB Renewable Energy Position Statement 2014. The policy aims to ensure that new energy and communications infrastructure that supports the AONB objectives and Special Qualities is encouraged while protecting the AONB from the types, sizes and scales of infrastructure that would be inappropriate and harmful to the AONB.
- 4.11.7 It is important to remember that this policy sits alongside other policies in this document, national policy and other locally applicable policies set out in the Local Plan for Lancaster. This includes protecting the setting of the AONB.

⁸ <https://www.forestofbowland.com/Renewable-Energy-Position-Statement>

5. Proposed Development Allocations

5.1 Site Assessment and Selection

- 5.1.1 This section of the Caton NDP identifies the site allocated for residential development. The selection of this site has been conducted in line with the Development Strategy set out in Policy CL1 and has been informed by a considerable number of assessments, evidence-based studies, site visits and information gathering.
- 5.1.2 Each site considered has been subject to a detailed screening process, including specialist landscape and biodiversity assessments. The main evidence-based documents for housing are the Lancaster Strategic Housing Market Assessment (Part II) February 2018 Report undertaken by ARC⁴ and the relevant sections of the SHELAA's.

Site proposed for allocation for development

- 5.1.3 This policy identifies the site that is allocated for development in the parish.

Policy CL14 Housing Allocation				
Site Ref/Policy No	Name	Gross ha	Development Platform Area	Estimated No of dwellings
CL16 (Site 98)	Land west of Quernmore Road	0.69		In the region of 12

- 5.1.4 Following publication of SHELAA by Lancaster City Council, Caton-with-Littledale Parish Council considered it appropriate to commission a Cumulative Impact Assessment by an independent consultant to look at the cumulative impact of potentially allocating the sites deemed to be deliverable or developable in the Lancaster SHELAA.
- 5.1.5 The Caton-with-Littledale NDP Steering group used the report alongside the Lancaster SHELAA to identify which sites were potentially suitable for allocation.
- 5.1.6 A public consultation event was held to engage the community in the site allocation process. Several very detailed comments were received from some residents which provided some insight into specific sites and prompted the Steering Group to engage with Lancashire County Council as Highway Authority to provide an opinion on whether suitable and safe access could be provided to the sites.
- 5.1.7 All the relevant information in relation to the site assessments can be found in the site assessment report on the Parish Council website.

5.2 Site Mini Brief

- 5.2.1 This section sets out policies detailing key expectations for the development of the allocated site. In most cases these will inform pre-application discussions between developers and Lancaster City Council.

Amount of development:

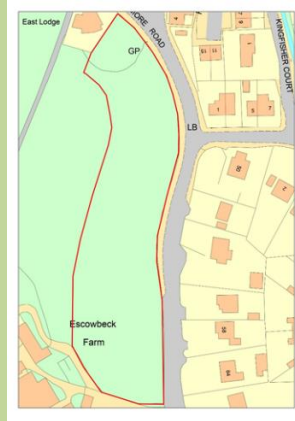
- 5.2.2 The site is capable of accommodating in the region of 12 dwellings. The site area is 0.69 hectares.

Site description:

- 5.2.3 This is a greenfield site located between Quernmore Road and Escowbeck Farm to the west of Caton village. The site is slightly sloping, rising towards Escowbeck Farm, and is currently used for grazing/pasture. Access is currently via a track located adjacent to East Lodge at the northern corner of the site. The site frontage comprises a stone wall and hedgerow.
- 5.2.4 The eastern part of site 98, closest to Quernmore Road, is low lying. The height of the site and the containment of the stone boundary wall would help mitigate development of the site and integrate it into the wider landscape. The impact of the landscape setting and character could be further mitigated by siting the housing close to the road, and for housing to be single-storey dwellings that reflect the scale of the adjacent housing. This would prevent any development becoming dominant on the edge of the village. The materials should reflect the vernacular character of mill workers' cottages off Quernmore Road and traditional farm buildings at Escowbeck Farm. The traditional boundary hedge and retaining wall should be retained as important site features.
- 5.4.5 Several water mains have been identified as being either within or in close proximity to the site. United Utilities will not allow building over or building in close proximity to the water mains. They must be protected both during and after construction and 24-hour access to them must be maintained in accordance with the requirements of United Utilities. The applicant will need to demonstrate the exact relationship between the assets, other utility services and their proposed development.
- 5.4.6 They will need to confirm the precise location of the apparatus as this could significantly impact the preferred site layout and/or a diversion of the asset(s) or protection measures may be required. Any diversion may be cost prohibitive, and applicants should not assume that the infrastructure can be diverted. The applicant should be aware that the proposed layout must accommodate United Utilities' assets, which will impact on the developable area and the number of units that can be delivered at this site. United Utilities will require a 10m easement for each water pipeline within and near to the site. The level of ground cover to the pipelines must not be compromised either during or after construction and there should be no additional load placed on the pipelines without prior agreement from United Utilities. This would include earth movement, ground re-profiling, materials

storage, site welfare cabins and the transport and positioning of construction equipment and vehicles.

CL15 (Site 98) – Land west of Quernmore Road.



Policy Guidance:

Land west of Quernmore Road, as shown on the Policies Map, is allocated for development for in the region of 12 dwellings. Detailed proposals should meet the following site-specific development requirements:

- a) A Landscape and Visual Impact Assessment (LVIA) is required to inform the design and layout of the site proposals with particular attention to siting the development close to Quernmore Road and ensuring the development is low profile and single storey to reflect the character of the surrounding area.
- b) Development proposals must ensure that development accords with Policy CL12 in relation to flood risk, sustainable drainage and water quality. In the event that infiltration is not practicable, surface water shall discharge to Escow Beck to the west.
- c) Biodiversity mitigation measures will be required, guided by existing evidence and an appropriate ecological survey of the site.
- d) Appropriate access arrangements from Quernmore Road, an extension of the footway along the length of the frontage of the site and parking arrangements are to be agreed to the satisfaction of the highway authority.
- e) Landscaping and scheme design should result in a net gain in visual amenity value in line with the local landscape character and the AONB's primary purpose and Special Qualities.
- f) Existing trees on the site boundaries should be retained.

- g) Design and materials should reflect the vernacular character of mill workers' cottages off Quernmore Road and traditional farm buildings at Escowbeck Farm.
- h) The existing traditional boundary hedge and stone boundary wall should be retained and reduced in height or set back to make provision for the new access arrangements.
- i) Development must retain and connect with existing public rights of way.
- j) The site is located on water catchment land used for public water supply purposes. Development proposals will need to demonstrate that the impact on public water supply is managed and mitigated in liaison with United Utilities.
- k) The site includes significant water supply infrastructure, which will need to be fully considered in the masterplanning / design process and during any construction. Access to such assets will need to be maintained and protective measures will need to be included to ensure any assets are fully protected both during construction and during the lifetime of the development.

All proposals will have to accord with all other relevant policies within Lancaster City Council's Development Management DPD.

6. Planning commitments

6.1 Below is a table showing the planning applications for dwellings granted within the Lancaster Development Plan period.

Table correct as of 23rd March 2021.

Application Ref	Address	Development	Number of Dwellings
22/00582/VCN	Hill Farm Littledale Road Brookhouse	Change of use of barns to two dwellings (C3), demolition of existing modern barns and erection of two new dwellings (C3), creation of passing place and erection of bin store (pursuant to the variation of conditions 2, 4 and 5 on planning permission 18/01419/FUL to amend the site plan to include garden room within Plot 4, include the use of single ply flat roofing membrane to the garden room and to update the drainage strategy)	4 dwellings
22/00244/VCN	Land At Mill Lane Low Mill Mill Lane Caton	Erection of 9 dwellinghouses with associated access, engineering works to provide sustainable drainage pond, construction of internal roads and footways and the provision of a package treatment plant (pursuant to the variation of conditions 2, 5, 6, 8 and 11 on planning permission 18/00002/FUL to alter the site layout, house details, tree protection, drainage, materials and landscaping)	9 dwellings
21/01216/FUL	Woodfield House Moorside Road Brookhouse	Erection of a two storey dwelling with detached garage, creation of a new access and installation of a package treatment plant	1 dwelling
20/01218/FUL	Brookhouse Old Hall Brookhouse Road Brookhouse	Erection of a two storey detached dwelling and boundary wall, construction of a decked area to the side and a raised area of hardstanding to the front	1 dwelling

Application Ref	Address	Development	Number of Dwellings
20/00047/FUL	Escowbeck Farm Quernmore Road Caton	Demolition of existing steel/block agricultural buildings and re development of site to provide 5 residential dwellings, including conversion and extension of existing barn and outbuilding (to form 3 dwellings) and erection of 2 new dwellings with associated access.	5 dwellings
19/01048/VCN	Land west of Littledale Road Brookhouse	Erection of a detached dwelling (C3) with associated access (pursuant to the variation of condition 2 on planning permission 18/01348/FUL to amend the approved plans to include a first floor balcony, to amend windows and doors to the west elevation and to relocate the garage door)	1 dwelling
19/00867/ELDC	New Barn Deep Clough Roeburndale Road Littledale	Existing lawful development certificate for the continued use of the property as a dwelling (C3)	1 dwelling
19/00292/OUT	Bank House Fly Fishery Car Park Lancaster Road Caton	Outline application for the erection of 1 dwelling	1 dwelling
18/01114/OUT	Ball Lane Caton	Outline application for the erection of a dwellinghouse (C3) with associated access	1 dwelling
16/00932/FUL	Neville House Moorside Road Brookhouse	Demolition of domestic store/workshop and erection of a 2-storey dwelling with associated landscaping	1 dwelling
16/00104/CU	28 - 29 Low Mill Lane Caton	Change of use of one 2-bed apartment to two 1-bed apartments	1 dwelling
14/00964/CU	Former Caton Youth Club Copy Lane Caton	Change of use of office (B1) to funeral directors (A1) and one 2-bed flat (C3) and erection of a garage to the front elevation	1 dwelling

Application Ref	Address	Development	Number of Dwellings
14/00270/OUT	Land Off Sycamore Road Brookhouse	Outline application for the demolition of existing bungalow and erection of up to 31 dwellings with associated access	31 dwellings – RM – 22 dwellings
14/00459/OUT	Land to The Rear 71 Hornby Road Caton	Outline application for the erection of a detached residential dwelling	1 dwelling
14/00768/OUT	TNT Garage Hornby Road Caton	Outline application for the erection of up to 30 dwellings	30 dwellings
13/01183/CU	Land Adjacent No 8 The Croft Caton	Change of use of redundant barn to a one-bed dwelling (C3) with a single storey extension	1 dwelling
13/00668/FUL	Moor Platt Lancaster Road Caton	Demolition of the existing 2 storey disused care home and the erection of 6 two-bed houses, 15 three-bed houses and 12 four-bed houses including internal road layout and associated parking and landscaping	33 dwellings
13/00021/CU	27 - 31 Brookhouse Road Caton	Change of use from one 4 bed dwelling to one 1 bed dwelling and one 3 bed dwelling	1 dwelling
13/00017/CU	Lancashire County Constabulary 37 Hornby Road Caton	Change of use from police office and community meeting house into residential dwelling	1 dwelling
		Total	116 Dwellings

7. Implementation and Monitoring

- 7.1 The Neighbourhood Plan will be delivered and implemented over the period to 2031. Different stakeholders and partners will be involved. Flexibility will be needed as new challenges and opportunities arise over the plan period. In this respect, implementation, monitoring and review will be crucial.
- 7.2 Caton with Littledale Parish Council will be the responsible body to manage and oversee the implementation of the Neighbourhood Plan.

Key Activities

- 7.3 There will be three key strands of activity which will direct delivery, and each is important in shaping the plan area in the months and years ahead. These comprise:
- i. The statutory planning process will direct and control private developer and investor interest in the Parish in the context of the Neighbourhood Plan, Lancaster City Council Local Plan and the National Planning Policy Framework. The Parish Council (in its role as statutory consultee to planning applications) and Lancaster City Council as the Local Planning Authority will use the Neighbourhood Plan to assess the appropriateness and suitability of applications. This assessment will help inform the Parish Council's response to the application (e.g., written representations in support of, or in objection to the proposals) and will inform the Local Planning Authority's final decision. In summary, planning applications that are broadly in accordance with both the Lancaster City Local Plan, and with the Neighbourhood Plan should be supported while those that are not should be refused.
 - ii. Investment in, and management of, public services, assets and other measures to improve local services and vitality and viability for the Parish. In the context of the prevailing economic climate and public funding there is a recognition that public investment in the Parish will be challenging to secure. The Community Infrastructure Levy (CIL), if introduced by Lancaster City Council, could contribute a small amount through new development. In the meantime, Section 106 of the Town and Country Planning Act 1990 allows for agreements between developers and Lancaster City Council, with financial contributions towards necessary services and infrastructure improvements. Such contributions resulting from developments within the Neighbourhood Plan designated area should be allocated towards improvement or addition of local services and /or the securing of environmental benefits for Caton with Littledale Parish residents and community.
 - iii. The voluntary and community sector will have a strong role to play particularly in terms of local community infrastructure, events and Parish life. This sector is likely to play an important role in the future,

and includes, but is not limited to, Victoria Institute and include other key community and voluntary groups

Key Areas of Action

- 7.4 The key areas of action summarises the Parish Council's approach to delivery and implementation of the Neighbourhood Plan:

Housing Development

- 7.5 The Parish Council will work with local landowners, developers and Lancaster City Council to ensure that sustainable growth in new housing over the plan period is delivered to meet identified local needs in the Neighbourhood Plan area.

Rural Economy

- 7.6 The Parish Council will encourage businesses to improve local employment opportunities for local people and work with landowners and stakeholders to bring brownfield sites forward for redevelopment or conversion into economic use.

Natural Environment

- 7.7 The Parish Council will work with Lancaster City Council, The Forest of Bowland AONB Unit, Lancashire County Council and other statutory bodies and agencies together with landowners and stakeholders to ensure the natural environment is protected from inappropriate development.

Monitoring and Review

- 7.8 The Caton with Littledale Neighbourhood Development Plan is a 'living' document and as such will become an integral component of the stewardship of the Parish Council.

- a) The Parish Council meeting will include a regular agenda item to monitor and action activities to progress the implementation of the Neighbourhood Development Plan. A regular agenda item will also be included to monitor the use of policies within the plan by the City Council when determining applications in the parish.
- b) The Parish Annual Meeting will report on annual progress achieved and set out the programme aims and key activities for the subsequent year ahead integrating this within its own forward planning processes.
- c) The Parish Council will monitor the progress of implementing the Neighbourhood Development Plan every 3 years. The focus of the monitoring will be to ensure that the policies made are effectively contributing to the realisation of the vision and objectives set out in the Neighbourhood Development Plan. Any resulting proposals to correct

and improve policies to meet the vision and objectives will require to be undertaken through a review of the Neighbourhood Development Plan in full collaboration with Lancaster City Council. Evidence will also be reviewed and updated as required.”

