



**LANCASTER  
CITY COUNCIL**

*Promoting City, Coast & Countryside*

**INDIVIDUAL CABINET MEMBER AND OFFICER DELEGATED DECISIONS**

**THURSDAY, 7 APRIL 2022**

Please find enclosed Decision Notices in connection with the following:

**ICMD20 City Council response to Carnforth Neighbourhood Plan (Pages 2 - 20)**

**ICMD21 City Council response to Slyne with Hest Neighbourhood Plan (Pages 21 - 39)**

Please note that these are subject to call-in.

**Queries regarding these documents**

Please contact Liz Bateson, Democratic Services - email [ebateson@lancaster.gov.uk](mailto:ebateson@lancaster.gov.uk).

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Published on THURSDAY, 7 APRIL 2022



*Promoting City, Coast & Countryside*

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

<b>TITLE OF DECISION:</b> <b>City Council response to Carnforth Neighbourhood Plan</b>	
<b>NAME OF DECISION TAKER:</b>	COUNCILLOR DOWDING
<b>POSITION AND RESPONSIBILITY HELD:</b>	PORTFOLIO HOLDER FOR STRATEGIC PLANNING AND PLACE MAKING
<b>CONTACT OFFICER:</b>	FIONA CLARK
<b>TELEPHONE:</b>	01524 582222
<b>E-MAIL:</b>	fjclark@lancaster.gov.uk
<b>Details of Decision:</b>	
<p>To endorse the content of the City Council response to the Carnforth Neighbourhood Plan, as set out in Appendix A of the Report.</p> <p>Submit the response to the plan in order to inform the independent examination into the content of the plan, which is expected to place over the coming months.</p>	
<b>Reasons for the decision:</b>	
<p>Carnforth Neighbourhood Plan Group are undertaking a consultation on the draft Neighbourhood Plan. Given it is the duty of the City Council to provide advice and guidance to neighbourhood plan groups in order to give them the best opportunity of preparing a plan which will be found sound at examination, it is considered important that a response is provided so that any issues can be adequately considered by the independent examiner.</p>	
<b>IS THE DECISION URGENT</b>	
No	
<b>THE COUNCIL MUST RESPOND TO THE CARNFORTH NEIGHBOURHOOD PLAN CONSULTATION WITHIN A LIMITED SIX WEEK TIME PERIOD.</b>	
<p>Any delay likely to be caused by the Call-in process would prejudice the Council's or the public's interests and therefore is not subject to Call-in. The Chair of the Overview and Scrutiny Committee has been consulted. I hereby agree both that the decision proposed is reasonable, in all the circumstances, and to it being treated as a matter of urgency.</p>	
Signed : n/a	
Chief Executive	
<p>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.</p>	
<b>SIGNATURE OF DECISION TAKER:</b>	Cllr Gina Dowding
<b>DATE:</b>	6.4.22
<i>THIS SECTION TO BE COMPLETED BY DEMOCRATIC SERVICES</i>	
<b>REF NO.</b>	
ICMD20	
<b>DATE DECISION TAKEN:</b>	6.4.22
<b>DATE RECEIVED BY DEMOCRATIC SERVICES:</b>	6.4.22

**LANCASTER**  
**CITY COUNCIL**

*Promoting City, Coast & Countryside*

<b>DATE DECISION PUBLISHED:</b>	7.4.22	<b>IMPLEMENTATION DATE ( publication day + 5 working days):</b>	19.4.22
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<b>CABINET</b>
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## City Council response to Carnforth Neighbourhood Plan

### Individual Cabinet Member Decision (Councillor Dowding)

### Report of Director for Economic Growth & Regeneration

<b>PURPOSE OF REPORT</b>				
To request endorsement of the City Council's response to the Carnforth Neighbourhood Plan.				
<b>Key Decision</b>	<input type="checkbox"/>	<b>Non-Key Decision</b>	<input checked="" type="checkbox"/>	<b>Referral from Cabinet Member</b>
<b>Date of notice of forthcoming key decision</b>		N/A		
<b>This report is public</b>				

#### RECOMMENDATION OF THE DIRECTOR OF ECONOMIC GROWTH & REGENERATION

- a. To endorse the content of the City Council's response to the Carnforth Neighbourhood Plan, as set out in Appendix A of this Report.
- b. Submit the response to the plan in order to inform the independent examination into the content of the plan, which is expected to place over the coming months.

#### 1.0 INTRODUCTION

- 1.1 Neighbourhood planning is promoted via the 2011 Localism Act as a method for communities to address planning matters at a very local level through the preparation of a neighbourhood plan. Such a plan can allow the community to plan positively for future growth allowing them to identify how and where new development should be promoted and tackle a range of planning issues which are pertinent to their area.
- 1.2 The preparation of a neighbourhood plan involves consultation with the local community and a range of other stakeholders, examination by an independent examiner to test its soundness and robustness and finally needs to be ratified by a local referendum.

- 1.3 Once completed, a neighbourhood plan becomes part of the local development plan for the district and is a material consideration in the decision-making process.

## **2.0 BACKGROUND**

- 2.1 Carnforth is one of ten areas within the district which have been designated for the purposes of Neighbourhood Planning. This designation was proposed by Carnforth Town Council on 25<sup>th</sup> April 2018 and subsequently approved by Lancaster City Council (City Council) on 8<sup>th</sup> May 2018.
- 2.2 Since the point of designation, Carnforth Town Council (Town Council) have been working on the preparation of a Neighbourhood Plan for their area which seeks to tackle a range of planning issues. The Town Council have been assisted by an external planning consultations that have provided planning support and advice in the preparation of their Neighbourhood Plan.
- 2.3 The Council, as part of the Neighbourhood Plan Protocol, offers assistance and support to Neighbourhood Plan groups. In relation to Carnforth, meetings and email/information exchanges have taken place since the area designation to assist with the preparation of the plan.
- 2.4 In September 2019 the Town Council published a draft neighbourhood plan for consultation in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012.
- 2.5 The City Council provided an informal response to the content and direction of the draft plan, giving further information and guidance on how to strengthen its content. This covered matters such as their approach towards housing development (including the allocation of land for development), economic development, the natural environment, flooding, local heritage assets and community facilities and aspirations within the neighbourhood plan area. The intention of the response was to provide the Town Council with the opportunity to address these concerns as they sought to finalise their Neighbourhood Plan.
- 2.6 The Town Council has now finalised their neighbourhood plan and have submitted their completed plan to the City Council in accordance with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012. Now, under Regulation 16, the City Council is required to formally consult on the content of the neighbourhood plan with all interested parties and stakeholders.
- 2.7 Consultation began on the neighbourhood plan on Friday 4<sup>th</sup> February 2022 and will last for a 6 week period, concluding on Friday 18<sup>th</sup> March 2022. As part of the consultation process the City Council will provide a response in relation to how the Neighbourhood Plan addresses the basic conditions for neighbourhood planning. The basic conditions include:
  - a. Have regard to national planning policy and advice contained in guidance issued by the Secretary of State;
  - b. That the Plan contributes towards sustainable development;
  - c. That the Plan is in general conformity with the strategic policies contained within the district-wide local plan; and

- d. That the plan does not breach EU Obligations.

### **3.0 SUMMARY OF THE RESPONSE**

- 3.1 The Neighbourhood Plan is considered to provide a robust and appropriate response to planning matters in accordance with national and local plan policies. The Neighbourhood Plan policies build upon those within the Local Plan and reflect the designation of Carnforth as a Market Town within the 'Settlement Hierarchy' contained in policy SP2 of the Strategic Policies and Land Allocations DPD.
- 3.2 The Neighbourhood Plan supports additional development on a small scale within Carnforth urban boundary subject to the other policies within the Neighbourhood Plan. There is however, concern that policies CNDP H1 and CNDP H2 will constrain the type of housing to small units which do not adequately reflect the district housing need policies in the local plan expect Carnforth to accommodate.
- 3.3 The Neighbourhood Plan area includes areas of international significance for the natural environment. The Neighbourhood Plan includes policies which seek to conserve or enhance these areas. Policies also address the design of future developments, having specific regard to historic 'character areas' identified through the Neighbourhood Plan. Policies also look to address local issues such as green spaces and community facilities.
- 3.4 As set out in the Council's detailed response (which can be seen in Appendix A) the Council has raised and described a series of matters which need to be addressed to ensure that greater clarity is provided and so that the Neighbourhood Plan can be used effectively by the City Council when determining planning applications within Carnforth Neighbourhood Plan area. As part of the detailed response (in Appendix A) the Council have recommended where modifications could be made.
- 3.5 The detailed response can be seen at Appendix A.