OUR PARISH – OUR FUTURE – OUR PLAN



**CATON WITH LITLEDALE
NEIGHBOURHOOD PLAN
Submission Draft Version**

**A report to Lancaster City Council
into the examination of the
Caton with Littledale Neighbourhood Plan
by Independent Examiner, Rosemary Kidd**

Rosemary Kidd, Dip TP, MRTPI
NPIERS Independent Examiner
3 November 2022

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1.0 Summary

- 1.1 The Caton with Littledale Neighbourhood Development Plan has been prepared to set out the community's wishes for the villages of Caton, Brookhouse, Caton Green, Forge Mill and Littledale and the surrounding countryside. The parish lies in the Forest of Bowland AONB; the village of Caton lies about 5 miles north east of Lancaster.
- 1.2 I have made a number of recommendations in this report in order to make the wording of the policies and their application clearer, including improvements to the mapping of sites referred to in policies to ensure that the Plan meets the Basic Conditions. Section 6 of the report sets out a schedule of the recommended modifications.
- 1.3 The main recommendations concern:
- The deletion of Policy CL6;
 - The addition of a new section on Implementation and Monitoring;
 - Clarification of the wording of policies and the supporting text; and
 - The improvement of the clarity of the Policies Map.
- 1.4 Subject to the recommended modifications being made to the Neighbourhood Plan, I am able to confirm that I am satisfied that the Caton with Littledale Neighbourhood Plan satisfies the Basic Conditions and that the Plan should proceed to referendum.

2.0 Introduction

Background Context

- 2.1 This report sets out the findings of the examination into the Caton with Littledale Neighbourhood Plan.
- 2.2 The plan area covers the parish of Caton with Littledale which is situated in the Forest of Bowland AONB. The village of Caton lies about 5 miles north east of Lancaster. At 2011 the parish had a population of 2738. The plan area includes the Calf Hill and Cragg Woods SAC and Bowland Fells SPA.

Appointment of the Independent Examiner

- 2.3 I was appointed as an independent examiner to conduct the examination on the Caton with Littledale Neighbourhood Plan (CWLNP) by Lancaster City Council (LCC) with the consent of Caton with Littledale Parish Council (PC) in March 2022. I do not have any interest in any land that may be affected by the CWLNP nor do I have any professional commissions in the area currently and I possess appropriate qualifications and experience. I am a Member of the Royal Town Planning Institute with over 30 years' experience in local authorities preparing Local Plans and associated policies.

Role of the Independent Examiner

- 2.4 As an independent Examiner, I am required to determine, under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether the legislative requirements are met:
- The Neighbourhood Development Plan has been prepared and submitted for examination by a qualifying body as defined in Section 61F of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
 - The Neighbourhood Development Plan has been prepared for an area that has been designated under Section 61G of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
 - The Neighbourhood Development Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004, that is the Plan must specify the period to which it has effect, must not include provisions relating to 'excluded development', and must not relate to more than one Neighbourhood Area; and
 - The policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of the Planning and Compulsory Purchase Act 2004 Section 38A.

2.5 An Independent Examiner must consider whether a neighbourhood plan meets the “Basic Conditions”. The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The Basic Conditions are:

1. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
2. the making of the neighbourhood plan contributes to the achievement of sustainable development;
3. the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
4. the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations, as incorporated into UK law; and
5. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

The following prescribed condition relates to neighbourhood plans:

- Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (various Amendments) Regulations 2018) sets out a further Basic Condition in addition to those set out in the primary legislation: that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

2.6 The role of an Independent Examiner of a neighbourhood plan is defined. I am not examining the test of soundness provided for in respect of examination of Local Plans. It is not within my role to comment on how the plan could be improved but rather to focus on whether the submitted Neighbourhood Plan meets the Basic Conditions and Convention rights, and the other statutory requirements.

2.7 It is a requirement that my report must give reasons for each of its recommendations and contain a summary of its main findings. I have only recommended modifications to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the Basic Conditions and the other requirements.

The Examination Process

2.8 The presumption is that the neighbourhood plan will proceed by way of an examination of written evidence only. However, the Examiner can ask for a public hearing in order to hear oral evidence on matters which he or she wishes to explore further or so that a person has a fair chance to put a case.

2.9 I have sought clarification on a number of factual matters from the Qualifying Body and/or the local planning authority in writing. I am satisfied that the responses received have enabled me to come to a conclusion on these matters without the need for a hearing. One representor has requested a hearing. However, I am

satisfied that they have had the opportunity to present their evidence in writing at both Regulation 14 and 16 stages of the plan making.

- 2.10 I had before me background evidence to the plan which has assisted me in understanding the background to the matters raised in the Neighbourhood Plan. I have considered the documents set out in Section 5 of this report in addition to the Submission draft of the CWLNP.
- 2.11 I have considered the Basic Conditions Statement and the Consultation Statement as well as the Screening Opinions for the Strategic Environmental Assessment and Habitats Regulation Assessment. In my assessment of each policy, I have commented on how the policy has had regard to national policies and advice and whether the policy is in general conformity with relevant strategic policies, as appropriate.

Legislative Requirements

- 2.12 The neighbourhood plan making process has been led by Caton with Littledale Parish Council which is a “qualifying body” under the Neighbourhood Planning legislation which entitles them to lead the plan making process.
- 2.13 Paragraph 1.3 of the Consultation Statement confirms that Neighbourhood Plan area was designated by LCC on 2 July 2015. Paragraph 2.5 of the Basic Conditions Statement confirms that there are no other neighbourhood plans covering this area.
- 2.14 A neighbourhood plan must specify the period during which it is to have effect. The front cover of the Plan states that this is from 2021 to 2031.
- 2.15 The Plan does not include provision for any excluded development: county matters (mineral extraction and waste development), nationally significant infrastructure or any matters set out in Section 61K of the Town and Country Planning Act 1990.
- 2.16 The Neighbourhood Development Plan should only contain policies relating to the development and use of land. I am satisfied that the CWLNP policies are compliant with this requirement.
- 2.17 The Basic Conditions Statement confirms the above points and I am satisfied therefore that the CWLNP satisfies all the legal requirements set out in paragraph 2.4 above.

The Basic Conditions

Basic Condition 1 – Has regard to National Policy

- 2.18 The first Basic Condition is for the neighbourhood plan “*to have regard to national policies and advice contained in guidance issued by the Secretary of State*”. The requirement to determine whether it is appropriate that the plan is made includes the words “*having regard to*”. This is not the same as compliance, nor is it the same as

part of the test of soundness provided for in respect of examinations of Local Plans which requires plans to be “*consistent with national policy*”.

- 2.19 The Planning Practice Guidance assists in understanding “appropriate”. In answer to the question “What does having regard to national policy mean?” the Guidance states a neighbourhood plan “*must not constrain the delivery of important national policy objectives.*”
- 2.20 In considering the policies contained in the Plan, I have been mindful of the guidance in the Planning Practice Guide (PPG) that:
- “Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like.”*
- 2.21 The NPPF of July 2021 is referred to in this examination in accordance with paragraph 214 of Appendix 1, as the plan was submitted to the Council after 24 January 2019. The CWLNP refers to the NPPF of February 2019. It is suggested that quotations and paragraph numbers should be checked before the final plan is published.
- 2.22 The Planning Practice Guidance on Neighbourhood Plans states that neighbourhood plans should “*support the delivery of strategic policies set out in the Local Plan or spatial development strategy and should shape and direct development that is outside of those strategic policies*” and further states that “*A neighbourhood plan should, however, contain policies for the development and use of land. This is because, if successful at examination and referendum, the neighbourhood plan becomes part of the statutory development plan.*”
- 2.23 Table 2 and the subsequent paragraphs of the Basic Conditions Statement includes comments on how the policies of the CWLNP have taken account of relevant sections of the NPPF. I consider the extent to which the plan meets this Basic Condition No 1 in Section 3 below.

Recommendation 1: Check and update any references to and quotations from NPPF of February 2019 to those of July 2021.

Basic Condition 2 - Contributes to sustainable development

- 2.24 A qualifying body must demonstrate how a neighbourhood plan contributes to the achievement of sustainable development. The NPPF as a whole constitutes the Government’s view of what sustainable development means in practice for planning. The NPPF explains that there are three objectives of sustainable development: economic, social and environmental.

- 2.25 Table 1 of the Basic Conditions Statement describes how the plan has drawn up to deliver the three dimensions of sustainability, namely environmental, social and economic.
- 2.26 I am satisfied that the Plan contributes to the delivery of sustainable development and therefore meets this Basic Condition.

Basic Condition 3 – is in general conformity with strategic policies in the development plan

- 2.27 The third Basic Condition is for the neighbourhood plan to be in general conformity with the strategic policies contained in the Development Plan for the area.
- 2.28 The adopted Local Plan for the plan area is the Lancaster District Local Plan (the Strategic Policies & Land Allocations DPD and reviewed Development Management DPD) were adopted by the Council on the 29 July 2020. Work is underway on the review of the Local Plan and the Council submitted the Lancaster District Climate Emergency Review of the Local Plan 2020-2031 on the 31 March 2022.
- 2.29 Table 3 of the Basic Conditions Statement assesses how the Neighbourhood Plan policies conform to the strategic and other relevant planning policies of the adopted Lancaster District Local Plan.
- 2.30 I consider in further detail in Section 3 below the matter of general conformity of the Neighbourhood Plan policies with the strategic policies.

Basic Condition 4 – Compatible with EU obligations and human rights requirements

- 2.31 A neighbourhood plan must be compatible with European Union obligations as incorporated into UK law, in order to be legally compliant. Key directives relate to the Strategic Environmental Assessment Directive and the Habitats and Wild Birds Directives. A neighbourhood plan should also take account of the requirements to consider human rights.
- 2.32 Regulation 15 of the Neighbourhood Planning Regulations as amended in 2015 requires either that a Strategic Environmental Assessment (SEA) is submitted with a Neighbourhood Plan proposal or a determination from the competent authority (LCC) that the plan is not likely to have “significant effects.”
- 2.33 A Strategic Environmental Assessment (SEA) screening opinion was prepared by LCC for the draft Pre-Submission Neighbourhood Plan in May 2021. The report was updated in September 2021 to address various concerns raised.
- 2.34 The Basic Conditions Report sets out the following conclusion of the screening outcome as set out in section 4 of the screening from the February 2020:

“4.1 Initial internal screening of the Neighbourhood Plan concludes that it is unlikely that the Neighbourhood Plan would result in a significant environmental effect. The strong focus of the Neighbourhood Plan on the protection of the environment, heritage assets, its AONB focus, and lack of allocations make it unlikely to result in significant effects.

“4.2 In order to ensure compliance with the SEA regulations it is recommended that a monitoring and implementation framework be included within the Plan to ensure that the effects of the plan are appropriately monitored and to identify what actions will be undertaken where implementation is not occurring as planned. Responsibility for actions should also be identified.

“4.3 Whilst environmental protection is at the forefront of the Plan the Plan does need to make specific reference to the Calf Hill and Cragg Woods SAC and Bowland Fells SPA and the need for development to be in compliance with the requirements of these designations and ensure their protection from both direct and indirect impacts. This amendment would ensure compliance with the SEA regulations.

“4.4 Subject to the above amendments the council is satisfied that the Plan is unlikely to result in significant effects.

- 2.35 It is noted that the Submission NDP now includes specific references to Calf Hill and Cragg Woods SAC and Bowland Fells SPA in paragraph 4.2.1.
- 2.36 The CWLNP does not include a monitoring and implementation framework as required under point 4.2. I have requested this from the PC and they have provided suitable text which I am recommending should be included as a new section 7 of the CVLNP.
- 2.37 The Basic Conditions Report states that Historic England responded to the consultation on an early version of the SEA to state that *“Based on the analysis set out in the Screening Opinion, and within the areas of interest to Historic England, we advise that the emerging plan is likely to result in significant environmental effects (positive or negative) and, therefore, it does need SEA. In coming to this view, we have taken the following factors into consideration:*
- *The plan area contains a number of heritage assets including several listed buildings, and the potential for non-designated assets.*
 - *Heritage assets are fragile and irreplaceable and can be damaged by change through development both directly and indirectly by development in their setting.*
 - *The plan is expected to allocate sites for development.*
- 2.38 Following receipt of advice from Historic England, the Conservation Team at Lancaster City Council provided information (in the form of a Heritage Assessment) to support the SEA / HRA Screening Opinion. The assessment supported the view that the plan would not have a significant effect on heritage assets. On this basis the LCC has maintained their original screening response with no further work required.

- 2.39 The Environment Agency commented on an early version of the SEA that *“We have reviewed the draft reports and agree with the conclusions that in both instances SEA and HRA are not required.”*
- 2.40 It is unclear whether the statutory environmental bodies were consulted on the revised report at September 2021 so LCC has consulted them during the examination for confirmation. Historic England and the Environment Agency have confirmed that they are happy with the conclusions of the SEA screening report. Natural England has made no comments on the SEA.
- 2.41 It is recommended that the SEA screening opinion and the Basic Conditions Report should be updated to record the findings consistently of the latest screening opinion and the response to consultation with statutory environmental bodies.
- 2.42 In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a neighbourhood plan is deemed likely to result in significant negative effects occurring on a Special Area of Conservation or Special Protection Area, or other ecologically important European site (Ramsar) as a result of the plan’s implementation.
- 2.43 LCC prepared a screening opinion to determine whether or not the content of the proposed CWLNP is likely to require a Habitats Regulation Assessment (HRA). The HRA noted that there are a number of Natura 2000 designated sites that could potentially be affected by the Caton-with-Littledale Neighbourhood Plan. This includes two Natura 2000 sites within the boundary of the plan area as well as Natura 2000 sites which whilst outside of the boundary could potentially be affected by the Neighbourhood Plan.
- 2.44 The Habitats Regulation Assessment (HRA) screening opinion was prepared by LCC for the draft Pre-Submission Neighbourhood Plan in May 2021. The report was updated in September 2021 to address various concerns raised.
- 2.45 The Basic Conditions Report sets out the following conclusion of the screening outcome as set out in section 6 of the screening determination from the HRA of February 2020:
- “6.1 The HRA Screening Report of the Caton-with-Littledale Neighbourhood Plan has considered the potential implications for European designated sites within and near the Neighbourhood Plan area boundary.*
- “6.2 The detailed screening of policies within table 3 has identified that several policies require amendments to their wording to improve the clarity of the policies. The City Council wish to make clear that the suggested amendments relate to improving the wording of policies and are not suggested mitigation measures. The need for mitigation measures has not been suggested through this process.*
- “6.3 Following the initial HRA screening the City Council are satisfied that the Neighbourhood Plan would not have any likely significant effects on the designated sites identified either alone, or in-combination with other plans or projects.*

“6.4 The views of the three statutory bodies is required to confirm this conclusion.”

- 2.46 The Basic Condition Report states that Natural England were consulted on the HRA Screening Report in February 2020. It is unclear whether the statutory environmental bodies were consulted on the revised report (September 2021) so LCC has consulted them in June 2022 during the examination for confirmation.
- 2.47 Natural England responded in 2020 to say that because there are general policies supporting development in the neighbourhood plan and this neighbourhood plan is advancing ahead of an up-to-date Lancaster Local Plan, the neighbourhood plan needs a good environmental policy. This environmental policy will cover all existing site allocations, the policies which support development and other developments coming forward in the neighbourhood plan area.
- 2.48 They advised that Policy CL4: Natural Environment should be strengthened to include a reference to the Habitats Regulations and net gain. Part (IX) of the policy also needs to be revised as it currently confuses net gain with mitigation or compensation.
- 2.49 In their response to the consultation in June 2022, Natural England commented that they welcomed the reference to net gain being included however they continued to recommend including reference to the Habitats Regulations in Policy CL4.
- 2.50 If these changes were made, they advised that the HRA can then conclude no likely significant effects for all the general policies which support development because of the strengthened environmental policy.
- 2.51 I have recommended a modification to Policy CL4 in accordance with the recommendation from Natural England.