### **4.0 OPTIONS AND OPTIONS ANALYSIS (including Risk Assessment)**

- 4.1 The City Council have the option to provide comments highlighting concerns over the robustness and soundness of the plan at this stage, or to provide no comment and allow the plan to progress to examination where these issues may or may not be addressed by the independent examiner.
- 4.2 Should the Council not provide a response to the plan then there is no doubt that the examiner will request the Council to clarify their position on the plan as part of the examination process. There is a risk that should the Council fail to set out their position prior to the examination that any issues and concerns are not fully addressed and the Council will be left to make use of a neighbourhood plan which is not fully fit for purpose in terms of determining future development and planning applications.
- 4.2 Given it is the duty of the City Council to provide advice and guidance to neighbourhood plan groups in order to give them the best opportunity of preparing a plan which will be found sound at examination, it is considered important that a response is provided so that any issues can be adequately considered by the independent examiner.

### **5. CONCLUSIONS**

- 5.1 It is hoped that the response to the Carnforth Neighbourhood Plan will ensure that any outstanding matters of concern can be fully considered by the independent examiner and satisfactorily addressed.

**RELATIONSHIP TO POLICY FRAMEWORK**

Neighbourhood Planning contributes to the Council's corporate plan priorities, in particular, sustainable economic growth.

Once 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)**

A neighbourhood plan will directly impact local communities. However, this impact will be subject to the plans focus e.g. housing, local facilities, open space etc. Equality and diversity and sustainability impact assessments will be required as part of the neighbourhood plan development process.

Neighbourhood planning provides rural communities with an opportunity to shape future development in their area, as well as helping to protect and conserve their heritage and environment (in line with the District's Local Plan and national planning policy guidance).

**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 and the Neighbourhood Planning (General) Regulations 2012 and Schedule 4B of the Town and Country Planning Act 1990.

**FINANCIAL IMPLICATIONS**

There are no financial implications associated with the request to endorse the content of the City Council response to the Carnforth Neighbourhood Plan. Any implications arising from the progressing of the neighbourhood plan will be as previously reported at application stage.

**OTHER RESOURCE IMPLICATIONS**

**Human Resources:**

Officer support has been put in place for neighbourhood planning, however, this may need to be re-considered if demand increases.

**Information Services:**

None.

**Property:**

None.

**Open Spaces:**

None.

**SECTION 151 OFFICER'S COMMENTS**

The 151 Officer has been consulted and has no comments to add

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no further comments to add

<b>BACKGROUND PAPERS</b> Carnforth Neighbourhood Plan (Regulation 15) City Council Response to the draft Carnforth Neighbourhood Plan (Regulation 16).	<b>Contact Officer:</b> Fiona Clark <b>Telephone:</b> 01524 582222 <b>E-mail:</b> fjclark@lancaster.gov.uk



**CARNFORTH NEIGHBOURHOOD PLAN**

**LANCASTER CITY COUNCIL RESPONSE TO REGULATION  
16 CONSULTATION**

**February 2022**

## 1. INTRODUCTION

- 1.1 Lancaster City Council welcomes the submission of the Carnforth Neighbourhood Plan and recognises the significant amount of time, effort and work which have been undertaken by the local community in its production to date, taking a positive and proactive approach to plan-making. The City Council have been fully supportive of the Carnforth Town Council's decision to prepare a neighbourhood plan for their area and have provided as much resource and support as possible to aid the Town Council's preparation of the plan.
- 1.2 Through dialogue with the Town Council, the City Council have been aware of the wide variety of consultation events that have been held with the community to identify issues which are important in the locality, gain consensus and draw conclusions to how such matters can be addressed. It is in this context that the Council seeks to provide constructive comment on how the plan should be refined further to ensure that the basic conditions of neighbourhood planning can be achieved.
- 1.3 For ease of reference, the comments set out in Section 4 of this response are according to the relevant sections of the Plan (referred to as 'the Plan' from this point forward). Some comments which are made, particularly where they relate to a contextual nature, may cover more than one topic or section and should be seen in this context.

## 2. LEGAL REQUIREMENTS AND NATIONAL POLICY

### Legal Requirements

- 2.1 Before the Plan can proceed to Referendum, it must be first tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the draft plan must meet are as follows:
  - (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,
  - (b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,
  - (c) Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,
  - (d) The making of the order contributes to the achievement of sustainable development,
  - (e) The making of the order 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),
  - (f) The making of the order does not breach, and is otherwise compatible with, EU obligations, and
  - (g) Prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.

### National Planning Policy

- 2.2 The National Planning Policy Framework<sup>1</sup> (referred to as 'the Framework' from this point forward) sets out the Government's planning policies for England and how these are expected to be applied. In doing so, it sets out the requirements for preparation of neighbourhood plans and provides communities with the power to develop a shared vision for their neighbourhood and deliver sustainable development that they need and to assist in the overall delivery of strategic housing needs.

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<sup>1</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

- 2.3 At the heart of the Framework is the presumption in favour of sustainable development. For plan-making this means that the plan makers should positively seek opportunities to meet the development needs of their areas and that Local Plans should meet objectively assessed needs (OAN) for housing, with sufficient flexibility to adapt to rapid change. This requirement is also applicable to the preparation of neighbourhood plans.
- 2.4 Paragraph 13 of the Framework further sets out that neighbourhood plans should support strategic policies contained in local plans for housing and economic development and plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the district-wide Local Plan.
- 2.5 Within the overarching roles that the planning system ought to play, the Plan should also have regard to the core planning principles that underpin plan-making set out in paragraph 16 of the Framework.
- 2.6 The core planning principles seek to ensure that a neighbourhood plan sets out a clear and positive vision for the future of the area and policies contained within it should provide a practical policy framework within which decision on planning applications can be made with a high degree of predictability and efficiency by the local planning authority. Paragraph 29 of the Framework states, *'Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies'*.

### **3. LANCASTER DISTRICT LOCAL PLAN**

#### **Adopted Planning Position**

- 3.1 Lancaster City Council adopted a new Local Plan for Lancaster district in July 2020. The Local Plan consists of two key components, The Strategic Policies and Land Allocations Development Plan Document (SPLA DPD) which sets out a series of strategic policies which will guide future development, in terms of scale, location and growth. The SPLA DPD also contains a series of land allocations to identify where future growth needs will be met and land which has been protected for its environmental, social or economic value. The second part is the Development Management Development Plan Document (DM DPD) which sets out a series of generic planning policies which are used by the Council to determine planning applications. The policies of the DPDs are applicable to all development proposals across the entire district (unless the plan directs otherwise).
- 3.2 The Arnside and Silverdale Area of Outstanding Natural Beauty DPD was adopted in March 2019 and includes bespoke policies in relation to the AONB.

#### **Strategic Policies and Land Allocations DPD**

- 3.3 Policy SP3 (Development Strategy for Lancaster District) of the SPLA DPD sets out the development strategy for Lancaster district. The policy aims to meet the development needs of the district by promoting an urban-focussed approach towards development, supplemented with additional large strategic development sites in greenfield locations. The development strategy is further supported by policy SP2 (Lancaster Settlement Hierarchy) which sets out a hierarchy of settlements. Carnforth is identified as a Market Town within policy SP2. Policy SP2 states that 'these will play a supporting role to the Regional Centre and will accommodate levels of new residential and economic development to serve more localised catchments.' Carnforth is therefore considered as a location

where growth is supported. Policies SG11 (Land at Lundsfield Quarry, South Carnforth) and H1 (Residential Development in Urban Areas) allocate land at Lundsfield Quarry for approximately 250 homes.

### **Development Management DPD**

- 3.4 The DM DPD was also adopted at the end of July 2020. It provides detailed planning policies to shape the delivery of development.

### **Arnside and Silverdale Area of Outstanding Natural Beauty DPD**

- 3.5 Paragraph 176 of the Framework, places 'great weight' to the conservation and enhancement of Areas of Outstanding Natural Beauty and states that 'development within their setting should be sensitively located and designed to avoid or minimise adverse impacts in the designated areas.' The Arnside and Silverdale AONB Development Plan Document is part of the statutory Local Plan. It sets out policies specific to the AONB and should be taken into account when assessing proposals that may affect the setting of the AONB.

### **Landscape, Habitat Designations, Heritage and Environmental Designations and Local Policies**

- 3.6 Carnforth is bound by Greenbelt to the south and west and the Arnside and Silverdale AONB to the north. Policies EN4 (The North Lancashire Greenbelt) and DM50 (Development in the Greenbelt) address the greenbelt in accordance with national policy. Policy EN2 (Areas of Outstanding Natural Beauty) highlights the importance of landscape character and visual amenity for development within and in the setting of the AONB. Policy EN4 (Local Landscape Designations) allocates three areas of Urban Setting Landscape around Carnforth and seek to conserve their important natural features.
- 3.7 Morecambe Bay to the east is protected for its habitat importance and as such is designated a RAMSAR site, Special Area of Conservation, Special Protection Area and Site of Special Scientific Interest. There are also several Biological Heritage Sites within Carnforth. Policies EN7 (Environmentally Important Areas) and DM44 (The Protection and Enhancement of Biodiversity) address this issue.
- 3.8 There is a Conservation Area in central Carnforth, policy DM38 (Development affecting Conservation Areas) requires development to preserve or enhance this area.
- 3.9 Central Carnforth is designated as an Air Quality Management Area in order to improve air quality. Policy EN9 (Air Quality Management Areas) seeks to ensure that new development within the AQMA and development which may affect it does not contribute to increasing levels of air pollution.

### **Role of Neighbourhood Planning**

- 3.10 Policy DM55 within the Development Management DPD clearly sets out the City Council's expectations for neighbourhood planning. Policy DM55 states the following:

## **POLICY DM55: NEIGHBOURHOOD PLANNING**

**The Council will support and assist the relevant qualifying organisation to positively prepare a Neighbourhood Plan that delivers new development and facilities for their community. Neighbourhood Plans should seek to achieve the following:**

- I. Identify how they are positively contributing towards the strategic objectives of the local development plan and by in general conformity with its strategic approach and strategic policies;**
- II. Clearly set out how they will promote sustainable development, at the same level or above that which would be delivered through the local development plan; and**
- III. Have due regard to relevant information on local needs for new homes, jobs and facilities for their plan area.**

**The Council will seek to support and assist Neighbourhood Planning groups in meeting the criteria above and the wider basic conditions set out in the Neighbourhood Planning Regulations.**

**Once a Neighbourhood Plan has been adopted by the Council it will form part of the Local Plan for the district and will be a material consideration in determining planning applications.**

### **Climate Emergency Review of the Local Plan (CERLP)**

- 3.11 On 30<sup>th</sup> January 2019, the Council declared a climate emergency. Whilst the newly adopted Local Plan does seek to address climate change, it was too far advanced in the plan preparation process to incorporate some of the actions and directions of the climate emergency declaration. The CERLP has a specific remit to amend and add to policies which can influence the Council's response to climate change, such as energy efficiency, renewable energy, water management and sustainable transport. It does not reconsider site allocations, housing numbers or other principles within the adopted Local Plan. It is therefore important to note that this represents a partial review.
- 3.12 The Council are seeking to make swift progress on this partial review of the Local Plan, consultation on the scope of the review was undertaken in Autumn 2020, with the Regulation 18 consultation on a suite of draft policies taking place over the Summer of 2021. The Council published the Local Plan under Regulation 19 for consultation on the 31<sup>st</sup> January, with the intention to submit the Plan later this year, with anticipation of adoption in 2022.
- 3.13 In advance of Submission, Public Examination and the receipt of an Inspectors Report, the level of weight which should be applied to the content and direction of the Review should be limited and considered in the context of Paragraph 48 of the Framework. However, it is important to bear in mind that this is the emerging local planning policy context for the Lancaster district and the relevant weight (as set out in paragraph 48 of the Framework).

#### **4. CARNFORTH NEIGHBOURHOOD PLAN**

- 4.1 This section sets out the comments which the City Council have on the Plan. The Council recognise and welcome amendments which have been made to the Plan in light of responses made at previous stages.
- 4.2 The Plan sets out a positive approach to development within the neighbourhood plan area, whilst at the same time recognising the constraints upon development posed by the Green Belt and habitat designations. It provides for growth for Lancaster district acknowledging the land allocated and recent planning permissions. However, given its context as a sustainable market town, by constraining the house types to be delivered, it is not considered that the Plan will adequately meet the identified housing needs that the Local Plan expects to be delivered for Lancaster district. Various recommendations for amendments are made below which it is considered will address this issue and other matters, thereby ensuring that the approach taken in the Plan is realistic and appropriate.
- 4.3 There are some references to previous Frameworks within the Plan which should be updated.
- 4.4 Where a policy, project/aspiration in the Plan is not referenced in this response, the City Council have no objections to the content and direction of the policy or aspiration.

##### **Meeting the SEA/HRA Requirements**

- 4.5 The Plan is accompanied by an SEA and HRA Screening Opinion. These were prepared by the Council in May 2021. The reports concluded that following the inclusion of Policy ENV1 (Local Biodiversity, Landscape and Character) the Plan is unlikely to result in significant environmental effect. This was supported by the three SA bodies.
- 4.6 It should be noted that a further amendment was made to the HRA Screening Opinion in September 2021. This was done to reflect the policy numbering in the Plan. The overall conclusion and assessment remained unchanged from that contained in the May 2021 document. The three SA bodies were made aware of the changes and no further comments were submitted.

##### **Vision and Objectives**

- 4.7 Section 2 Carnforth 'today' and 3 Carnforth 'tomorrow' provide a useful overview of the context in which the Plan has been prepared.
- 4.8 The City Council support the vision and the objectives of the Plan which are consistent with the spatial strategy for the district. They promote heritage, tourism, sustainable transport, meeting housing need, employment, green infrastructure and habitats and flood resilience, all of which reflect the strategy and policies within the Local Plan.

##### **Chapter 4 – Heritage and Design**

###### **Policy CNDP HD1: Conserving the Historic Environment**

- 4.9 In bullet points 2 and 3 it would be more appropriate to reflect the wording in the Framework and refer to the need to, sustain and enhance the significance of all heritage assets and avoid or minimise harm. Any harm must be clearly justified in relation to credible public benefits what would result.

##### **Chapter 5: Economy**

###### **Policy CNDP E1: Leisure and Tourism**

4.10 The content and direction of Policy CNDP E1 is generally supported in terms of the framework for improving the quality and diversity of existing tourist facilities, attractions, accommodation and infrastructure.

4.11 The City Council recognise the importance of Carnforth Pool to the local community and welcome the policy protection it is provided, giving sufficient flexibility for alternative uses to be considered under specific circumstances. However, the position set out in the policy does not align with the content of the final sentence of paragraph 5.8 which states *'It shall be retained and preserved.'* For consistency the final sentence of paragraph 5.8 should be removed.

#### **Policy CNDP E2: Employment**

4.12 The City Council have no objections to the content of this policy. However, reference should be provided in third paragraph to relevant policies of the Local Plan. The following wording is suggested

*"...and do not cause harm to residential amenity and confirm to the relevant policies within both this plan and the district-wide Local Plan."*

#### **Policy CNDP E3: Local Centre**

4.13 The City Council have no objections to the content and direction of this policy. However, clarification should be provided in paragraph 3 of the policy where reference is made to 'Central Area'. It is not clear what this means – if it refers to the Town Centre (as defined in the Local Plan) this should be explicitly referred to within the policy in order to provide clarity to the reader.