Recommendation 2:

Update the background evidence to include the SEA and HRA Screening Opinions of September 2021. Ensure that the Basic Condition Report is consistent with and refers to the updated screening opinions of September 2021. Include the latest responses from the statutory environmental bodies to the consultation on the Screening Opinions.

Add the following new section 7 to the Plan on Implementation and Monitoring:

“7. IMPLEMENTATION AND MONITORING

“7.1 The Neighbourhood Plan will be delivered and implemented over the period to 2031. Different stakeholders and partners will be involved. Flexibility will be needed as new challenges and opportunities arise over the plan period. In this respect, implementation, monitoring and review will be crucial.

“7.2 Caton with Littledale Parish Council will be the responsible body to manage and oversee the implementation of the Neighbourhood Plan.

“Key Activities

“7.3 There will be three key strands of activity which will direct delivery and each is important in shaping the plan area in the months and years ahead.

These comprise:

- I The statutory planning process will direct and control private developer and investor interest in the Parish in the context of the Neighbourhood Plan, Lancaster City Council Local Plan and the National Planning Policy Framework. The Parish Council (in its role as statutory consultee to planning applications) and Lancaster City Council as the Local Planning Authority will use the Neighbourhood Plan to assess the appropriateness and suitability of applications. This assessment will help inform the Parish Council’s response to the application (e.g. written representations in support of, or in objection to the proposals) and will inform the Local Planning Authority’s final decision. In summary, planning applications that are broadly in accordance with both the Lancaster City Local Plan, and with the Neighbourhood Plan should be supported while those that are not should be refused.**
- II Investment in, and management of, public services, assets and other measures to improve local services and vitality and viability for the Parish. In the context of the prevailing economic climate and public funding there is a recognition that public investment in the Parish will be challenging to secure. The Community Infrastructure Levy (CIL), if introduced by Lancaster City Council, could contribute a small amount through new development. In the meantime, Section 106 of the Town and Country Planning Act 1990 allows for agreements between developers and Lancaster City Council, with financial contributions towards necessary services and infrastructure improvements. Such contributions resulting from developments within the Neighbourhood Plan designated area should be allocated towards improvement or addition of local services and /or the securing of environmental benefits for Caton with Littledale Parish residents and community.**
- III The voluntary and community sector will have a strong role to play particularly in terms of local community infrastructure, events and Parish life. This sector is likely to play an important role in the future, and includes, but is not limited to, Victoria Institute and include other key community and voluntary groups**

“Key Areas of Action

“7.4 The key areas of action summarises the Parish Council’s approach to delivery and implementation of the Neighbourhood Plan:

“Housing Development

“7.5 The Parish Council will work with local landowners, developers and Lancaster City Council to ensure that sustainable growth in new housing over

the plan period is delivered to meet identified local needs in the Neighbourhood Plan area.

“Rural Economy

“7.6 The Parish Council will encourage businesses to improve local employment opportunities for local people and work with landowners and stakeholders to bring brownfield sites forward for redevelopment or conversion into economic use.

“Natural Environment

“7.7 The Parish Council will work with Lancaster City Council, The Forest of Bowland AONB Unit, Lancashire County Council and other statutory bodies and agencies together with landowners and stakeholders to ensure the natural environment is protected from inappropriate development.

“Monitoring and Review

“7.8 The Caton with Littledale Neighbourhood Development Plan is a ‘living’ document and as such will become an integral component of the stewardship of the Parish Council.

- a) The Parish Council meeting will include a regular agenda item to monitor and action activities to progress the implementation of the Neighbourhood Development Plan. A regular agenda item will also be included to monitor the use of policies within the plan by the City Council when determining applications in the parish.***
- b) The Parish Annual Meeting will report on annual progress achieved, and set out the programme aims and key activities for the subsequent year ahead integrating this within its own forward planning processes.***
- c) The Parish Council will monitor the progress of implementing the Neighbourhood Development Plan every 3 years. The focus of the monitoring will be to ensure that the policies made are effectively contributing to the realisation of the vision and objectives set out in the Neighbourhood Development Plan. Any resulting proposals to correct and improve policies to meet the vision and objectives will require to be undertaken through a review of the Neighbourhood Development Plan in full collaboration with Lancaster City Council. Evidence will also be reviewed and updated as required.”***

2.52 Subject to the recommendations above and to Policy CL4, I am satisfied that the SEA and HRA assessments have been carried out in accordance with the legal requirements.

2.53 The Basic Conditions Statement on page 60 considers how the plan has taken Human Rights into account. and states that: *“The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been*

prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels.”

- 2.54 From my review of the Consultation Statement, I have concluded that the consultation on the CWLNP has had appropriate regard to Human Rights.
- 2.55 I am not aware of any other European Directives which apply to this particular Neighbourhood Plan and no representations at pre or post-submission stage have drawn any others to my attention. Taking all of the above into account, I am satisfied that the CWLNP is compatible with EU obligations and therefore with Basic Conditions Nos 4 and 5.

Consultation on the Neighbourhood Plan

- 2.56 I am required under The Localism Act 2011 to check the consultation process that has led to the production of the Plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.
- 2.57 The Consultation Statement sets out a full account of the consultation process, the method of consultation and the responses received at each stage. Consultation during the preparation the plan was carried out as follows:
- 9 October 2015 - a public meeting was held in the Victoria Institute attended by approximately 60 residents to assess support for developing a Neighbourhood Development Plan and identify possible project leaders. Some initial ideas and concerns were gathered.
 - 12 November 2016 - A consultation drop-in event was held at Victoria Institute Autumn Fair on 12 November 2016. This included a display stand and members of the Steering Group in attendance to discuss issues with local residents. 56 people including 3 children/young people commented.
 - Between November and January 2017 - two surveys were carried out in the parish. One was for adults to complete and the other the young people in the parish.
 - February / March 2017 Informal Consultation on a draft Caton-with-Littledale Neighbourhood Development Plan Issues and Options. The Draft Neighbourhood Plan was posted on the website and a summary of the document was posted to very household between 4 - 6 March 2017. Drop in sessions for residents to discuss the plan were held at the Victoria Institute on 9, 11 and 14 March.
 - 15 May to 26 June 2017 – Regulation 14 Consultation – An e-mail or letter was sent to all Consultation Bodies, including neighbouring Parish Councils, providing information about the consultation dates and the locations where the Draft Plan and accompanying documents could be viewed and downloaded. The consultation process was also promoted through the use of posters on the

village notice board and a summary document and comments form to all households in the parish.

- Over the course of 2018 and early 2019, several meetings took place with officers from Lancaster City Council to discuss the content of the re-worked Neighbourhood Development Plan, including the potential allocation of sites for housing development.
- September 2019 Informal Consultation - Following the production of further studies on the cumulative site assessments and ecology, it was decided to hold consultation drop in sessions with residents and developers to allow the villages to comment on aspects of the plan: including the designation of Green Spaces, the Area of Separation and potential Development Sites. Two events were held: on 24 September at Caton Victoria Institute and on 25 September at Brookhouse Methodist Church.
- October 2019 – consultation with the Highway Authority in relation to whether a safe access could be provided to each of the development sites.
- 3 March 2020 - The developers of potential development sites were invited to speak to the Steering Group.
- 7 May to 20 June 2021 – Second Regulation 14 Consultation– An e-mail or letter was sent to all Consultation Bodies, including neighbouring Parish Councils, providing information about the consultation dates and the locations where the Draft Plan and accompanying documents could be viewed and downloaded. The consultation process was also promoted through the use of posters on the village notice board and a summary document and comments form to all households in the parish. There were 2 responses from residents, 9 from stakeholders and statutory consultees and 3 submissions from local developers/ land agents and their agents proposing sites for residential development.

2.58 Consultation on the Regulation 16 Submission draft Plan was carried out by LCC from 18 November 2021 to 6 January 2022. In total 10 responses were received.

2.59 I am satisfied that from the evidence presented to me in the Consultation Statement that adequate consultation has been carried out during the preparation of the CWLNP.

2.60 I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulations 14, 15 and 16 in the Neighbourhood Planning (General) Regulations 2012.

3.0 Neighbourhood Plan – As a whole

- 3.1 The Neighbourhood Plan is considered against the Basic Conditions in this section of the Report following the structure and headings in the Plan. Given the findings in Section 2 above that the plan as a whole is compliant with Basic Conditions No 4 (EU obligations) and other prescribed conditions, this section largely focuses on Basic Conditions No 1 (Having regard to National Policy), No 2 (Contributing to the achievement of Sustainable Development) and No 3 (General conformity with strategic policies of the Development Plan).
- 3.2 Where modifications are recommended, they are presented and clearly marked as such and highlighted in bold print, with any proposed new wording in italics.
- 3.3 Basic Condition 1 requires that the examiner considers whether the plan as a whole has had regard to national policies and advice contained in guidance issued by the Secretary of State. Before considering the policies individually, I have considered whether the plan as a whole has had regard to national planning policies and supports the delivery of sustainable development.
- 3.4 The PPG states that *“a policy should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area”*. I will consider this requirement as I examine each policy.
- 3.5 The CWLNP is a clear, well presented plan that identifies policies on development, landscape, housing, environment, dark skies, historic environment, design, economic development, community facilities and infrastructure.
- 3.6 LCC has noted that Caton and Brookhouse are identified as Sustainable Rural Settlements under Local Plan Policy SP2 and have been since 2004 in previous local plan policies as they have good access to a wide range of services and good connectivity to other larger settlements. They state that *“In principle, they are a suitable location for future growth in the rural area and a focus for growth over other, less sustainable, locations within the vicinity. Whilst growth is supported in this area, the City Council would recognise that growth must be achieved in the context of the surrounding national landscape designation and in the context of national planning policy.”* I have considered the approach taken to future development in the plan under relevant policies.
- 3.7 There are several references in the Plan to policies in the Arnside and Silverdale AONB DPD. The CWLNP lies within the Forest of Bowland AONB which has its own distinctive character and care is therefore needed to ensure that the policies as applied in the CWLNP are relevant to and reflect its characteristics and special qualities. I have carefully considered each policy to ensure that it is applicable to the Plan area and provides land use planning policy; that it is clearly worded and is capable of being applied consistently by decision makers.

- 3.8 The introductory sections of the Plan set out the background to the preparation of the plan, the reasons for preparing the Plan and the planning policy context.
- 3.9 The policies are clearly distinguishable from the supporting text by surrounding coloured boxes. The justifications to the policies are clear and succinct and set out the background to the policies and the strategic context. A number of the justifications include a summary of the points raised in the consultations by way of supporting the policy. Whilst this provides a useful context of the views of the community, it does not constitute evidence. Where relevant I have recommended that these sections should be reduced or deleted and reference made to relevant background evidence reports.
- 3.10 The Policies Map has been prepared for the parish as a whole with an inset map for the villages of Caton and Brookhouse. It is clear and legible. Other maps are included within the text to show areas in more detail.
- 3.11 LCC has proposed a revision to paragraph 1.6.1 which the CWLPC has agreed to.

Recommendation 3:

Revise the second sentence of paragraph 1.6.1 to read: “This will be detailed in the Consultation Statement *which can be read in conjunction with this Plan.*”

The Neighbourhood Plan

Vision and Objectives

- 3.12 The Plan includes a detailed Vision statement, an overall aim and seven objectives. The objectives clearly form the basis for the plan’s policies.
- 3.13 A representation seeks a revision to the 4th paragraph of the Vision to refer to the provision of “*identified local and strategic housing needs as a minimum*”. Also an amendment to the 3rd objective to refer to the provision of a sufficient supply of suitable land to meet the needs of the plan area and the strategic needs of the District as a minimum.
- 3.14 I have given consideration under Policy CL15 to whether the plan has made appropriate provision for housing to deliver the Local Plan policy, both through the allocation and potential windfall development. In the circumstances, I consider that the wording of the Vision and Objective is satisfactory and no modifications are proposed.

Policy CL1: Development Strategy

- 3.15 This policy has been adapted from Policy AS01 in the adopted Arnside and Silverdale AONB DPD. It is considered that parts 1 – 3 of the policy have struck an appropriate balance in the landscape capacity led approach to development in

accordance with national policy for safeguarding AONBs and making provision for development in the sustainable settlements and more rural areas in accordance with NPPF and Local Plan Policy SP2.

- 3.16 Section 3 of the policy refers to development on the edge of and outside Sustainable Settlements. It sets out the “exceptional” forms of development that will be permitted in these locations. NPPF paragraph 80 and 84 define the types of housing and business development that may be acceptable in rural areas. These forms of development are not described as “exceptional” and it is not considered appropriate for Policy CL1 to define them as such. It is considered that the types of development set out in criteria d) to h) accord with the NPPF guidance.
- 3.17 Section 4 on Major Development repeats NPPF para 177 and footnote 60 without adding any locally specific guidance on the matter. It is considered unnecessary for a neighbourhood plan to repeat national or strategic policies. I am proposing therefore that section 4 on Major Development should be deleted from the policy and an explanation added to the justification to explain that major development proposals will be considered against national planning policy. The PC has suggested that an additional paragraph on high quality design should be included in the justification. It is considered that the subject of design is adequately addressed under Policy CL9 and it not necessary or appropriate to introduce additional text in Policy CL1. I have recommended appropriate revisions to the wording of the policy text to address my concerns.
- 3.18 The penultimate paragraph of the policy should be included in the justification by way of an explanation of Major Development in the AONB. LCC has highlighted that the word “intimate” in this paragraph is inappropriate and does not reflect the landscape character of the AONB which is better described as “expansive”. The PC has proposed that it should be deleted.
- 3.19 Under the heading of “Brownfield Land” the text is a reminder that the assessment of a development on brownfield land should give full and careful consideration to the impacts of the development on the AONB. The section adds no locally specific guidance and it is therefore recommended that it should be deleted from the policy. It would be helpful to plan users to include explanatory text in the justification to provide general guidance on how development on brownfield sites should be considered. The PC has supplied suitable text which I am recommending to be included in the justification.
- 3.20 The justification under this policy includes a section headed Housing Growth in the Parish. This section explains the process that has been undertaken in assessing potential housing sites. It would be helpful to plan users if reference were made to the strategic policy on housing growth in Sustainable Settlements and the proposed housing allocation in the Plan under Policy CL15.
- 3.21 A representation has been made seeking a revision to part 2 of the policy to include reference to development on the edge of the settlement meeting the strategic needs of the wider District and reference to the site allocation under Policy CL15.

- 3.22 The representation also seeks a revision to part 3 of the policy to delete “on the edge of” and include “*in the countryside outside and remote from Sustainable Settlements.*”
- 3.23 No change is recommended in response to this representation. It is considered that the wording of this section of the policy provides an appropriate approach to consider development proposals on the edge of and outside settlements. Subject to the deletion of the reference to them being “exceptional” it accords with national and strategic policies.
- 3.24 Representations have been made supporting the landscape-led approach, given the AONB status of the Neighbourhood Plan Area. However, they state that “*given the serious need for an increase in housing delivery within the District, sustainable rural settlements including Caton and Brookhouse must allocate more land for residential growth. The location within the AONB should not be a reason to prevent development that will help to underpin the vitality and viability of the settlements.*”
- 3.25 I am satisfied that subject to the modifications, the policy accords with the strategic approach in general terms to provide the framework for considering development proposals.