### **Chapter 6 – Access and Movement**

#### **Policy AM1: Active travel**

4.14 The City Council supports the direction of the policy as it reflects the approach being taken in the CERLP in terms of encouraging sustainable travel and reducing impacts on the AQMA. It is suggested that reference is made within the policy itself to the need for good design. Local Transport Note 1/20 is referenced in paragraph 6.9 but this could also be referenced in the policy. This would reflect the approach taken in the CERLP under Policies DM62: Vehicle Parking Provision and Electric Vehicle Charging Points and DM61: Prioritising Walking and Cycling.

#### **Project/Aspiration CNDP AM(a): Cycle infrastructure**

4.15 The suggested routes are welcomed but priority should be given to the existing strategic routes identified under Policy T2 Developing the Cycling and Walking Network of the CERLP (ie Bay Cycleway and the Canal towpath). In particular consideration should be given to how the strategic routes can connect to the town centre and other trip attractors (eg schools). Suggested locations not already included are:-

- Longfield Drive (improve towpath access)
- Bridgeside (improve existing access)
- Canal Turn (potential access through third party land to Lancaster Road)
- Yealand Grove canal bridge (towpath access from public footpath)

4.16 Also to be considered in terms of a new cycle route and/or as an improved pedestrian access to the town centre is the Crag Bank Road/Albert Road public footpath.

4.17 Clarification should be provided under 'Improved routes' final bullet: To Warton. As far as the City Council is aware this is an aspiration associated with the Warton Mires project and included land outside their ownership. It is suggested the wording is amended to 'To Warton along Warton Road or via Millhead'.

- 4.18 Reference should be made to the emerging Local Cycling and Walking Infrastructure Plan. This is being developed by the County Council and will identify and help deliver cycling and walking infrastructure in the district.

### **Policy CNDP AM2: Charging points for electric vehicles**

- 4.19 The direction of policy AM2 is supported as air quality is a recognised issue in Carnforth, particularly in the town centre where an Air Quality Management Area (AQMA) has been declared.
- 4.20 Through the CERLP, the Council has reviewed policy DM62 (Vehicle Parking Provision and Electric Charging Points) to set out requirements for the provision of electric vehicle charge points. Like policy DM62 of the CERLP DMDPD, policy AM2 in this Plan, seeks to require 1 charge point to be provided for each dwelling with an associated space, and this includes flats. However, where the parking is communal (residential and non-residential) the policy DM62 of the DMDPD seeks a requirement for 20% of spaces to be provided with an electric charge point installed. To ensure that once the CERLP is adopted the Plan conforms with the requirements, it is recommended that the following is added to the end of the first paragraph in policy AM2:

*“.... in accordance with policies in the Local Plan.”*

### **Project/Aspiration CNDP AM(b): Market Street and town centre public realm improvements**

- 4.21 The City Council have no objections to the content and direction of these aspirations.
- 4.22 Clarification should be provided under paragraph 6.23. Reference is made to the Land to the south of Windermere Road and that the proposed development included a link road between Back Lane and the A6. The proposal considered in the Local Plan, and subsequently removed following the Inspector’s report, provided a vehicular access from Back Lane and not from the A6.

### **Project/Aspiration CNDP AM(c): Improving town-wide accessibility**

- 4.23 The City Council have no objections to the intentions of these aspirations to improve air quality and conditions for pedestrians and cyclists in the town centre by removing traffic from the town centre, recognising that at the moment, with no mechanism in place as to how they could be delivered, they remain aspirations.

## **Chapter 7: Housing**

### **Policy CNDP H1: Housing & CNDP H2: Housing Mix**

- 4.24 Carnforth is a focus of growth in the Local Plan and is expected to contribute to the needs of the district. Given the status of Carnforth in the Local Plan, requiring new housing to meet a specific Carnforth need does not appear to be in conformity with the Local Plan.
- 4.25 There are concerns over the methodology and the outcome of the Carnforth Housing Needs Assessment. Whilst there is a need for one and two bed dwellings, and this will help meet a specific need it does not address that of families. The delivery of predominantly one and two-bedroom homes would fail to address the wider district housing need. For Carnforth, the Lancaster City Council Strategic Housing Market Assessment (2018) identifies a similar level of need for 1/2 bedroom affordable homes as for 3 plus bedroom affordable homes. For market homes the aspiration/expectation is predominantly for 3-bedroom homes.



- 4.26 The SHMA recommends the use of a district wide housing mix which is included at table 4.1 of the Local Plan.

Property Type	Market (%)	Affordable (%)
House (2 bedroom)	20	30
House (3 bedroom)	35	20
House (4+ bedroom)	25	5
Bungalow	10	10
Flat/apartment (may include 1 bedroom houses)	10	35

Table 4.1: Table to show the indicative approach to housing mix across the District (Lancaster CC 2018)

- 4.27 It is recommended that the Lancaster Strategic Housing Market Assessment (2018) or future SHMA is also referred to within policy CNDP H1 and reference to specific house types within policy CNDP H2 is removed and the evidence documents referred to in their place.
- 4.28 The SHMA can be found using the following link:  
<https://www.lancaster.gov.uk/planning/planning-policy/evidence-monitoring-information>

## **Chapter 8. Environment and Community**

### **Policy CNDP EC1: Local Biodiversity, Landscape and Character**

- 4.29 Whilst the overall direction of Policy CNDP EC1 (Local Biodiversity, Landscape and Character) is supported the policy would benefit from some minor amendments to add clarity. This is mainly in relation to the third paragraph of the policy which states that development proposals should conserve or enhance biodiversity. The City Council would note that it should not be an either/or in relation to conservation and enhancement. Proposals should look to deliver both. This paragraph should be reworded to make this clear.
- 4.30 The aspiration for development to deliver 10% Biodiversity Net Gain is supported. This will be a mandatory requirement from November 2023. The Policy does not stipulate this as a requirement noting only that proposals should aim to achieve 10%. The policy notes the preference for on-site delivery followed by off-site delivery where this is not possible. Where off-site delivery is proposed the Policy advises that this will be sought within the Plan area. It would be helpful to both future applicants and the City Council as decision makers if potential off-site projects could be identified. This would provide a clear direction of where future off-site delivery is best directed.
- 4.31 The Policy would benefit from reference to the Arnsdale and Silverdale AONB and the need to have regard to setting of this designated landscape when considering future proposals located within the Plan area.

### **Project/Aspiration CNDP EC(a): Local Green Spaces**

- 4.32 The future aspiration to identify Local Green Spaces as part of any future review of the Plan is supported by the City Council. This should follow the Local Green Space methodology used by the City Council in identifying and designating Local Green Spaces in the Local Plan.

- 4.33 In relation to paragraph 8.6 of the supporting text, it should be noted that as part of the CERLP policy SC4 has been re-named as 'Green and Blue Corridors and Chains', so it is recommended that the following text is added after reference is made to policy SC4:

*"... or its successor policy in the emerging Local Plan."*

**Project/Aspiration CNDP EC(b): Remediation of disused tip adjacent to Midland Terrace**

- 4.34 The City Council have no objections to the content and direction of this aspiration. Through the CERLP, which has been informed by the district's Green and Blue Infrastructure Strategy, the Council promotes the multi-functional value of the districts green and blue assets, where appropriate. The aspiration recognises the need for any access that is explored to be sensitive given the site is designated as a Biological Heritage Site, and in particular, regard should be given to policy DM44 of the Development Management DPD.

**Policy CNDP EC2: Development adjacent to parks**

- 4.35 The City Council supports the content and direction of this policy but recognises that it is very similar to the current policy wording of DM27 (Open Space, Sports and Recreational Facilities) which states: "Development proposals that are adjacent to designated spaces, sports and recreational facilities will be required to incorporate design measures that ensure that there are no negative impacts on amenity, landscape value, ecological value and functionality of the space. The Council will only permit development that has identified negative impacts on open space, sports and recreational facilities where appropriate mitigation measures have been provided." However, from the current wording of the Plan policy CNDP EC2, it is understood that this does not just apply to designated open spaces and provides further detail on the arrangement of buildings and importance of access. The title of this policy could also perhaps better reflect that this policy does not only relate to parks, but other types of open spaces.

**Policy CNDP EC3 Sustainable Housing**

- 4.36 The policy would benefit from additional amendments to distinguish expectations for residential/non-residential developments. The following wording is suggested:

*"Applications for non-residential development are encouraged to demonstrate accordance with the appropriate BREEAM standards in use at the time of submission. Encouragement is also given to residential schemes that meet Passivhaus standards."*

- 4.37 This would align better with the direction within policy DM30a of the CERLP which seeks to set out carbon reduction standards for residential development and the use of BREEAM for non-residential development.

**Appendix 3 – Monitoring Framework**

- 4.38 The inclusion of guidance on how the Plan will be monitored is welcomed. It is recommended that the monitoring report be prepared annually for consideration by the Town Council. This would ensure that the Town Council is aware of the effectiveness of policies with opportunity for action should this be required.

## 5. DESIGN CODE

- 5.1 The Design Code has not been updated to address previous comments and includes references to out-of-date policy documents. These references will need to be updated to refer to the most up to date Framework and the adopted Local Plan policy documents. The policies referred to will also need amending to reflect those now mentioned in the Plan and as noted above. It would also be worthwhile referring to the Climate Emergency Review of the Local Plan.
- 5.2 The boundary of Site 1: Lundsfield Quarry should be amended to mirror the boundary of the allocated site.
- 5.3 The existing Lancaster City Council 'Shopfronts SPD' and 'Shopfront Security in Conservation Areas Advice Note' describe a hierarchy of options prior to using shutters including security glass, reduction of glazing etc. The conservation advice note on shopfront security in conservation areas is also more discouraging than the section in the Plan. The advice note outlines that external shutters may be acceptable in exceptional circumstances before providing a set of criteria which must be met for them to be accepted. Therefore, the wording in the Design Code could better emphasis that they are only accepted in exceptional circumstances. The following wording is suggested:
- 5.4 The addition of external shutters will require planning permission and may only be acceptable in exceptional circumstances. Other alternatives should be ~~may also be~~ considered and could include: security glass with alarm of internal cameras; a reduction in the size of window glass; internal see-through shutters; and external shutters that are removed during working hours. The use of solid roller shutter blinds, which lead to a very unattractive environment when closed, should be discouraged. The use of open roller grills, removal grills or internal grills and meshes are preferred since the shop display can still be seen, enhancing the perception of the street outside working hours. It is recommended that roller shutters and grills are integrated into the design of the shop and not additional items, non-contributing to the building appearance.

## 6. DESIGN STANDARDS AND PRACTICES FOR WALKING AND CYCLING IN CARNFORTH

- 6.1 The document has not been updated to address previous comments. Paragraph 3.2.25 of the Design Standards and Practices for Walking and Cycling in Carnforth refers to the South Carnforth Development Brief. The Brief was withdrawn when the larger site was removed from the Local Plan, the reference to the brief should be deleted.

## 7. CONCLUSION

- 7.1 The City Council recognise the role of neighbourhood plans as a tool for local people to shape the development of their local community. The City Council have welcomed the opportunity to discuss the evolution of the Plan with regard to the Carnforth Neighbourhood Plan Area and recognise the significant effort which has been put into its preparation by the local community.
- 7.2 Notwithstanding this, the City Council considers that there are some outstanding issues that have been highlighted within this response and these need to be addressed and revisited. In order to meet these requirements, the City Council have suggested a number of modifications and points for clarity to the Plan to assist with the Examiner and Town Council's considerations. On the whole the City Council supports the policies within the Plan and considers that they are in conformity with

national planning policy, the adopted Local Plan and emerging Climate Emergency Review of the Local Plan, subject to the recommended changes being made.

- 7.3 Should the Examiner require further information, evidence or discussion on any of the matters raised in this response the City Council will be happy to assist in this matter.

# LANCASTER CITY COUNCIL

*Promoting City, Coast & Countryside*

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

<b>TITLE OF DECISION:</b> <b>City Council response to Slyne with Hest Neighbourhood Plan</b>		
<b>NAME OF DECISION TAKER:</b>	COUNCILLOR DOWDING	
<b>POSITION AND RESPONSIBILITY HELD:</b>	PORTFOLIO HOLDER FOR STRATEGIC PLANNING AND PLACE MAKING	
<b>CONTACT OFFICER:</b>	ELEANOR HUDDLESTON	
<b>TELEPHONE:</b>	01524 582097	
<b>E-MAIL:</b>	ehuddleston@lancaster.gov.uk	
<p><b>Details of Decision:</b> To endorse the content of the City Council response to the Slyne with Hest Neighbourhood Plan, as set out in Appendix A of the Report.</p> <p>Submit the response to the plan in order to inform the independent examination into the content of the plan, which is expected to place over the coming months.</p>		
<p><b>Reasons for the decision:</b> Slyne with Hest Neighbourhood Plan Group are undertaking a consultation on the draft Neighbourhood Plan. Given it is the duty of the City Council to provide advice and guidance to neighbourhood plan groups in order to give them the best opportunity of preparing a plan which will be found sound at examination, it is considered important that a response is provided so that any issues can be adequately considered by the independent examiner.</p>		
<p><b>IS THE DECISION URGENT</b> No THE COUNCIL MUST RESPOND TO THE SLYNE WITH HEST NEIGHBOURHOOD PLAN CONSULTATION WITHIN A LIMITED CONSULTATION PERIOD.</p>		
<p>Any delay likely to be caused by the Call-in process would prejudice the Council's or the public's interests and therefore is not subject to Call-in. The Chair of the Overview and Scrutiny Committee has been consulted. I hereby agree both that the decision proposed is reasonable, in all the circumstances, and to it being treated as a matter of urgency.</p> <p>Signed : n/a</p> <p>Chief Executive</p>		
<p>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.</p>		
<b>SIGNATURE OF DECISION TAKER:</b>	Cllr Gina Dowding	
<b>DATE:</b>	6.4.22	
<i>THIS SECTION TO BE COMPLETED BY DEMOCRATIC SERVICES</i>		REF NO. ICMD21
<b>DATE DECISION TAKEN:</b>	6.4.22	<b>DATE RECEIVED BY DEMOCRATIC SERVICES:</b> 6.4.22
<b>DATE DECISION PUBLISHED:</b>	7.4.22	<b>IMPLEMENTATION DATE (publication day + 5 working days):</b> 19.4.22



**City Council response to Slyne with Hest Neighbourhood Plan**

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

**Report of Director for Economic Growth & Regeneration**

<b>PURPOSE OF REPORT</b>			
To request endorsement of the City Council's response to the Slyne with Hest Neighbourhood Plan.			
<b>Key Decision</b>	<input type="checkbox"/>	<b>Non-Key Decision</b>	<input checked="" type="checkbox"/> <b>Referral from Cabinet Member</b>
<b>Date of notice of forthcoming key decision</b>	N/A		
<b>This report is public</b>			

**RECOMMENDATION OF THE DIRECTOR OF ECONOMIC GROWTH & REGENERATION**

- a. **To endorse the content of the City Council's response to the Slyne with Hest Neighbourhood Plan, as set out in Appendix A of this Report.**
- b. **Submit the response to the plan in order to inform the independent examination into the content of the plan, which is expected to place over the coming months.**

**1.0 INTRODUCTION**

- 1.1 Neighbourhood planning is promoted via the 2011 Localism Act as a method for communities to address planning matters at a very local level through the preparation of a neighbourhood plan. Such a plan can allow the community to plan positively for future growth allowing them to identify how and where new development should be promoted and tackle a range of planning issues which are pertinent to their area.
- 1.2 The preparation of a neighbourhood plan involves consultation with the local community and a range of other stakeholders, examination by an independent examiner to test its soundness and robustness and finally needs to be ratified by a local referendum.

- 1.3 Once completed, a neighbourhood plan becomes part of the local development plan for the district and is a material consideration in the decision-making process.