Recommendation 4: Revise Policy CL1 as follows:

Delete “will be treated as exceptional” from Section 3 on Developments on the edge of and outside Sustainable Settlements.

Delete the section on Major Development and add the following text in the justification: after paragraph 3.1.4.

“Proposals for major development in Caton-with-Littledale Parish will be considered against the guidance in the NPPF and the additional local guidance:

“Whether a proposal is ‘Major Development’ is a matter for the decision-maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined and taking into account CWLNP Policy CL2 Landscape and other relevant planning policies.

“In determining whether exceptional circumstances exist, Lancaster City Council will assess the proposal using the criteria set out in the NPPF paragraph 177 (or as revised).

“The nature of the AONB landscape means that even some smaller-scale proposals may be considered to be major developments depending on the local context.”

Delete the section on Brownfield Land. Include the following explanatory text in the justification after the section on Major Development to provide general guidance on how development on brownfield sites should be considered:

“Whilst the Plan seeks to promote the role of brownfield sites for new development, proposals on such sites should be assessed against whether they help to deliver the primary purposes of the designation of the area as AONB.

“In determining planning applications, the Local Planning Authority will seek to carefully assess the ambitions of securing the long-term and productive re-use of brownfield sites against the importance of protecting this nationally important landscape. In doing this, careful consideration will be given to wider policy ambitions within the Lancaster District Local Plan, specifically Policy DM46 which relates to development and landscape impact.”

Add the following to paragraph 3.1.10: “Local Plan Policy SP2 sets out the settlement hierarchy and the strategic approach to development in sustainable rural settlements in the AONB and other rural villages. An allocation for “in the region of 12 dwellings” is included in the CWLNP under Policy CL15.”

“In determining the suitability of any development site in relation to the settlements of Caton and Brookhouse, a planning judgement will have to be applied as to how well the site relates to the built form of the settlement.

Revise paragraph 3.1.11 to read: “.....will be made. Residential development proposals should demonstrate that they contribute towards meeting a proven housing need in the parish and surrounding area through an up to date housing needs survey. They should be in accordance with Local Plan Policy SP2 and contribute to the delivery of the housing requirement set out in Local Plan Policy SP6. They should also include a landscape assessment..... or mitigated.”

Policy CL2: Landscape

- 3.26 This policy has been adapted from Policy AS02 in the adopted Arnside and Silverdale AONB DPD.
- 3.27 LCC has commented on criterion (d) which requires the decision maker to make a decision over the cumulative and incremental impacts of development, specifically referring the impact of existing development in relation to ‘unintended impacts’, Permitted Development Rights and licensing certification.
- 3.28 LCC has commented that *“Whilst there is no objection in considering the cumulative impacts on the landscape through the application process the policy gives no guidance on how such consideration should be achieved and what requests are being made of applicants to achieve this expectation. A good example of this in the use of reference to ‘unintended impacts’ without giving any reference to what is meant by this term.”* The PC has referred me to a document on the implementation of this Policy which contains explanatory text. I am recommending a modification to include this text in the justification to better explain the implementation of the plan.

- 3.29 The supporting text to the policy includes a section headed Local Evidence. However, this is a summary of the responses that have been received at various consultations on the Plan. It is useful contextual material but does not provide an evidential basis for the policy. I am proposing that this section of the justification is deleted.
- 3.30 Representations have been made supporting the landscape-led approach when assessing allocations and planning applications. However, they state that *“it must also be recognised that good design and landscaping can mitigate against harms. In many instances, it can help to promote landscape character.”*
- 3.31 I am satisfied that the policies of the plan seek to ensure that development proposals respect and enhance the landscape features.

Recommendation 5: Revise Policy CL2 as follows:

Delete the section Local Evidence and paragraphs 3.2.13 – 3.2.18.

Add the following text to explain the implementation of the policy to the justification:

“3.2.13 The character of the landscape in the Neighbourhood Plan area is a highly valued asset. The wooded valleys and field patterns stretching out to open moorland are defining features, in addition to the valley floodplain. It is the unique combination of elements and features (characteristics) in this area that makes the landscape so distinctive and resulting in a strong sense of place. The AONB is part of the cultural and natural heritage of the nation and if these characteristics are damaged, for example by insensitive development, then that will compromise the primary purpose of the AONB and the enjoyment of the area by the public.

“3.2.14 In order to best serve the primary purpose of AONB designation, new development must relate to the established character of the area (as described in the Forest of Bowland Landscape Character Assessment) in which it is to be located. It must integrate with its setting and be in keeping with neighbouring buildings and the landscape by appropriate siting, nature, scale, proportion, massing, design, materials and landscaping. It must respect the prevailing proportion of buildings to gardens and green space.

“3.2.15 New development can make a positive contribution to the landscape but can also harm it in a number of ways. For example, new features that are uncharacteristic of the landscape may be introduced that detract from the local vernacular building style, intrude into skylines or obstruct or erode important views. Important landscape features such as hedges, drystone walls and mature trees may be damaged or removed. Over time, development can lead to the gradual erosion of local distinctiveness and in a protected landscape of such unique character; this sort of cumulative loss and harm must be avoided in order to serve the primary purpose of AONB designation.

“3.2.16 Development proposals within the AONB or affecting its setting will have to demonstrate clearly that they are appropriate to the landscape character type and designation, taking into account the wealth of landscape character evidence and guidance available. Lancaster City Council may require the submission of a Landscape and Visual Impact Assessment (LVIA) undertaken to recognised Landscape Institute standards, and will also expect proposals to have regard to the content of the AONB Management Plan.

“3.2.17 When considering the cumulative and incremental impacts of development, developers and decision makers should ask themselves: ‘Can the impacts of this development proposal (in the context set out in the policy) on the landscape character and visual amenity be mitigated?’ If yes, proceed with considering proposal in principle, subject to all other considerations. If no, refuse permission.

“3.2.18 The sense of tranquillity is a special quality of the AONB but is gradually being eroded by increases in noise, activity, traffic and disturbance. The scale and type of new development and level of activity along with journeys to and from a site will affect tranquillity and will be a factor in determining whether or not a proposed development can proceed.

“3.2.19 All light pollution, however small, contributes to the general erosion of darkness in the AONB. The spilling of light beyond a site boundary and into the surrounding countryside can be disturbing to wildlife and have an intrusive visual impact. Light pollution contributes generally to the urbanisation of the rural landscape and the loss of darkness in our night skies and should be minimised in any new development.

“3.2.20 There are many opportunities to conserve and enhance the special and distinctive character of the AONB landscapes by managing development and supporting the conservation of distinctive landscape features such as in-field trees, hedgerows, dry stone walls and ponds.”

Policy CL3: Housing Provision

3.32 Local Plan Policy H2 states *“Within the settlements of Caton & Brookhouse..... the Council expects, via the Neighbourhood Plan process, the respective Parish Council’s to proactively and positively plan for housing growth within their communities in the context of this DPD.”*

3.33 LCC has commented that *“Caton and Brookhouse are identified as Sustainable Rural Settlements under Local Plan Policy SP2 and have been since 2004 in previous local plan policies as they have good access to a wide range of services and good connectivity to other larger settlements. In principle, they are a suitable location for future housing growth in the rural area to meet the needs of rural communities for various types of housing. They should be the focus for growth over other, less sustainable, locations within the vicinity. Growth must however be achieved in the*

context of the surrounding national landscape designation and the in context of national planning policy.”

- 3.34 To provide the strategic context to housing development in the plan area, it is recommended that the justification to the section should explain the strategic approach to development in the plan area as advised by LCC above.
- 3.35 Policy CL3 is titled ‘Housing Provision’, but actually addresses house type and tenure. Policies CL15 and CL16 address the housing allocation. It would be helpful to include a reference to these policies within the justification to Policy CL3. It would also be helpful to plan users to place all three housing policies together in the plan.
- 3.36 LCC has commented that paragraph 4.1.3 should refer to “first homes” instead of “starter homes” in view in the changed government guidance on the subject. The paragraph should also refer to LCC working with the Parish Council and housing associations and other providers.
- 3.37 The size, type and tenure of housing required should be evidenced by an up to date local housing needs study. The plan makers have sought to identify the type of housing required from the results of the surveys undertaken as part of the plan preparation. However, it is not clear whether this is sufficiently robust to be relied upon in discussions about development proposals. It is recommended that the findings of the Lune Valley CLT Housing Needs Survey 2019 which is the most recent survey for the parish should be included in the justification to replace paragraph 4.1.6.
- 3.38 Representations seek a higher level of housing growth in the plan area and that the plan should proactively and positively look for opportunities to accommodate strategic housing growth. They state that the CWLNP should not just provide for affordable and locally identified housing needs. They state that *“the Council has been keen to advocate a supply-led approach to housing delivery in their locality and look positively at available and suitable sites in their locality.”* to help support the strategic plans for housing.
- 3.39 A representation proposes a revision to the first part of the policy to include reference to *“strategic needs of the wider District as a minimum”* and to up to date housing needs evidence.
- 3.40 I have recommended modifications to explain the strategic development policy that forms the context for Policy CL3; and to refer to up to date housing needs surveys.

Recommendation 6: Revise the title of Policy CL3 to “House Type and Tenure” and revise the justification as follows:

Add the following new paragraph before paragraph 4.1.1: “Caton and Brookhouse are identified as Sustainable Rural Settlements under Local Plan Policy SP2 as they have good access to a wide range of services and good connectivity to other larger settlements. In principle, they are a suitable location for future housing growth in the rural area to meet the needs of rural

communities for various types of housing. Growth must however be achieved in the context of the surrounding national landscape designation and the within the context of national planning policy. Section 5 of the CWLNP and Policies CL15 and CL16 set out the approach to site assessment and allocate a site for the development of about 12 dwellings.”

Revise the first sentence of paragraph 4.1.3 to read “.....affordable housing and first homes.....”

Revise the last sentence of paragraph 4.1.3 to read: “*Lancaster City Council will work with the Parish Council and Housing Associations and other providers to*”

Delete paragraph 4.1.6.

Revise paragraph 4.1.7 as follows: “....Housing Needs Survey 2019 provides...at present. *This survey should be reviewed and updated periodically to ensure that it is kept up to date.*”

Add the following after paragraph 4.1.7:

“The Lune Valley Housing Needs Survey 2019 found that:

- *The housing profile of the area is not in step with the predicted needs of local households. Like many rural settlements the population is predominately elderly and ageing, but with some younger and newly forming households being unable to afford the premium prices associated with villages rather than town environments.*
- *There has been a shift in demand for market housing, as older households seek to downsize from large houses;*
- *There is significant need for affordable housing from younger and older households, with affordable products such as First Homes and shared ownership housing being potentially affordable to local households, in addition to traditional social rented housing;*
- *The proportion of social rented housing is smaller in the study area than the district and England as a whole, indicating a shortage; and*
- *The level of interest in cohousing is greater than in other studies. This is likely to be due to the success of the scheme that has been established locally.”*

Policy CL4: Natural Environment

3.41 This is a wide ranging policy covering many aspects of the natural environment. LCC has commented to say that it is consistent with the Lancaster Local Plan but has suggested that it could be improved by making reference to blue infrastructure. The PC has agreed to this and proposed text to describe the blue infrastructure in the plan area and the measures that could be undertaken to improve it. I have recommended a modification to include the text in the justification.

- 3.42 The policy proposes that species surveys should be carried out before works to “traditional buildings or features” take place. It is considered that this is unclear and imprecise. The PC has provided me with a definition of traditional buildings and features which I am recommending should be included in the justification.
- 3.43 The sixth paragraph of the policy starting with “New buildings and conversions” includes examples of the types of measures to be included to support biodiversity. As such it is not policy and should be included in the justification to explain how the policy will be applied.
- 3.44 Paragraph 4.2.9 should be revised to refer to the correct legislation.
- 3.45 Paragraph 4.2.13 refers to the results of consultation on the pre-submission draft which is reported in the Consultation Statement and is unnecessary in the final plan.
- 3.46 Natural England commented on the HRA screening that reference to the Habitats Regulations should be included in Policy CL4. LCC has provided me with text to address their concerns. I have recommended a modification to include the text at the beginning of the policy and in the justification to highlight its significance.
- 3.47 Representations have been made supporting the policy.

Recommendation 7: Revise Policy CL4 as follows:

Add the following text at the beginning of Policy CL4: “Development proposals affecting directly or indirectly an international designated site’s qualifying habitat and/or species are subject to the requirements of The Conservation of Habitats and Species Regulations 2017. In accordance with these Regulations, where a proposal has implications for internationally designated sites, the proposal will be expected to be accompanied by sufficient information to inform a suitable Habitats Regulation Assessment.”

Revise the third sentence of the first paragraph of the policy to read: “It will also help to create and reinforce green corridors, blue infrastructure and ecological networks....”

Add the following text to the justification:

“The neighbourhood area’s multifunctional blue infrastructure includes a network of a major river (River Lune), ponds, wetlands, watercourses and floodplains. Development should restore and enhance water bodies, prevent deterioration, promote recovery, reduce flood risk and conserve habitats and species that depend directly on water. Where relevant, this should involve the opening up of culverts.”

Add the following definition of traditional buildings or features in the justification:

“Traditional buildings or features include farmhouses and farmsteads, barns, cart sheds, stables, animal houses and other solid walled structures like flax and cotton mills, and other rural buildings, largely dating before 1914. The term ‘traditional’ relates to the materials of which they are built (in this area often sandstone or gritstone, sometimes with timber frames) and the associated craft skills handed down from generation to generation. It excludes modern methods of construction using industrialised factory-produced concrete blocks, sheet roofing and plastic products more commonly employed since the 1950s.”

Move the following text from the sixth paragraph of the policy to the end of paragraph 4.2.7: “These should include measures such a swift bricks, hedgehog highways, bat boxes, access tiles, living roofs or walls, and special consideration for species that are dependent on the built environment.”

Revise paragraph 4.2.9 to read: “ ...as a Special Protection Area under the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats & c) Regulations 2010 (as amended).....”.

Add the following at the end of paragraph 4.2.9: “Where a proposal has implications for internationally designated sites, the proposal will be expected to be accompanied by sufficient information to inform a suitable Habitats Regulation Assessment.”

Delete paragraph 4.2.13.

Policy CL5: Area of Separation

- 3.48 The policy designates an area of open land between the two villages of Caton and Brookhouse as an Area of Separation with the aim of maintaining a visual separation between the two settlements. LCC has commented that there is a lack of robust proportionate evidence to justify the selection of the boundaries for the area. The justification to the policy sets out the boundaries for the area and states that there has been much deliberation about them. I have asked the PC to prepare a robust background evidence report to set out the rationale for defining the area, the evidence of the process of assessing alternative boundaries and the criteria used to select the boundaries. This report was prepared during the examination and has been placed on the Council’s website. Reference to this background evidence report should be included in the justification. I am satisfied that this report provides an appropriate robust assessment to support the identification of the proposed Area of Separation.
- 3.49 NPPF paragraph 2 states that applications for planning permission should be determined in accordance with the development plan. It is recommended that the policy guidance in Policy CL5 is revised to delete reference to “will be permitted”. The policy also refers to “all future development minimising the impact on the open character of the Area of Separation”. It is considered that many developments at a

distance from the area will have no impact on it and this policy requirement is excessive. The policy should also refer to the site being shown on the Policies Map. A modification is recommended to clarify the wording of the policy to ensure that it can be applied consistently by decision makers.

- 3.50 Paragraph 4.3.14 refers to site 39 being “designated”. It would be better described as “identified”.
- 3.51 A respondent states that they are not entirely convinced of the need for the Area of Separation. They consider that Artle Beck would be a suitable boundary and the fields in the Area of Separation could be developed with housing.
- 3.52 A representation has been submitted stating that the Area of Separation is not required. If the area is to be identified the respondent seeks a revision to the south western boundary of the Area of Separation. It is proposed that the area to be excluded to the west would be suitable for housing development.
- 3.53 The proposed amendment to the boundary does not follow any natural features or field boundaries. As stated under paragraph 2.5 it is my role to consider whether the Plan as submitted meets the Basic Conditions, it is not my role to consider whether any additional land should be identified for housing development. I am satisfied that the PC has carried out a robust assessment of the boundaries of the proposed Area of Separation and has chosen to include the area proposed for housing in this representation.

Recommendation 8: Revise Policy CL5 as follows:

Revise the first paragraph to read: “....and its distinctive villages, development should not impact on the open character of the Area of Separation identified on *the Policies Map* and should not result in the further coalescence of Caton and Brookhouse.”

Delete the first sentence of paragraph 4.3.11 and replace with the following: “*The background evidence report on the assessment of the Area of Separation sets out the rationale for defining the area, the evidence of the process of assessing alternative boundaries and the criteria used to select the boundaries.*”

Revise paragraph 4.3.14 to read “....field boundary of the area identified as Site 39 in the LCC SHEELA.”

Policy CL6: Protecting Local Green Space

- 3.54 This policy proposes to designate 7 areas as Local Green Space (LGS). A Local Green Space Assessment report has assessed each area against relevant criteria based on the NPPF and the methodology used by LCC in assessing potential sites for designation under LP Policy SC2.

- 3.55 LCC has lodged an objection to the policy stating that the policy is unnecessary as all the sites are identified and protected under LP Policy SC3, and in addition Policy DM27 sets out measures to protect such sites.
- 3.56 The LCC has referred to the NPPG that asks “*What if land is already protected by designations such as National Park, Area of Outstanding Natural Beauty, Site of Special Scientific Interest, Scheduled Monument or conservation area?*” The response is that “*Different types of designations are intended to achieve different purposes. If land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space.*”
- 3.57 The Local Plan Adopted Strategic Policies and Land Allocations Policy Maps for Sustainable Settlements shows all seven proposed Local Green Space sites plus additional land at the school, tennis club and adjacent to the Millennium Way as identified under Policy SC3 as sites of importance for sport, recreation and leisure. It is considered that Policy DM27 provides appropriate safeguarding of these sites from development for these uses.
- 3.58 LCC states that they considered three of the proposed LGS sites (sports ground, bowling green and school grounds) in their District wide assessment and concluded that they did not meet the criteria for designation. The NPPF requires that, amongst other things, sites have to be demonstrably special to the local community to qualify for designation. I have considered the CWLNP assessment of the sites and am satisfied that the assessors have explained why the sites are demonstrably special and satisfy the other criteria set out in NPPF paragraphs 101 – 102. However as they are already identified and adequately and appropriately safeguarded under adopted planning policy, it is considered that there is no merit in designating them as LGS in addition.
- 3.59 Furthermore, five of the sites are listed and protected under Policy CL12 as existing recreational facilities. It is considered that there is no merit in designating them as LGS in addition.
- 3.60 I am therefore recommending that Policy CL6 should be deleted. As a consequence, the introductory text to section 4.3 should be revised to refer to the protection of the areas under the Local Plan Policy SC3 and DM27. It would be helpful to provide the link to the Local Plan map for Caton and/or insert it within the text. The sites should be deleted from the CWLNP Policies Map. The descriptions of the sites in paragraphs 4.3.21 – 4.3.27 may be retained in the text.

Recommendation 9: Delete Policy CL6.

Revise the heading of 4.3 to read “*Area of Separation and Open Spaces*”.

Revise the order of the introductory text as follows: paras 4.3.1, first sentence of 4.3.2, followed by 4.3.7 – 4.3.10. Delete the remaining text in the introduction to the section.

After the justification to Policy CL5 add a new section: “*Protection of Open Spaces*” and the following text:

“Local Plan Policy SC3 identifies the following areas as important for sport, recreation and leisure, as shown on Map X. They are safeguarded through Local Plan Policy DM27:

1. Becksides
2. Caton Bowling Green
3. Caton Primary School Fields
4. Fell View
5. The River Lune Millennium Park (Millennium Way) – Crook o’ Lune to end, including adjacent land.
6. Parish Woodland
7. Station Field
8. Lunesdale Lawn Tennis Club

“Local Plan Policy DM27 sets out measures to protect and safeguard the areas to retain them as open areas for enjoyment for sport, recreation and leisure. The following is a description of each area. Paragraphs 4.3.21 - 4.3.27 and add a description of the tennis club.

Delete paragraphs 4.3.28 – 4.3.32.

Delete the sites and reference to Policy CL6 from the CWLNP Policies Map.

Policy CL7 Dark Skies

- 3.61 The policy sets out matters to be taken into account in the design of development to minimise light pollution and to promote dark skies in the Forest of Bowland AONB.
- 3.62 The policy sets out a number of matters to be considered in the implementation of Policy DM29 on key design principles which includes the need to minimise light pollution.
- 3.63 The second sentence of criterion c) refers to the guidance note prepared by the Institute of Lighting Professionals. It would be helpful to users of the plan to include further information about this guidance note in the justification including a link. Criterion c) repeats the requirement to assess the need for lighting which is covered by criterion a). I am recommending a modification to ensure that this guidance is applied as part of the policy and in order to clarify the application of this criterion so that it can be used consistently by decision makers and plan users.
- 3.64 LCC has commented that they have concerns about the application and implementation of criterion d) in terms of making robust judgements, particularly on significance. They have also commented that the purpose of the final sentence of the policy is unclear. I am recommending a modification to clarify the application of criterion d) so that it can be used consistently by decision makers and plan users and the deletion of the final paragraph of the policy.

Recommendation 10: Revise Policy CL7 as follows:

Revise criterion c) to read: ***“All development with external lighting should meet or exceed Institute of Lighting Professionals guidance for the environmental zone in which the development is set to take place.”***

Revise criterion d) to read: ***“Proposals should consider whether the benefits of the lighting outweigh any harm caused. Proposals should consider the impact of external lighting on:***

- I. Biodiversity (including bats and other light sensitive species); and***
- II. Viewpoints and locations used to view dark skies.”***

Delete the final sentence of the policy on traditional buildings.

Add the following to the justification: ***“The Institute of Lighting Professionals guidance entitled “The Reduction of Obtrusive Light” can be found at: <https://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2021/>.”***

Policy CL8: Historic Environment

- 3.65 LCC has proposed revisions to the first, second and fourth paragraphs of the policy which the PC has agreed to. I am recommending a modification to incorporate them in the text of the policy. Revisions to the first paragraph are to delete reference to the AONB as that is a designation of landscape value and not a designation relating to historic matters. Not all development proposals will affect heritage assets. Amendments to the second and fourth paragraphs help to align the text more closely with national planning policy.

Recommendation 11: Revise Policy CL8 as follows:

Revise the first paragraph of the policy to read: ***“Where development proposals may affect the significance of designated heritage assets, either directly or indirectly within their setting, they must take account of the unique heritage assets.”***

Revise the second paragraph of the policy to read: ***“Before works to heritage assets take place, an assessment of its significance should be undertaken, proportionate to the asset’s importance, to understand its architectural and historic interest and to assess the nature and scale of impact on its significance.”***

Revise the fourth paragraph of the policy to read: ***“Development proposals will not be supported where they cause unjustified harm to the significance of heritage assets and historic landscape character, including cumulative impacts, that lack clear public benefit.”***

Policy CL9: Design

- 3.66 The design policy adds to those in the Development Management DPD. LCC has commented that they have concerns about criterion e) and have proposed a revision to strengthen it, which the PC has agreed to.
- 3.67 The justification includes views expressed at the consultation to provide context for the policy content. This is not evidence to justify the design considerations and should be included in the Consultation Statement.
- 3.68 United Utilities has proposed the inclusion of a new policy concerning the location of new development near to water and wastewater treatment infrastructure to ensure that the amenity of neighbouring uses is not affected. The PC has suggested that this should be included in Policy CL9. I am satisfied that Local Plan Policy DM29 includes adequate safeguards on pollution to address the concerns of United Utilities. No modification is proposed in this respect other than adding a reference to Policy DM29.
- 3.69 Representations have been made supporting the policy. However, they state that *“given the AONB status of the Neighbourhood Plan area, it must go further to recognise how good design and landscaping can help to mitigate against landscape impacts.”*
- 3.70 I am satisfied that the policies of the plan as modified seek to ensure that development proposals accord with national and strategic policies to respect and enhance the landscape features.

Recommendation 12: Revise Policy CL9 as follows:

Revise criterion e) to read: “*Must not use existing development that is poor quality or harmfulfor further poor quality or harmful development.*”

Add the following at the end of paragraph 4.6.1: “*This policy should be read in conjunction with Local Plan policies in particular Policy DM29.*”

Delete paragraphs 4.6.9 - 4.6.10.

Policy CL10 Economic Development

- 3.71 The policy builds on Local Plan Policy DM15 and supports the development of small scale employment opportunities by setting out locally important considerations.
- 3.72 LCC has commented that signage is subject to a separate consenting regime and can't be included within a planning application. They have suggested revisions to this wording of this criterion which the PC has agreed to.

Recommendation 13: Revise Policy CL10 as follows:

Revise criterion e) to read: “*Business signage should be of an appropriate design and scale which is in keeping with its wider setting.*”

Policy CL11 Maintaining the Vitality of Local Shopping/ Business Areas

- 3.73 The centre of Caton is identified as a Rural Local Centre under Local Plan Policy TC1; guidance on development in Local Centres is set out in Policy DM18. The area contains a shop, café, pubs, petrol station and community facilities around the junction of the A683 and Brookhouse Road. Brookhouse contains three commercial premises on Sycamore Road. Willow Mill is identified as a Rural Employment Site under Local Plan Policy EC1. Willow Mill is a converted Grade II listed stone mill which is divided into office space for 16 business units. There are a number of community buildings which provide services to the community located throughout the two settlements.
- 3.74 The first paragraph of the policy includes reference to Willow Mill but then lists criteria to be applied to the local shopping area. It is suggested that the wording should be revised to refer to “local shopping and employment areas” so as to apply to the business centre as well as the local shopping centre. It would be helpful to plan users to include a reference in the justification to the relevant Local Plan policies.
- 3.75 Paragraphs 4.7.9 – 4.7.17 and 4.7.20 set out comments received during the consultations on the CWLNP to provide context for the policy content. This is not considered to be robust evidence of local business need and should be included in the Consultation Statement.

Recommendation 14: Revise Policy CL11 as follows:

Revise the first paragraph of the policy to read: “.....vitality and viability of local shopping *and employment areas* ...”

Add the following paragraphs before paragraph 4.7.6 as follows: “*The centre of Caton is identified as a Rural Local Centre under Local Plan Policy TC1; guidance on development in Local Centres is set out in Policy DM18. The area contains a shop, café, pubs, petrol station and community facilities around the junction of the A683 and Brookhouse Road. Brookhouse contains three premises on Sycamore Road. Willow Mill is identified as a Rural Employment Site under Local Plan Policy EC1. Willow Mill is a converted Grade II listed stone mill which is divided into office space for 16 business units.*”

“*There are a number of community buildings which provide services to the community located throughout the two settlements. Policy DM56 sets out the approach to be taken in considering proposals for new local services and community facilities and evidence to be provided for proposals that would result in their loss.*”

Delete paragraphs 4.7.9 – 4.7.17 and 4.7.20.

Policy CL12 Community and Recreational Facilities

- 3.76 The policy lists existing community and recreational facilities which are to be protected in accordance with Policy DM56. This list of open spaces differs from that set out in Local Plan Policy SC3 as it omits the sites at Beckside and the Parish Woodland and includes the Memorial Gardens. The PC has agreed that the sites in the CWLNP should be consistent with those designated and protected in the Local Plan.
- 3.77 The list refers to places of worship and church halls in general terms. To improve the clarity of the policy and to ensure that it is applied consistently by decision makers, it is recommended that they are named and the boundaries of the properties are shown on the Policies Map. The PC has provided me with a list of the buildings which I have recommended for inclusion in the policy.
- 3.78 The first paragraph of the policy is truncated and the PC has agreed that it should be deleted. Paragraph 4.8.10 refers to the results of the consultations and refers to the enhancement of facilities. This has not been included in the policy and the PC has agreed that it should be deleted.

Recommendation 15: Revise Policy CL12 as follows:

Delete the first paragraph of the policy.

Revise the second paragraph to read: “...are protected in accordance with Policies SC3 and DM56 of the Development Management DPD:

Delete Memorial Gardens, Places of Worship and Church Halls from the list.

Add the following to the list:

- **“Beckside,**
- **Parish Woodland,**
- **Catholic Church, Station Yard**
- **Brookhouse Community Church, Victoria Institute**
- **Caton Methodist Church, Artlebeck Bridge**
- **Caton Baptist Church, Brookhouse Road.**
- **Lune Valley Methodist Hub, Brookhouse Road**
- **St Paul’s Church of England, New Street Brookhouse**
- **Church Hall in the curtilage of St Pauls C of E Church.”**

Show the sites and boundaries of the properties on the Policies Map.

Delete paragraph 4.8.10.

Supporting Infrastructure for New Development

Parish Aspiration 1 – Supporting Infrastructure for New Development

- 3.79 This section of the Plan sets out the Parish Council's aspirations for the use of developer contributions towards the provision or improvement of infrastructure and their priorities for improvements to various forms of travel.
- 3.80 The NPPG sets out guidance on whether a neighbourhood plan should consider infrastructure. Amongst other things it states that the plan should consider:
- what additional infrastructure may be needed to enable development proposed in a neighbourhood plan to be delivered in a sustainable way; and
 - how any additional infrastructure requirements might be delivered.
- 3.81 As the CWLNP allocates only a small area for development, it is unlikely to give rise to any significant requirements for new or improved infrastructure. It will also give rise to limited developer contributions. The justification details a list of infrastructure needs identified in the Local Plan and it is not clear whether any of these are specific to the plan area. There is no evidence about how any of these infrastructure improvements are to be delivered.
- 3.82 Nevertheless, as this section is set out as a Parish Aspiration it is clearly not to be delivered through the CWLNP itself and stands as the Parish Council's priorities for any future discussions with relevant bodies in supporting investment in transport and other infrastructure in the plan area. It is aspirational and covers matters that cannot be addressed in the policies of Neighbourhood Plan. It would be helpful to plan users to amend paragraph 4.9.2 to make it clear that this section does not form part of the Neighbourhood Development Plan.