## **2.0 BACKGROUND**

- 2.1 Slyne with Hest is one of ten areas within the district which have been designated for the purposes of Neighbourhood Planning. This designation was proposed by the Slyne with Hest Parish Council on 22<sup>nd</sup> January 2016 and subsequently approved by Lancaster City Council (City Council) on 14<sup>th</sup> April 2016.
- 2.2 Since the point of designation, Slyne with Hest Parish Council (Parish Council), through the Slyne with Hest Neighbourhood Plan Steering Group (Steering Group), have been working on the preparation of a Neighbourhood Plan for their area which seeks to tackle a range of planning issues. The Steering Group have been assisted by an external planning consultations that have provided planning support and advice in the preparation of their Neighbourhood Plan.
- 2.3 The Council, as part of the Neighbourhood Plan Protocol, offers assistance and support to Neighbourhood Plan groups. In relation to Slyne with Hest, meetings and email/information exchanges have taken place since the area designation to assist with the preparation of the plan.
- 2.4 In September 2019 the Parish Council published a draft neighbourhood plan for consultation in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012.
- 2.5 The City Council provided an informal response to the content and direction of the draft plan, giving further information and guidance on how to strengthen its content. This covered matters such as their approach towards housing development (including the allocation of land for development), economic development, the natural environment, flooding, local heritage assets and community facilities and aspirations within the parish. The intention of the response was to provide the Parish Council with the opportunity to address these concerns as they sought to finalise their Neighbourhood Plan.
- 2.6 The Parish Council has now finalised their neighbourhood plan and have submitted their completed plan to the City Council in accordance with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012. Now, under Regulation 16, the City Council is required to formally consult on the content of the neighbourhood plan with all interested parties and stakeholders.
- 2.7 Consultation began on the neighbourhood plan on Friday 4<sup>th</sup> February 2022 and will last for a 6 week period, concluding on Friday 18<sup>th</sup> March 2022. As part of the consultation process the City Council will provide a response in relation to how the Neighbourhood Plan addresses the basic conditions for neighbourhood planning. The basic conditions include:
  - a. Have regard to national planning policy and advice contained in guidance issued by the Secretary of State;
  - b. That the Plan contributes towards sustainable development;
  - c. That the Plan is in general conformity with the strategic policies contained

- within the district-wide local plan; and
- d. That the plan does not breach EU Obligations.

### **3.0 SUMMARY OF THE RESPONSE**

- 3.1 The Neighbourhood Plan is considered to provide a robust and appropriate response to planning matters in accordance with national and local plan policies. The Neighbourhood Plan policies build upon those within the Local Plan and reflect the designation of Slyne-with-Hest as a Sustainable Settlement within the 'Settlement Hierarchy' contained in policy SP2 of the Strategic Policies and Land Allocations DPD. Upon which, given the main settlement of Slyne-with-Hest is encircled by the North Lancashire Green Belt, in order to fulfil the role of a Sustainable Settlement ('these settlements will provide the focus of growth for Lancaster District outside the main urban areas') the Neighbourhood Plan proposes to enact paragraph 140 of the NPPF and make a detailed amendment to the Green Belt boundary by proposing to remove 'Land West of Sea View Drive' from the Green Belt and allocating it for housing. The response (which can be seen in more detail in Appendix A) sets out how the Council has made a way, and supports, the proposed amendment to the Green Belt.
- 3.2 The Neighbourhood Plan also supports additional development on a small scale within or adjacent to the village footprint where it clearly responds to the Character Area within which it is located, recognising that future housing development will enhance the vitality of and meets the needs of the community thus contributing to sustainable development and conforming with the strategic policies within the Local Plan.
- 3.3 The Parish includes areas of international significance for the natural environment. The Neighbourhood Plan includes policies which seek to conserve and enhance these areas in conformity with national and local policies. Policies also address the design of future developments within the parish, having specific regard to historic 'character areas' identified through the Neighbourhood Plan. Policies also look to address local issues such as flooding and community facilities. Including 'projects' which highlight the aspirations of the local community, issues which are not necessarily directly planning related.
- 3.4 As set out in the Council's detailed response (which can be seen in Appendix A) the Council has raised and described a series of matters which need to be addressed to ensure that greater clarity is provided and so that the Neighbourhood Plan can be used effectively by the City Council when determining planning applications within the parish of Slyne-with-Hest. As part of the detailed response (in Appendix A) the Council have recommended where modifications could be made.

### **4.0 OPTIONS AND OPTIONS ANALYSIS (including Risk Assessment)**

- 4.1 The City Council have the option to provide comments highlighting concerns over the robustness and soundness of the plan at this stage, or to provide no comment and allow the plan to progress to examination where these issues may or may not be addressed by the independent examiner.
- 4.2 Should the Council not provide a response to the plan then there is no doubt that the examiner will request the Council to clarify their position on the plan as part of the examination process. There is a risk that should the Council fail to set out their position prior to the examination that any issues and concerns are not fully addressed and the Council will be left to make use of a neighbourhood plan which is not fully fit for purpose in terms of determining future development and planning applications.



- 4.2 Given it is the duty of the City Council to provide advice and guidance to neighbourhood plan groups in order to give them the best opportunity of preparing a plan which will be found sound at examination, it is considered important that a response is provided so that any issues can be adequately considered by the independent examiner.

**5. CONCLUSIONS**

- 5.1 It is hoped that the response to the Slyne with Hest Neighbourhood Plan will ensure that any outstanding matters of concern can be fully considered by the independent examiner and satisfactorily addressed.

**RELATIONSHIP TO POLICY FRAMEWORK**

Neighbourhood Planning contributes to the Council's corporate plan priorities, in particular, sustainable economic growth.

Once 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)**

A neighbourhood plan will directly impact local communities. However, this impact will be subject to the plans focus e.g. housing, local facilities, open space etc. Equality and diversity and sustainability impact assessments will be required as part of the neighbourhood plan development process.

Neighbourhood planning provides rural communities with an opportunity to shape future development in their area, as well as helping to protect and conserve their heritage and environment (in line with the District's Local Plan and national planning policy guidance).

**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 and the Neighbourhood Planning (General) Regulations 2012 and Schedule 4B of the Town and Country Planning Act 1990.

**FINANCIAL IMPLICATIONS**

There are no financial implications associated with the request to endorse the content of the City Council response to the Slyne with Hest Neighbourhood Plan. Any implications arising from the progressing of the neighbourhood plan will be as previously reported at application stage.

**OTHER RESOURCE IMPLICATIONS**

**Human Resources:**

Officer support has been put in place for neighbourhood planning, however, this may need to be re-considered if demand increases.

**Information Services:**

None.

**Property:**

None.

**Open Spaces:**

None.

**SECTION 151 OFFICER'S COMMENTS**

The Section 151 Officer has been consulted and has no comments to add

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no comments to add

**BACKGROUND PAPERS**

City Council Response to the draft Slyne with Hest Neighbourhood Plan (Regulation 15).

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**SLYNE WITH HEST NEIGHBOURHOOD PLAN**

**LANCASTER CITY COUNCIL RESPONSE TO REGULATION  
16 CONSULTATION**

**FEBRUARY 2022**

## 1. INTRODUCTION

- 1.1 Lancaster City Council welcomes the submission of the Slyne with Hest Neighbourhood Plan and recognises the significant amount of time, effort and work which have been undertaken by the local community in its production to date, taking a positive and proactive approach to plan-making. The City Council have been fully supportive of the Slyne with Hest's Parish Council's decision to prepare a neighbourhood plan for their area and have provided as much resource and support as possible to aid the group's preparation of the plan.
- 1.2 Through dialogue with the Neighbourhood Plan Steering Group since the initial designation in 2016, the City Council have been aware of the wide variety of consultation events that have been held with the community to identify issues which are important in the locality, gain consensus and draw conclusions to how such matters can be addressed. It is in this context that the Council seeks to provide constructive comment on how the plan should be refined further to ensure that the basic conditions of neighbourhood planning can be achieved.
- 1.3 For ease of reference, the comments set out in Section 4 of this response are according to the relevant sections of the draft Neighbourhood Plan (referred to as 'the Plan' from this point forward). Some comments which are made, particularly where they relate to a contextual nature, may cover more than one topic or section and should be seen in this context.

## 2. LEGAL REQUIREMENTS AND NATIONAL POLICY

### Legal Requirements

- 2.1 Before the Plan can proceed to Referendum, it must be first tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the draft plan must meet are as follows:
- (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order;
  - (b) The making of the order contributes to the achievement of sustainable development;
  - (c) The making of the order 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); and
  - (d) The making of the order does not breach, and is otherwise compatible with, EU obligations.

### National Planning Policy

- 2.2 The National Planning Policy Framework<sup>1</sup> (referred to as 'the Framework' from this point forward) sets out the Government's planning policies for England and how these are expected to be applied. In doing so, it sets out the requirements for preparation of neighbourhood plans and provides communities with the power to develop a shared vision for their neighbourhood and deliver sustainable development that they need and to assist in the overall delivery of strategic housing needs.
- 2.3 At the heart of the Framework is the presumption in favour of sustainable development. For plan-making this means that all plans should promote a sustainable pattern of development that seeks to:

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<sup>1</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

meet the development needs of their area, align with growth and infrastructure, improve the environment, mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects. These requirements are also applicable to the preparation of neighbourhood plans.

- 2.4 Paragraph 13 of the Framework makes clear that the application of the presumption has implications for the way communities engage in neighbourhood planning. The Framework states that neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies and should shape and direct development that is outside of these strategic policies.
- 2.5 Within the overarching roles that the planning system ought to play, the Plan should also have regard to the core planning principles that underpin plan-making set out in paragraph 16 of the Framework.
- 2.6 The key principles highlight that plans should be prepared with the objective of contributing to the achievement of sustainable development; be positively prepared (in a way that is aspirational but deliverable); be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees; contain policies that are clearly written and unambiguous so it is evident how a decision maker should react to development proposals; be accessible through the use of digital tools to assist public involvement and policy presentations and serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area.
- 2.7 Paragraph 29 of the Framework states, *'Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies'*.
- 2.8 Slyne-with-Hest is encircled by the North Lancashire Green Belt. As set out in paragraph 137, *'The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open: the essential characteristics of Green Belts are their openness and their permanence'*.
- 2.9 Paragraph 140 states that Green Belt boundaries should only be altered where exceptional circumstances have been fully evidenced and justified, through the preparation or update of plans. Requiring strategic policies to establish the need for any changes, having regard to their intended permanence in the long term to ensure they endure beyond the plan period. Specific direction is also set out in paragraph 140 in relation to amendments to Green Belt boundaries through Neighbourhood Plans: *'Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, **including neighbourhood plans.**'*
- 2.10 The Slyne-with-Hest Neighbourhood Plan sets out the evidence and justification to demonstrate exceptional circumstances for the alteration of the Green Belt boundaries in section 4.7.9 of the Neighbourhood Plan, with further detail provided in Appendix 5. The establishment for the need for this change, at a strategic policy level, is set out in paragraphs 3.2 to 3.6 below.

### 3. LANCASTER DISTRICT LOCAL PLAN

#### Adopted Planning Position

- 3.1 Lancaster City Council adopted a new Local Plan for Lancaster District in July 2020. The Plan consists of two key components, THE Strategic Policies and Land Allocations DPD which sets out a series of strategic policies which will guide future development, in terms of scale, location and growth. The DPD also contains a series of land allocations to identify where future growth needs will be met and land which has been protected for its environmental, social or economic value. The second part is the Development Management DPD which sets out a series of generic planning policies which are used by the Council to determine planning applications. The policies of the DPD are applicable to all development proposals across the entire district (unless the plan directs otherwise).

#### Principle of Development

- 3.2 Policy SP3 of the Strategic Policies & Land Allocations DPD sets out the development strategy for Lancaster District. The policy aims to meet the development needs of the district by promoting an urban-focussed approach towards development, supplemented with additional large strategic development sites in greenfield locations. The development strategy is further supported by development in 'sustainable settlements' as defined by the settlement hierarchy set out in Policy SP2 of the same DPD.
- 3.3 To supplement the Council's understanding of how development needs could be met via that strategy, the Council undertook the North Lancashire Green Belt Review as part of the plan preparation process. The reasons for the review included the length of time since the original Green Belt designation (no review has been undertaken since its original designation 25 years ago) and the scale of evidenced development needs identified in the plan. The outcomes of the review can be read in full via the Council's website<sup>2</sup>.
- 3.4 Policy EN4 of the Strategic Policies & Land Allocations DPD identifies the extent of the North Lancashire Green Belt, which encircles the settlement of Slyne-with-Hest. Policy EN4 highlights the primarily purpose of the Green Belt, stating *'The North Lancashire Green Belt is identified on the Local Plan Policies Map between Lancaster Morecambe and Carnforth to ensure that future growth does not result in the coalescence between these settlements.'*
- 3.5 Policy SP2 of the Strategic Policies & Land Allocations DPD defines the settlement hierarchy within the district, identifying the key urban areas of the district and a series of sustainable settlements which, due to their accessibility and service provision, provide future opportunities for growth and development outside of the main urban areas of the district. Specifically Policy SP2 states that *'these settlements will provide the focus of growth for Lancaster District outside the main urban areas subject in the AONB's to the constraints of the protected landscapes where a landscape-capacity approach will be taken'*.
- 3.6 Both Slyne and Hest Bank have been established as sustainable settlements for some time, identified under Policy H7 of the 2004 Lancaster District Local Plan, Policy SC3 of the 2008 Lancaster District Core Strategy and Policy DM42 of the 2014 Development Management DPD. Furthermore, policy SP6 sets out the Council's approach towards delivering the housing requirement, and the

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<sup>2</sup> [Evidence, monitoring and information - Lancaster City Council](#)

opportunities identified to deliver this, acknowledging that additional supply includes neighbourhood plan delivery expectations.

- 3.7 Given this, the City Council consider the settlement of Slyne-with-Hest to be a location where, given its sustainability is, in principle, an appropriate location for future growth in the more rural area of the district and a focus for growth over other, less sustainable locations. Whilst growth is supported in this area the City Council would recognise that growth must be achieved in the context of its surroundings, particularly in relation to the Green Belt designation which surrounds the settlement. This is recognised in Policy SP2 of the Strategic Policies & Land Allocations DPD which states that the Council will support proposals for development *'provided that they are of a nature and scale that is proportionate to the role and function of that settlement.'*

#### Release of land from the Green Belt

- 3.8 As previously referred to, paragraph 140 of the NPPF sets the framework which allows neighbourhood plans the ability to make amendments to Green Belt boundaries. The Local Plan process did consider the role of the strategic plan process to enable the aspirations of the neighbourhood plan growth to be facilitated, specifically around the re-alignment of the Green Belt in the vicinity of Sea View Drive. However, in the context of paragraph 140 and in order for the neighbourhood plan to secure holistic development which supported the ambitions of the group, it was the view of the City Council the proposed re-alignment could be achieved through the neighbourhood plan process.

#### Land at Sea View Drive

- 3.9 The land at Sea View Drive (which has been identified in the neighbourhood plan for removal from the Green Belt and allocation for residential purposes) has been considered for its appropriateness for future development via the Council's Strategic Housing and Employment Land Availability Assessment (SHELAA) process. The assessment considered that the site could be developable subject to policy considerations of Green Belt, local landscape and local green spaces. Whilst the Council's North Lancashire Green Belt Review did not conclude that this area of land made a strong contribution towards the purposes of Green Belt (as set out in national planning policy), it did not seek to amend or re-align the boundaries in this location, suggesting that given the neighbourhood plan designation, this could be achieved through the non-strategic planning process should that be the ambitions of the plan.