Recommendation 16: Revise paragraph 4.9.2 to read: “....developer contributions, the Parish Council will work with relevant bodies to seek to ensure that new development....Special Qualities. This Parish Aspiration does not form part of the planning policies of the neighbourhood development plan.”

Policy CL13 Managing flood risk and water quality.

- 3.83 Local Plan Policy DM33 sets out the approach to managing development and flood risk; Policy DM34 addresses surface water run-off and sustainable drainage. Policy CL13 sets out a number of more detailed design considerations relevant to the rural area.
- 3.84 LCC has commented that the first paragraph of the policy is unclear. They have suggested a revision which the PC has agreed to. LCC has also commented on paragraph 4.10.4 that neither the policy nor the background has provided the detail referred to. The PC has agreed that the paragraph should be deleted.

- 3.85 United Utilities has proposed additional text to prioritise multi-functional sustainable drainage systems over traditional underground piped and tanked storage systems. They have also suggested additional text to highlight the implications of development on public water supply catchment land. The PC has agreed to the additional text. I am recommending that it should be included to improve the clarity of the policy.
- 3.86 Representations have been made supporting the policy.

Recommendation 17: Revise Policy CL13 as follows:

Revise the first paragraph of the policy to read: “New development should be designed to ensure that runoff rates and volumes achieve greenfield rates or below. All development proposals will be expected to apply the hierarchy for the management of surface water and sustainable drainage systems (SuDS) should be implemented unless there is clear evidence that this would be inappropriate. SuDs must be considered early in the design process and must be integrated with other aspects of a site design. New development proposals will be expected to incorporate site drainage as part of a high-quality landscaped environment. Applicants will be expected to manage surface water through sustainable drainage features with multi-functional benefits in preference to a reliance on underground conventional piped and tanked storage systems. Any sustainable drainage system should be designed in accordance with ‘Ciria C753 The SuDS Manual’ or any subsequent replacement guidance.”

Add the following new paragraph to the policy: “Development proposals on land used for public water supply catchment purposes will be required to consult with the relevant water undertaker. The first preference will be for proposals to be located away from land used for public water supply purposes. Where proposals are proposed on catchment land used for public water supply, careful consideration should be given to the location of the proposed development and a risk assessment of the impact on public water supply may be required with the identification and implementation of any required mitigation measures / management regimes.”

Delete paragraph 4.10.4.

Policy CL14 Energy and Communications

- 3.87 LCC has commented that criterion b) should make reference to the effect of the development on the “significance” of heritage assets to be consistent with national planning policy. The PC has agreed to this revision.
- 3.88 United Utilities has proposed additional text to criterion b) to refer to catchment land used for public water supply purposes. The PC has agreed to this revision.
- 3.89 LCC has commented that the final paragraph of the policy referring to up to date evidence is unclear. The policy does not explain whether this is to be evidence

provided by the applicants or other evidence that may be collected for other purposes. The PC has agreed that the first sentence of the last paragraph should be deleted.

- 3.90 The second sentence of the final paragraph referring to definitions is an explanation of the source of definitions and should be placed in the justification.
- 3.91 There is a typographical error in paragraph 4.11.5.

Recommendation 18: Revise Policy CL14 as follows:

Revise criterion b) to read: “they do not have an *unacceptable adverse impact on the significance* of heritage assets and their settings, historic character, biodiversity, geodiversity assets, or *catchment land used for public water supply purposes*;

Delete the first sentence of the final paragraph of the policy commencing “Up to date evidence...”

Move the second sentence of the final paragraph of the policy to the justification.

Correct paragraph 4.11.5 to read: “Policy CL14”.

Policy CL15 Housing Allocations

Policy CL16 (Site 98) – Land west of Quernmore Road.

- 3.92 The National Planning Policy Framework expects most strategic policy-making authorities to set housing requirement figures for designated neighbourhood areas as part of their strategic policies. In response to my question about the housing requirement, LCC has stated that *“the Parish Council have not requested, nor the LPA provided, an indicative figure for the numbers of housing which would be considered acceptable or appropriate within the plan area. The use of an arbitrary figure which would be used as a benchmark by all parties was not considered appropriate and was well explored during the Examination of the District-wide Local Plan.”*
- 3.93 Furthermore, LCC states that *“The Council has been keen for the neighbourhood plan itself, through robust site assessment and proactive consideration, to identify all sites which are concluded to be suitable, achievable and deliverable to ensure that opportunities are maximised within the plan area. The LPA notes the balances which are required in terms of maximising such housing opportunities in the context of a nationally designated landscape.”*
- 3.94 As stated under Policy CL3, Caton and Brookhouse are considered by LCC to be suitable locations for future growth in the rural area and a focus for growth over other, less sustainable, locations within the vicinity. Whilst growth is supported in this area, LCC recognises that growth must be achieved in the context of the surrounding

national landscape designation of the AONB and in the context of national planning policy.

- 3.95 The CWLNP has adopted a landscape capacity approach that is one that seeks to identify land suitable for housing development within an assessment of the potential of the landscape to accommodate development, including any mitigation needed. The principle behind this approach is that it is a supply led approach to determining the amount of housing development that can be accommodated within the landscape, rather than the CWLNP having to find sufficient sites to deliver a housing requirement set by LCC.
- 3.96 The landscape capacity led approach to development is considered to be consistent with national policy and that adopted in other plans in the Forest of Bowland AONB. A Cumulative Landscape and Visual Impact Assessment was undertaken by independent consultants which included an assessment of 4 potential sites (Site 39, Site 98, Site 99 and Site 100). As a result of this assessment, the CWLNP includes one allocation for 12 houses.
- 3.97 NPPG states that *“Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan”*
- 3.98 LCC is satisfied that the PC has robustly assessed all known development opportunities within the plan area and come to a conclusion on their suitability, achievability and deliverability for future development. LCC has raised no issues in relation to the scope of sites which have formed part of the assessment process and have stated that they have no reason to doubt the conclusions reached by the PC in terms of the suitability of sites.
- 3.99 The PC has responded to say that *“This policy is driven by the need to avoid encroachment on the surrounding countryside; to conserve the setting of the villages and hamlets in the landscape; to minimise harmful visual impact of development on the Forest of Bowland AONB and the Brookhouse Conservation Area. Caton with Littledale Parish Council is mindful of overall housing need identified at District level but this must be balanced against the potential harm to the Forest of Bowland AONB and notes that a similar landscape-capacity led approach has been proposed in the Arnside & Silverdale AONB DPD.”*
- 3.100 It is considered that it would be helpful to plan users to make reference to the statement recommended to be added to the justification to Policy CL3 to set out the strategic policy position and the need to balance this with safeguarding the AONB through a landscape capacity led approach to housing allocation and windfall development.
- 3.101 Lancashire County Council has commented on the possible impact of the proposed housing allocation and housing commitments at 2021 (of 108 dwellings) on school places.

- 3.102 The Plan includes one site allocation of land to the west of Quernmore Road for an estimated number of 12 dwellings. Policy CL16 sets out policy guidance for the development of the site.
- 3.103 In the Site Assessment Report, the plan makers have assessed eight sites (sites 38, 39, 40, 89, 92, 98, 99 and 100) taking account of the 2015 SHLAA assessment and the 2018 SHELAA assessment prepared by LCC. In addition, the following studies have informed the assessment:
- Cumulative Landscape and Visual Impact Assessment (by Motmot Consulting)
 - Ecology Assessments (by GMEU)
 - Access and Highway Safety (by Lancashire County Council)
- 3.104 The plan makers have relied on the assessments of sites submitted to LCC in their Call for Sites for the Local Plan. They have had discussions with landowners and their agents to seek to understand the potential proposals for each site. They have carried out further assessments on landscape and visual impact assessment, ecology and highway safety to provide further information about the sites.
- 3.105 I am satisfied that the plan makers have made reasonable efforts to identify and assess the impact of development on the sites and have selected those that best meet the selection criteria in accordance with the guidance in the NPPG: *“A neighbourhood plan can allocate sites for development, including housing. A qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria.”*
- 3.106 The assessment concluded that two sites were considered suitable for allocation in the CWLNP. The assessment considered a larger parcel of land (site 98) and concluded that the evidence suggested that the site to the west of Quernmore Road is capable of accommodating some development subject to the landscape impacts on the AONB. This conclusion has resulted in part of the site being proposed for allocation in the Plan. The other preferred site was site 89 at Mill Lane, which together with site 38, now has the benefit of planning permission.
- 3.107 A representation has been received from the landowner of the proposed allocation asserting that the proposed allocation is not financially viable in the current proposed form and policy terms. They are seeking the enlargement of the site to include adjacent land in their ownership up to 3.5 hectares to provide an estimated number of 50 dwellings.
- 3.108 I am not in a position to consider the claims made by the landowner concerning viability. The land value will need to take account of the policy requirements and any significant abnormal costs. The profit should also reflect the scale and type of development.
- 3.109 United Utilities has commented that this site includes significant existing water infrastructure that passes through and adjacent to the defined allocation boundary. They reiterated that all of their assets will need to be afforded due regard and applicants should be aware that serious complications could arise. It is essential that

United Utilities is involved in early dialogue on the potential masterplanning and mitigation measures for the development of the site, in a bid to highlight any matters that may have a significant impact upon the site layout, access, and landscaping. Their water infrastructure will need to be afforded appropriate offset distances to allow for access, maintenance and repair. Any changes in levels, proposed crossing points (including the details for newly proposed services) and any mitigating measures required to protect their assets will need to be agreed with United Utilities in writing. They have proposed an additional criterion and text for the justification to improve the clarity of the policy in this respect. The PC has agreed with these revisions and I am recommending a modification to include them for improved clarity. I have viewed the map of United Utilities Infrastructure and consider that the location on the infrastructure as shown would mean that the site would be developable although the developable area may be reduced.

- 3.110 United Utilities has also proposed additional text to reflect the principles of SuDS as proposed to be modified under Policy CL13. It is considered that this is adequately addressed in the modification to Policy CL13 and it would be sufficient to make a cross reference to that policy.
- 3.111 United Utilities has proposed the inclusion of a new policy on water efficiency requiring as a minimum the optional requirement set out in the Building Regulations. The Written Ministerial Statement of 2015 makes it clear that where there is evidence, these can be applied through a policy in Local Plans and that *“Neighbourhood plans should not be used to apply the new national technical standards.”* No modification is proposed in this respect.
- 3.112 Representations have been made disputing the assessments, asserting that the single allocation for 12 dwellings is not sufficient to address longer term housing needs and seeking the allocation of additional areas of land for housing in the Plan at:
- a. Land to the southwest of Brookhouse Road near Artle Beck (no details supplied)
 - b. Land to south and west of Caton Primary School (site 100, 4.2 ha, approx. 90 dwellings)
 - c. Land off Hawthorn Close (site 39, 2.18 ha, 25 adaptable bungalows)
 - d. Land west of Quernmore Road (a larger area than that allocated of 3.5 ha, approx. 50 dwellings)
- 3.113 As noted in paragraphs 2.5 – 2.6 above, my role as examiner is limited to considering whether the Plan meets the Basic Conditions; it does not extend to considering whether other areas of land should be allocated in addition to or instead of the proposed housing allocation. I make no comments on these proposed additional housing sites.
- 3.114 I am satisfied that the landowners / developers who have made representations have had the opportunity to present their proposals for consideration during the preparation of the plan.

- 3.115 The title of Policy CL15 should be revised to “Housing Allocation” as only one site is proposed.
- 3.116 The Site Description included in Policy CL16 is descriptive and not planning policy and should be placed in paragraph 5.2.3.
- 3.117 LCC has commented that without details of the design and layout of the site, reference to the housing number is too prescriptive. They have suggested that it should be revised to “in the region of 12 dwellings”. They also suggest that Policy CL16 criterion b) should be revised to improve its clarity. The PC has agreed with these comments. They have suggested that the policy should include clarification of how access to the site is to be achieved in criterion d). The PC has commented that there are two alternative options available and it would be for the developer to determine the most suitable.
- 3.118 NPPF paragraph 2 states that applications for planning permission should be determined in accordance with the development plan. It is recommended that the policy guidance in Policy CL16 is revised to refer to delete reference to “will be permitted”.
- 3.119 The existing development on the east side of Quernmore Road is mainly late 20th century two storey housing with some bungalows set back from the road behind a stone wall. In response to my question, the PC has stated that they consider single storey housing as required under criterion a) would be more appropriate in the context of the landscape.
- 3.120 The site is bounded on the roadside partly by a high stone wall and partly by a hedge. It is unclear whether there is likely to be any conflict between criterion h) which requires the retention of the traditional boundary hedge and stone boundary wall and the provision of appropriate access arrangements which will require visibility splays. A modification is recommended to remove the prescription to ensure that provision can be made for the new access requirements.
- 3.121 Paragraph 5.2.1 refers to indicative plans for the site. The PC has confirmed that these have not been prepared and have requested that reference to them should be deleted.
- 3.122 Section 6 of the plan sets out the housing commitments in the plan area at 23 March 2021. This shows that planning permission has been granted for 108 dwellings in the plan area during the Local Plan period which commenced in 2011. These figures should be updated in the final plan.

Recommendation 19: Revise Policy CL15 as follows:

Revise the title of Policy CL15 to “Housing Allocation”

Revise the Estimated number of Dwellings to “*in the region of 12*”.

Recommendation 20: Revise Policy CL16 as follows:

Move the Amount of Development and Site Description from the policy to the beginning of paragraph 5.2.3. Revise the Amount of Development to “*in the region of 12 dwellings*”.

Revise the first paragraph of Policy Guidance to read “allocated for development of *in the region of 12 dwellings*. Detailed proposals *should* meet the following site specific development requirements.”

Revise criterion b) to read “*Development proposals must ensure that development accords with Policy CL13 in relation to flood risk, sustainable drainage and water quality. In the event that infiltration is not practicable, surface water shall discharge to Escow Beck to the west.*”

Revise criterion h) to read “*....wall should be retained.....features and reduced in height or set back to make provision for the new access arrangements.*”

Add a new criterion: “*(j) The site is located on water catchment land used for public water supply purposes. Development proposals will need to demonstrate that the impact on public water supply is managed and mitigated in liaison with United Utilities.*”

Add a new criterion: “*(k) The site includes significant water supply infrastructure, which will need to be fully considered in the masterplanning / design process and during any construction. Access to such assets will need to be maintained and protective measures will need to be included to ensure any assets are fully protected both during construction and during the lifetime of the development.*”

Delete the 3rd, 4th and 5th sentences from paragraph 5.2.1 “The mini brief is accompanied by....meet policy requirements.”

Add the following after paragraph 5.2.3: “*Several water mains have been identified as being either within or in close to proximity to the site. United Utilities will not allow building over or building in close proximity to the water mains. They must be protected both during and after construction and 24 hour access to them must be maintained in accordance with the requirements of United Utilities. The applicant will need to demonstrate the exact relationship between the assets, other utility services and their proposed development. They will need to confirm the precise location of the apparatus as this could significantly impact the preferred site layout and/or a diversion of the asset(s) or protection measures may be required. Any diversion may be cost prohibitive and applicants should not assume that the infrastructure can be diverted. The applicant should be aware that the proposed layout must accommodate United Utilities’ assets which will impact on the developable area and the number of units that can be delivered at this site. United Utilities will require a 10m easement for each water pipeline within and near to the site. The level of ground cover to the pipelines must not be compromised either during or after construction and there should be no additional load placed on the pipelines without prior agreement from United Utilities. This would include*

earth movement, ground re-profiling, materials storage, site welfare cabins and the transport and positioning of construction equipment and vehicles.”

4.0 Referendum

- 4.1 The Caton with Littledale Neighbourhood Plan reflects the views held by the community as demonstrated through the consultations and, subject to the modifications proposed, sets out a realistic and achievable vision to support the future improvement of the community.
- 4.2 I am satisfied that the Neighbourhood Plan meets all the statutory requirements, in particular those set out in paragraph 8(1) of schedule 4B of the Town and Country Planning Act 1990 and, subject to the modifications I have identified, meets the Basic Conditions namely:
- has regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contributes to the achievement of sustainable development;
 - is in general conformity with the strategic policies contained in the Development Plan for the area; and
 - does not breach, and is otherwise compatible with, EU obligations and human rights requirements
- 4.3 **I am pleased to recommend to Lancaster City Council that the Caton with Littledale Neighbourhood Plan should, subject to the modifications I have put forward, proceed to referendum.**
- 4.4 I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. In all the matters I have considered I have not seen anything that suggests the referendum area should be extended beyond the boundaries of the plan area as they are currently defined. I recommend that the Neighbourhood Plan should proceed to a referendum based on the neighbourhood area designated by Lancaster City Council on 2 July 2015.

5.0 Background Documents

5.1 In undertaking this examination, I have considered the following documents

- Caton with Littledale Neighbourhood Plan 2021-2031 Submission Draft Version with Parish Policies Map and Village Policies Map
- Caton with Littledale Neighbourhood Plan Basic Conditions Statement September 2021
- Caton with Littledale Neighbourhood Plan Consultation Statement September 2021
- Caton with Littledale Neighbourhood Plan SEA Screening Opinion on Submission Draft Plan, undated
- Caton with Littledale Neighbourhood Plan HRA Report undated.
- Lune Valley Housing Needs Survey 2019 - Parishes of Halton with Aughton, and Caton, Slyne, Quernmore and Skerton Housing Needs Survey for the Lune Valley Community Land Trust Final Report November 2019.
- Caton with Littledale Neighbourhood Plan – Area of Separation Assessment Report June 2022
- Caton with Littledale Neighbourhood Plan Site Assessment Report, undated.
- Caton with Littledale Neighbourhood Plan Local Greenspace Site Assessment report, undated.
- Caton with Littledale Neighbourhood Plan Cumulative Landscape and Visual Impact Assessment
- National Planning Policy Framework July 2021
- Planning Practice Guidance (as amended)
- The Town and Country Planning Act 1990 (as amended)
- The Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012
- A Local Plan for Lancaster District 2011-2031
 - Part One: Strategic Policies and Land Allocations DPD, adopted July 2020
 - Part Two: Review of the Development Management DPD, adopted July 2020
- Arnsdale & Silverdale Area of Outstanding Natural Beauty (AONB) Development Plan Document (DPD), adopted March 2019
- Institution of Lighting Professionals Guidance on Dark Skies: CIE EN 2001

6.0 Summary of Recommendations

Recommendation 1: Check and update any references to and quotations from NPPF of February 2019 to those of July 2021.

Recommendation 2:

Update the background evidence to include the SEA and HRA Screening Opinions of September 2021. Ensure that the Basic Condition Report is consistent with and refers to the updated screening opinions of September 2021. Include the latest responses from the statutory environmental bodies to the consultation on the Screening Opinions.

Add the following new section 7 to the Plan on Implementation and Monitoring:

“7. IMPLEMENTATION AND MONITORING

“7.1 The Neighbourhood Plan will be delivered and implemented over the period to 2031. Different stakeholders and partners will be involved. Flexibility will be needed as new challenges and opportunities arise over the plan period. In this respect, implementation, monitoring and review will be crucial.

“7.2 Caton with Littledale Parish Council will be the responsible body to manage and oversee the implementation of the Neighbourhood Plan.

“Key Activities

“7.3 There will be three key strands of activity which will direct delivery and each is important in shaping the plan area in the months and years ahead. These comprise:

IV The statutory planning process will direct and control private developer and investor interest in the Parish in the context of the Neighbourhood Plan, Lancaster City Council Local Plan and the National Planning Policy Framework. The Parish Council (in its role as statutory consultee to planning applications) and Lancaster City Council as the Local Planning Authority will use the Neighbourhood Plan to assess the appropriateness and suitability of applications. This assessment will help inform the Parish Council’s response to the application (e.g. written representations in support of, or in objection to the proposals) and will inform the Local Planning Authority’s final decision. In summary, planning applications that are broadly in accordance with both the Lancaster City Local Plan, and with the Neighbourhood Plan should be supported while those that are not should be refused.

V Investment in, and management of, public services, assets and other measures to improve local services and vitality and viability for the Parish. In the context of the prevailing economic climate and public funding there is a recognition that public investment in the Parish will be challenging to secure. The Community Infrastructure Levy (CIL), if introduced by

Lancaster City Council, could contribute a small amount through new development. In the meantime, Section 106 of the Town and Country Planning Act 1990 allows for agreements between developers and Lancaster City Council, with financial contributions towards necessary services and infrastructure improvements. Such contributions resulting from developments within the Neighbourhood Plan designated area should be allocated towards improvement or addition of local services and /or the securing of environmental benefits for Caton with Littledale Parish residents and community.

VI The voluntary and community sector will have a strong role to play particularly in terms of local community infrastructure, events and Parish life. This sector is likely to play an important role in the future, and includes, but is not limited to, Victoria Institute and include other key community and voluntary groups

“Key Areas of Action

“7.4 The key areas of action summarises the Parish Council’s approach to delivery and implementation of the Neighbourhood Plan:

“Housing Development

“7.5 The Parish Council will work with local landowners, developers and Lancaster City Council to ensure that sustainable growth in new housing over the plan period is delivered to meet identified local needs in the Neighbourhood Plan area.

“Rural Economy

“7.6 The Parish Council will encourage businesses to improve local employment opportunities for local people and work with landowners and stakeholders to bring brownfield sites forward for redevelopment or conversion into economic use.

“Natural Environment

“7.7 The Parish Council will work with Lancaster City Council, The Forest of Bowland AONB Unit, Lancashire County Council and other statutory bodies and agencies together with landowners and stakeholders to ensure the natural environment is protected from inappropriate development.

“Monitoring and Review

“7.8 The Caton with Littledale Neighbourhood Development Plan is a ‘living’ document and as such will become an integral component of the stewardship of the Parish Council.

a) The Parish Council meeting will include a regular agenda item to monitor and action activities to progress the implementation of the Neighbourhood Development Plan. A regular agenda item will also be

included to monitor the use of policies within the plan by the City Council when determining applications in the parish.

- b) The Parish Annual Meeting will report on annual progress achieved, and set out the programme aims and key activities for the subsequent year ahead integrating this within its own forward planning processes.*
- c) The Parish Council will monitor the progress of implementing the Neighbourhood Development Plan every 3 years. The focus of the monitoring will be to ensure that the policies made are effectively contributing to the realisation of the vision and objectives set out in the Neighbourhood Development Plan. Any resulting proposals to correct and improve policies to meet the vision and objectives will require to be undertaken through a review of the Neighbourhood Development Plan in full collaboration with Lancaster City Council. Evidence will also be reviewed and updated as required.”*

Recommendation 3:

Revise the second sentence of paragraph 1.6.1 to read: “This will be detailed in the Consultation Statement *which can be read in conjunction with this Plan.*”

Recommendation 4: Revise Policy CL1 as follows:

Delete “will be treated as exceptional” from Section 3 on Developments on the edge of and outside Sustainable Settlements.

Delete the section on Major Development and add the following text in the justification: after paragraph 3.1.4.

“Proposals for major development in Caton-with-Littledale Parish will be considered against the guidance in the NPPF and the additional local guidance:

“Whether a proposal is ‘Major Development’ is a matter for the decision-maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined and taking into account CWLNP Policy CL2 Landscape and other relevant planning policies.

“In determining whether exceptional circumstances exist, Lancaster City Council will assess the proposal using the criteria set out in the NPPF paragraph 177 (or as revised).

“The nature of the AONB landscape means that even some smaller-scale proposals may be considered to be major developments depending on the local context.”

Delete the section on Brownfield Land. Include the following explanatory text in the justification after the section on Major Development to provide general guidance on how development on brownfield sites should be considered:

“Whilst the Plan seeks to promote the role of brownfield sites for new development, proposals on such sites should be assessed against whether they help to deliver the primary purposes of the designation of the area as AONB.

“In determining planning applications, the Local Planning Authority will seek to carefully assess the ambitions of securing the long-term and productive re-use of brownfield sites against the importance of protecting this nationally important landscape. In doing this, careful consideration will be given to wider policy ambitions within the Lancaster District Local Plan, specifically Policy DM46 which relates to development and landscape impact.”

Add the following to paragraph 3.1.10: ***“Local Plan Policy SP2 sets out the settlement hierarchy and the strategic approach to development in sustainable rural settlements in the AONB and other rural villages. An allocation for “in the region of 12 dwellings” is included in the CWLNP under Policy CL15.”***

“In determining the suitability of any development site in relation to the settlements of Caton and Brookhouse, a planning judgement will have to be applied as to how well the site relates to the built form of the settlement.

Revise paragraph 3.1.11 to read: “.....will be made. Residential development proposals should demonstrate that they contribute towards meeting a proven housing need in the parish and surrounding area through an up to date housing needs survey. They should be in accordance with Local Plan Policy SP2 and contribute to the delivery of the housing requirement set out in Local Plan Policy SP6. They should also include a landscape assessment..... or mitigated.”

Recommendation 5: Revise Policy CL2 as follows:

Delete the section Local Evidence and paragraphs 3.2.13 – 3.2.18.

Add the following text to explain the implementation of the policy to the justification:

“3.2.13 The character of the landscape in the Neighbourhood Plan area is a highly valued asset. The wooded valleys and field patterns stretching out to open moorland are defining features, in addition to the valley floodplain. It is the unique combination of elements and features (characteristics) in this area that makes the landscape so distinctive and resulting in a strong sense of place. The AONB is part of the cultural and natural heritage of the nation and if these characteristics are damaged, for example by insensitive development, then that will compromise the primary purpose of the AONB and the enjoyment of the area by the public.

- “3.2.14 In order to best serve the primary purpose of AONB designation, new development must relate to the established character of the area (as described in the Forest of Bowland Landscape Character Assessment) in which it is to be located. It must integrate with its setting and be in keeping with neighbouring buildings and the landscape by appropriate siting, nature, scale, proportion, massing, design, materials and landscaping. It must respect the prevailing proportion of buildings to gardens and green space.**
- “3.2.15 New development can make a positive contribution to the landscape but can also harm it in a number of ways. For example, new features that are uncharacteristic of the landscape may be introduced that detract from the local vernacular building style, intrude into skylines or obstruct or erode important views. Important landscape features such as hedges, drystone walls and mature trees may be damaged or removed. Over time, development can lead to the gradual erosion of local distinctiveness and in a protected landscape of such unique character; this sort of cumulative loss and harm must be avoided in order to serve the primary purpose of AONB designation.**
- “3.2.16 Development proposals within the AONB or affecting its setting will have to demonstrate clearly that they are appropriate to the landscape character type and designation, taking into account the wealth of landscape character evidence and guidance available. Lancaster City Council may require the submission of a Landscape and Visual Impact Assessment (LVIA) undertaken to recognised Landscape Institute standards, and will also expect proposals to have regard to the content of the AONB Management Plan.**
- “3.2.17 When considering the cumulative and incremental impacts of development, developers and decision makers should ask themselves: ‘Can the impacts of this development proposal (in the context set out in the policy) on the landscape character and visual amenity be mitigated?’ If yes, proceed with considering proposal in principle, subject to all other considerations. If no, refuse permission.**
- “3.2.18 The sense of tranquillity is a special quality of the AONB but is gradually being eroded by increases in noise, activity, traffic and disturbance. The scale and type of new development and level of activity along with journeys to and from a site will affect tranquillity and will be a factor in determining whether or not a proposed development can proceed.**
- “3.2.19 All light pollution, however small, contributes to the general erosion of darkness in the AONB. The spilling of light beyond a site boundary and into the surrounding countryside can be disturbing to wildlife and have an intrusive visual impact. Light pollution contributes generally to the urbanisation of the rural landscape and the loss of darkness in our night skies and should be minimised in any new development.**
- “3.2.20 There are many opportunities to conserve and enhance the special and distinctive character of the AONB landscapes by managing development and**

supporting the conservation of distinctive landscape features such as in-field trees, hedgerows, dry stone walls and ponds.”

Recommendation 6: Revise the title of Policy CL3 to “House Type and Tenure” and revise the justification as follows:

Add the following new paragraph before paragraph 4.1.1: “*Caton and Brookhouse are identified as Sustainable Rural Settlements under Local Plan Policy SP2 as they have good access to a wide range of services and good connectivity to other larger settlements. In principle, they are a suitable location for future housing growth in the rural area to meet the needs of rural communities for various types of housing. Growth must however be achieved in the context of the surrounding national landscape designation and the within the context of national planning policy. Section 5 of the CWLNP and Policies CL15 and CL16 set out the approach to site assessment and allocate a site for the development of about 12 dwellings.*”

Revise the first sentence of paragraph 4.1.3 to read “.....affordable housing and first homes.....”

Revise the last sentence of paragraph 4.1.3 to read: “*Lancaster City Council will work with the Parish Council and Housing Associations and other providers to*”

Delete paragraph 4.1.6.

Revise paragraph 4.1.7 as follows: “....Housing Needs Survey 2019 provides...at present. *This survey should be reviewed and updated periodically to ensure that it is kept up to date.*”

Add the following after paragraph 4.1.7:

“*The Lune Valley Housing Needs Survey 2019 found that:*

- *The housing profile of the area is not in step with the predicted needs of local households. Like many rural settlements the population is predominately elderly and ageing, but with some younger and newly forming households being unable to afford the premium prices associated with villages rather than town environments.***
- *There has been a shift in demand for market housing, as older households seek to downsize from large houses;***
- *There is significant need for affordable housing from younger and older households, with affordable products such as First Homes and shared ownership housing being potentially affordable to local households, in addition to traditional social rented housing;***
- *The proportion of social rented housing is smaller in the study area than the district and England as a whole, indicating a shortage; and***

- *The level of interest in cohousing is greater than in other studies. This is likely to be due to the success of the scheme that has been established locally.*

Recommendation 7: Revise Policy CL4 as follows:

Add the following text at the beginning of Policy CL4: “Development proposals affecting directly or indirectly an international designated site’s qualifying habitat and/or species are subject to the requirements of The Conservation of Habitats and Species Regulations 2017. In accordance with these Regulations, where a proposal has implications for internationally designated sites, the proposal will be expected to be accompanied by sufficient information to inform a suitable Habitats Regulation Assessment.”

Revise the third sentence of the first paragraph of the policy to read: “It will also help to create and reinforce green corridors, blue infrastructure and ecological networks....”

Add the following text to the justification:

“The neighbourhood area’s multifunctional blue infrastructure includes a network of a major river (River Lune), ponds, wetlands, watercourses and floodplains. Development should restore and enhance water bodies, prevent deterioration, promote recovery, reduce flood risk and conserve habitats and species that depend directly on water. Where relevant, this should involve the opening up of culverts.”

Add the following definition of traditional buildings or features in the justification:

“Traditional buildings or features include farmhouses and farmsteads, barns, cart sheds, stables, animal houses and other solid walled structures like flax and cotton mills, and other rural buildings, largely dating before 1914. The term ‘traditional’ relates to the materials of which they are built (in this area often sandstone or gritstone, sometimes with timber frames) and the associated craft skills handed down from generation to generation. It excludes modern methods of construction using industrialised factory-produced concrete blocks, sheet roofing and plastic products more commonly employed since the 1950s.”

Move the following text from the sixth paragraph of the policy to the end of paragraph 4.2.7: “These should include measures such as swift bricks, hedgehog highways, bat boxes, access tiles, living roofs or walls, and special consideration for species that are dependent on the built environment.”

Revise paragraph 4.2.9 to read: “as a Special Protection Area under the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats & c) Regulations 2010 (as amended).....”.

Add the following at the end of paragraph 4.2.9: ***“Where a proposal has implications for internationally designated sites, the proposal will be expected to be accompanied by sufficient information to inform a suitable Habitats Regulation Assessment.”***

Delete paragraph 4.2.13.

Recommendation 8: Revise Policy CL5 as follows:

Revise the first paragraph to read: ***“....and its distinctive villages, development should not impact on the open character of the Area of Separation identified on the Policies Map and should not result in the further coalescence of Caton and Brookhouse.”***

Delete the first sentence of paragraph 4.3.11 and replace with the following: ***“The background evidence report on the assessment of the Area of Separation sets out the rationale for defining the area, the evidence of the process of assessing alternative boundaries and the criteria used to select the boundaries.”***

Revise paragraph 4.3.14 to read ***“....field boundary of the area identified as Site 39 in the LCC SHEELA.”***

Recommendation 9: Delete Policy CL6.

Revise the heading of 4.3 to read ***“Area of Separation and Open Spaces”***.

Revise the order of the introductory text as follows: paras 4.3.1, first sentence of 4.3.2, followed by 4.3.7 – 4.3.10. Delete the remaining text in the introduction to the section.

After the justification to Policy CL5 add a new section: ***“Protection of Open Spaces”*** and the following text:

“Local Plan Policy SC3 identifies the following areas as important for sport, recreation and leisure, as shown on Map X. They are safeguarded through Local Plan Policy DM27:

- 1. Becksid**
- 2. Caton Bowling Green**
- 3. Caton Primary School Fields**
- 4. Fell View**
- 5. The River Lune Millennium Park (Millennium Way) – Crook o’ Lune to end, including adjacent land.**
- 6. Parish Woodland**
- 7. Station Field**
- 8. Lunesdale Lawn Tennis Club**

“Local Plan Policy DM27 sets out measures to protect and safeguard the areas to retain them as open areas for enjoyment for sport, recreation and leisure.

The following is a description of each area. Paragraphs 4.3.21 - 4.3.27 and add a description of the tennis club.

Delete paragraphs 4.3.28 – 4.3.32.

Delete the sites and reference to Policy CL6 from the CWLNP Policies Map.

Recommendation 10: Revise Policy CL7 as follows:

Revise criterion c) to read: *“All development with external lighting should meet or exceed Institute of Lighting Professionals guidance for the environmental zone in which the development is set to take place.”*

Revise criterion d) to read: *“Proposals should consider whether the benefits of the lighting outweigh any harm caused. Proposals should consider the impact of external lighting on:*

- III. Biodiversity (including bats and other light sensitive species); and
- IV. Viewpoints and locations used to view dark skies.”

Delete the final sentence of the policy on traditional buildings.

Add the following to the justification: *“The Institute of Lighting Professionals guidance entitled “The Reduction of Obtrusive Light” can be found at: <https://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2021/>.”*

Recommendation 11: Revise Policy CL8 as follows:

Revise the first paragraph of the policy to read: *“Where development proposals may affect the significance of designated heritage assets, either directly or indirectly within their setting, they must take account of the unique heritage assets.”*

Revise the second paragraph of the policy to read: *“Before works to heritage assets take place, an assessment of its significance should be undertaken, proportionate to the asset’s importance, to understand its architectural and historic interest and to assess the nature and scale of impact on its significance.”*

Revise the fourth paragraph of the policy to read: *“Development proposals will not be supported where they cause unjustified harm to the significance of heritage assets and historic landscape character, including cumulative impacts, that lack clear public benefit.”*

Recommendation 12: Revise Policy CL9 as follows:

Revise criterion e) to read: *“Must not use existing development that is poor quality or harmfulfor further poor quality or harmful development.”*

Add the following at the end of paragraph 4.6.1: ***“This policy should be read in conjunction with Local Plan policies in particular Policy DM29.”***

Delete paragraphs 4.6.9 - 4.6.10.

Recommendation 13: Revise Policy CL10 as follows:

Revise criterion e) to read: ***“Business signage should be of an appropriate design and scale which is in keeping with its wider setting.”***

Recommendation 14: Revise Policy CL11 as follows:

Revise the first paragraph of the policy to read: ***“.....vitality and viability of local shopping and employment areas ...”***

Add the following paragraphs before paragraph 4.7.6 as follows: ***“The centre of Caton is identified as a Rural Local Centre under Local Plan Policy TC1; guidance on development in Local Centres is set out in Policy DM18. The area contains a shop, café, pubs, petrol station and community facilities around the junction of the A683 and Brookhouse Road. Brookhouse contains three premises on Sycamore Road. Willow Mill is identified as a Rural Employment Site under Local Plan Policy EC1. Willow Mill is a converted Grade II listed stone mill which is divided into office space for 16 business units.”***

“There are a number of community buildings which provide services to the community located throughout the two settlements. Policy DM56 sets out the approach to be taken in considering proposals for new local services and community facilities and evidence to be provided for proposals that would result in their loss.”

Delete paragraphs 4.7.9 – 4.7.17 and 4.7.20.

Recommendation 15: Revise Policy CL12 as follows:

Delete the first paragraph of the policy.

Revise the second paragraph to read: ***“...are protected in accordance with Policies SC3 and DM56 of the Development Management DPD:***

Delete Memorial Gardens, Places of Worship and Church Halls from the list.

Add the following to the list:

- ***“Beckside,***
- ***Parish Woodland,***
- ***Catholic Church, Station Yard***
- ***Brookhouse Community Church, Victoria Institute***
- ***Caton Methodist Church, Artlebeck Bridge***
- ***Caton Baptist Church, Brookhouse Road.***
- ***Lune Valley Methodist Hub, Brookhouse Road***
- ***St Paul’s Church of England, New Street Brookhouse***

- ***Church Hall in the curtilage of St Pauls C of E Church.”***

Show the sites and boundaries of the properties on the Policies Map.

Delete paragraph 4.8.10.

Recommendation 16: Revise paragraph 4.9.2 to read: “....developer contributions, the *Parish Council* will work with relevant bodies to seek to ensure that new development....Special Qualities. *This Parish Aspiration does not form part of the planning policies of the neighbourhood development plan.*”

Recommendation 17: Revise Policy CL13 as follows:

Revise the first paragraph of the policy to read: “New development should be designed to *ensure that runoff rates and volumes achieve greenfield rates or below. All development proposals will be expected to apply the hierarchy for the management of surface water and sustainable drainage systems (SuDS) should be implemented unless there is clear evidence that this would be inappropriate. SuDs must be considered early in the design process and must be integrated with other aspects of a site design. New development proposals will be expected to incorporate site drainage as part of a high-quality landscaped environment. Applicants will be expected to manage surface water through sustainable drainage features with multi-functional benefits in preference to a reliance on underground conventional piped and tanked storage systems. Any sustainable drainage system should be designed in accordance with ‘Ciria C753 The SuDS Manual’ or any subsequent replacement guidance.*”

Add the following new paragraph to the policy: “*Development proposals on land used for public water supply catchment purposes will be required to consult with the relevant water undertaker. The first preference will be for proposals to be located away from land used for public water supply purposes. Where proposals are proposed on catchment land used for public water supply, careful consideration should be given to the location of the proposed development and a risk assessment of the impact on public water supply may be required with the identification and implementation of any required mitigation measures / management regimes.*”

Delete paragraph 4.10.4.

Recommendation 18: Revise Policy CL14 as follows:

Revise criterion b) to read: “they do not have an *unacceptable adverse impact on the significance* of heritage assets and their settings, historic character, biodiversity, geodiversity assets, *or catchment land used for public water supply purposes;*

Delete the first sentence of the final paragraph of the policy commencing “Up to date evidence...”

Move the second sentence of the final paragraph of the policy to the justification.

Correct paragraph 4.11.5 to read: "Policy CL14".

Recommendation 19: Revise Policy CL15 as follows:

Revise the title of Policy CL15 to "Housing Allocation"

Revise the Estimated number of Dwellings to "*in the region of 12*".

Recommendation 20: Revise Policy CL16 as follows:

Move the Amount of Development and Site Description from the policy to the beginning of paragraph 5.2.3. Revise the Amount of Development to "*in the region of 12 dwellings*".

Revise the first paragraph of Policy Guidance to read "allocated for development of *in the region of 12 dwellings*. Detailed proposals *should* meet the following site specific development requirements."

Revise criterion b) to read "*Development proposals must ensure that development accords with Policy CL13 in relation to flood risk, sustainable drainage and water quality. In the event that infiltration is not practicable, surface water shall discharge to Escow Beck to the west.*"

Revise criterion h) to read "*....wall should be retained.....features and reduced in height or set back to make provision for the new access arrangements.*"

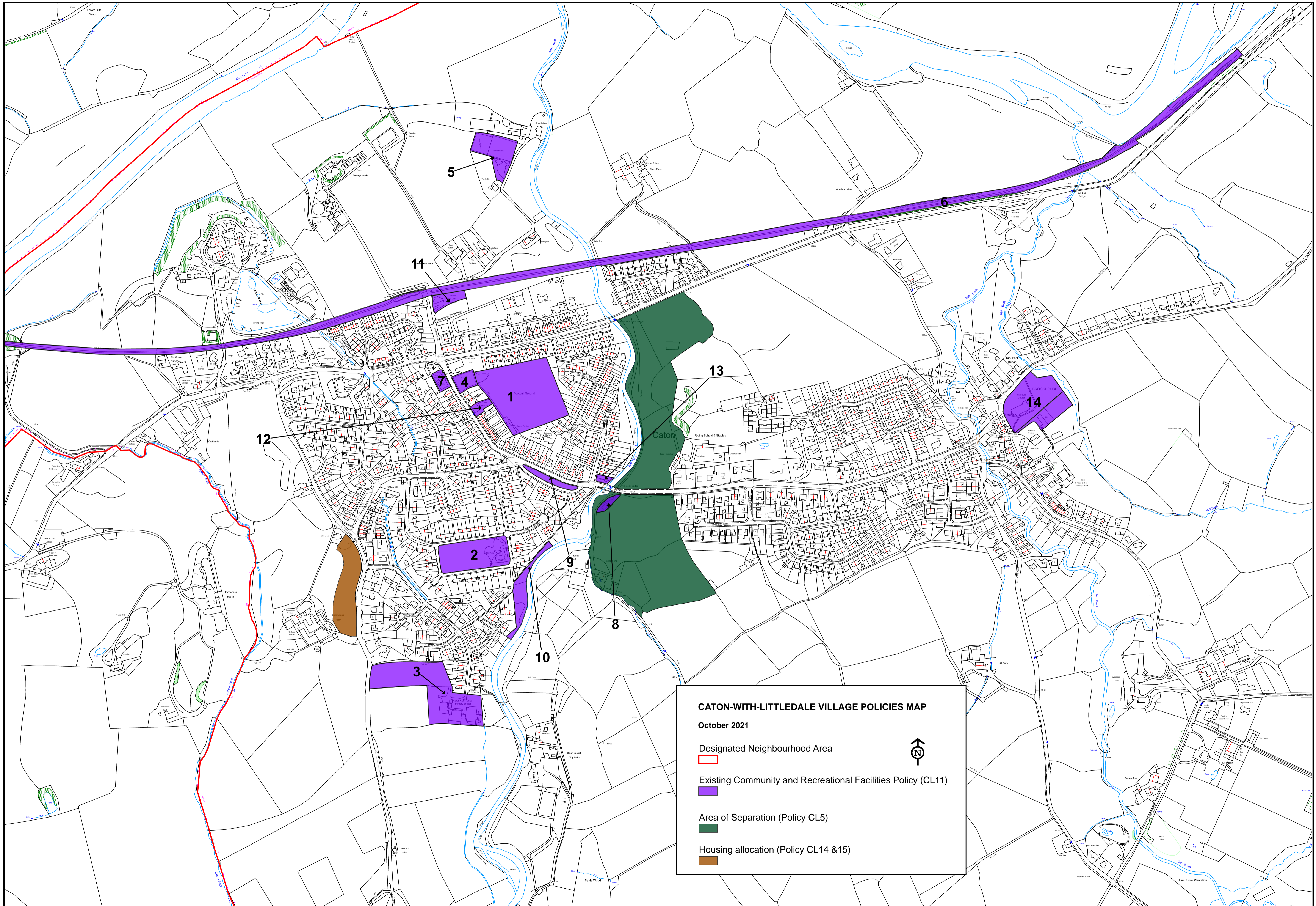
Add a new criterion: "*(j) The site is located on water catchment land used for public water supply purposes. Development proposals will need to demonstrate that the impact on public water supply is managed and mitigated in liaison with United Utilities.*"

Add a new criterion: "*(k) The site includes significant water supply infrastructure, which will need to be fully considered in the masterplanning / design process and during any construction. Access to such assets will need to be maintained and protective measures will need to be included to ensure any assets are fully protected both during construction and during the lifetime of the development.*"

Delete the 3rd, 4th and 5th sentences from paragraph 5.2.1 "The mini brief is accompanied by....meet policy requirements."

Add the following after paragraph 5.2.3: "*Several water mains have been identified as being either within or in close to proximity to the site. United Utilities will not allow building over or building in close proximity to the water mains. They must be protected both during and after construction and 24 hour access to them must be maintained in accordance with the requirements of United Utilities. The applicant will need to demonstrate the exact relationship between the assets, other utility services and their proposed development.*"

They will need to confirm the precise location of the apparatus as this could significantly impact the preferred site layout and/or a diversion of the asset(s) or protection measures may be required. Any diversion may be cost prohibitive and applicants should not assume that the infrastructure can be diverted. The applicant should be aware that the proposed layout must accommodate United Utilities' assets which will impact on the developable area and the number of units that can be delivered at this site. United Utilities will require a 10m easement for each water pipeline within and near to the site. The level of ground cover to the pipelines must not be compromised either during or after construction and there should be no additional load placed on the pipelines without prior agreement from United Utilities. This would include earth movement, ground re-profiling, materials storage, site welfare cabins and the transport and positioning of construction equipment and vehicles."



CATON-WITH-LITTLEDALE VILLAGE POLICIES MAP
 October 2021

Designated Neighbourhood Area

Existing Community and Recreational Facilities Policy (CL11)

Area of Separation (Policy CL5)

Housing allocation (Policy CL14 & 15)