#### Role of Neighbourhood Planning

- 3.10 Policy DM55 within the Development Management DPD clearly sets out the City Council's expectations for neighbourhood planning. Policy DM55 states the following:

## **POLICY DM55: NEIGHBOURHOOD PLANNING**

**The Council will support and assist the relevant qualifying organisation to positively prepare a Neighbourhood Plan that delivers new development and facilities for their community. Neighbourhood Plans should seek to achieve the following:**

- I. Identify how they are positively contributing towards the strategic objectives of the local development plan and by in general conformity with its strategic approach and strategic policies;**
- II. Clearly set out how they will promote sustainable development, at the same level or above that which would be delivered through the local development plan; and**
- III. Have due regard to relevant information on local needs for new homes, jobs and facilities for their plan area.**

**The Council will seek to support and assist Neighbourhood Planning groups in meeting the criteria above and the wider basic conditions set out in the Neighbourhood Planning Regulations.**

**Once a Neighbourhood Plan has been adopted by the Council it will form part of the Local Plan for the district and will be a material consideration in determining planning applications.**

- 3.11 This is further supported by the policy wording in policy H2, of the Strategic Policies and Land Allocations DPD, which states that: *'Within the settlements of...Slyne-with-Hest...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.'*

### **Climate Emergency Review of the Local Plan (CELPR)**

- 3.12 The Local Plan was adopted in July 2020, however, following the Council's Climate Emergency declaration on 30<sup>th</sup> January 2019, the Council resolved to undertake an immediate review of the Plan upon adoption. Whilst the newly adopted Local Plan does seek to address climate change, it was too far advanced in the plan preparation process to incorporate some of the actions and directions of the climate emergency declaration. The CELPR has a specific remit to amend and add to policies which can influence the Council's response to climate change, such as energy efficiency, renewable energy, water management and sustainable transport. It does not reconsider site allocations, housing numbers or other principles within the adopted Local Plan. It is therefore important to note that this represents a partial review.
- 3.13 The Council are seeking to make swift progress on this partial review of the Local Plan, consultation on the scope of the review was undertaken in Autumn 2020, with the Regulation 18 consultation on a suite of draft policies taking place over the Summer of 2021. The Council published the Local Plan under Regulation 19 for consultation on the 31<sup>st</sup> January, with the intention to submit the Plan later this year, with anticipation of adoption the reviewed Local Plan in 2022.
- 3.14 In advance of Submission, Public Examination and the receipt of an Inspectors Report, the level of weight which should be applied to the content and direction of the Review should be limited and considered in the context of Paragraph 48 of the Framework. However, it is important to bear in mind that this is the emerging local planning policy context for the Lancaster District and the relevant weight (as set out in paragraph 48 of the NPPF).



## 4. SLYNE WITH HEST NEIGHBOURHOOD PLAN

- 4.1 This section sets out the comments which the City Council have on the Plan. The Council recognise and welcome some amendments which have been made to the Plan in light of responses made at previous stages.
- 4.2 The Plan sets out a positive approach to development within the Parish given its context as a sustainable settlement and therefore a sustainable location to provide growth for the Lancaster District, whilst at the same time recognising the constraints upon development posed by the Green Belt designation. Therefore, the approach taken in the Neighbourhood Plan is considered to be a realistic and appropriate route towards future growth in the District in the context of national Green Belt planning policy. The Neighbourhood Plan has undertaken site assessment work to identify opportunities for growth in the Neighbourhood Plan area. Whilst the Council would have preferred the methodology to have been the same as that used for the City Council's Strategic Housing and Employment Land Availability Assessment – SHELAA, there are references within there to the Council's SHELAA findings and the assessments are generally reflective of these findings. It is also recognised that given Slyne-with-Hest's context, surrounded by the North Lancashire Green Belt, that a different approach towards site assessments is required, so the approach is considered appropriate and acceptable.
- 4.3 To accompany the allocation made for housing the Neighbourhood Plan also provides a supportive policy towards future proposals for housing in the context of the Green Belt designation. It is considered that such an approach is within general conformity of strategic policy contained in the Local Plan.

### **General Context**

- 4.4 Section 2, 'Our Slyne with Hest' provides a useful overview of the context and characteristics of the parish of Slyne-with-Hest. However, the City Council would suggest that in terms of creating a concise and clear plan, much of the background context should be provided either as an appendix to the document or as a supporting document which forms part of the plan's evidence base.

### **Meeting the SEA/HRA Requirements**

- 4.5 The Plan is accompanied by an SEA and HRA Screening Opinion. These were prepared by the Council in 2018. At this point it was concluded that given the nature of the plan significant effects could not be ruled out and as such SEA and HRA would be required. The 3 SA bodies (Natural England, Historic England and the Environment Agency) are noted to have agreed.
- 4.6 An SA and HRA was subsequently undertaken by AECOM on behalf of the Neighbourhood Plan Group (April 2019). It is understood that these have informed the content of the submission Plan. As far as the City Council is aware no further SA or HRA work has been undertaken.
- 4.7 The City Council has raised concerns with the Neighbourhood Plan Group that this work has not been updated. Given that some of the policies of the plan have changed quite significantly since the draft plan, the Council would have expected the submitted Plan to have been accompanied by an updated SEA and HRA assessment.
- 4.8 It is understood that the Neighbourhood Plan Group do not consider there to be significant changes which make material differences to the plan as submitted for Regulation 14 and on this basis do not

believe that further assessment is necessary. However, for the purposes of clarity and consistency the City Council believe that the views of the three SA bodies should have been sought in relation to this issue prior to the submission of the final version of the Plan under Regulation 15. The City Council therefore recommend that the views of the three SA bodies should be sought in relation to this issue.

### **Vision and Objectives**

- 4.9 The City Council supports the objectives of the Plan which are consistent with the spatial strategy for the district. The objectives support development to meet local need, promote the enhancement of facilities and infrastructure for the community and sustainable design, safer walking and cycling opportunities, supports business development, and promotes the protection and enhancement of the natural environment and local heritage assets.

### **Policy HRA1: Protection of Ecologically Sensitive Sites**

- 4.10 The policy wording should be strengthened to remove the reference to recommends. This is a requirement for development proposals.

### **Policy HE1: Housing Need**

- 4.11 Bullet point 2 reads as though it may exceed the requirements within policy DM3 in the adopted local plan by requiring delivery of the maximum viable amount of affordable housing. Whilst unlikely, there may be schemes where it could be viable to provide affordable housing numbers in excess of the percentages required by policy DM3. As it is not necessary to repeat policies in the Local Plan it is recommended that this bullet point is removed. If the NP Group wish to retain reference to the Local Plan affordable housing policies, it is recommended that the bullet point is revised as follows:

*‘Affordable housing must be provided in line with the requirements in the Local Plan.’*

- 4.12 The wording of Bullet point 4 appears to provide flexibility for the delivery of affordable homes on alternative sites or as commuted sums not available within the Local Plan policy. We note that the aim is to ensure delivery on site given the limited opportunities for development in the Parish. It is recommended that reference to alternative sites or commuted sums is removed to ensure that the policy emphasises on site delivery in accordance with the Local Plan.

### **Policy HE2: Site for New Development**

- 4.13 In the first paragraph it is recommended that the paragraph is amended to refer to ‘allocated for up to 35 dwellings’.
- 4.14 With regards to bullet point 3, please refer to the comments made in respect of policy HE1 bullet point 2, in respect of the first sentence. It is recommended that this sentence is removed.
- 4.15 In bullet point 5 the requirement for above ground Sustainable Drainage Systems (SuDS) providing multi-functional benefits is supported. It is not however, clear whether storage in the area proposed and connection to the canal is feasible. It is recommended that the policy is reworded to remove specific requirements but enhance the requirement for above ground multifunctional SuDS, draft policy DM34 of the CELPR can be used to provide guidance for re-drafting.
- 4.16 Also with regard to bullet point 5, the advisory note referred to out of date and Local Plan policies and advise with regard to flood risk and sustainable drainage systems is evolving through the CELPR

and draft Flood Risk and Sustainable Drainage SPD. As these documents are not adopted it would be premature to refer to them in the policy, however, on adoption any proposal within the Parish will need to comply with the revised requirements and there is no need to reiterate the policy and SPD references in the Neighbourhood Plan.

- 4.17 In relation to bullet point 10, the aim is supported but it is not clear how this will be considered at planning application stage. It is recommended that reference is made to meeting the requirements for energy efficiency in the emerging CELPR.
- 4.18 Finally, in bullet point 11 there is no need to reiterate the standards within the Local Plan. It is recommended that the first 2 sentences are removed.

#### **Policy HE3: Future Housing Development**

- 4.19 The Council have no further observations in relation to this policy.

#### **Policy BE1: Design**

- 4.20 Whilst the policy is supported it is not clear what is meant by 'accessibility features the access routes through the site' in criterion one of this policy. This would benefit from additional clarity.
- 4.21 Criteria 9 of the policy would benefit from additional amendments to distinguish expectations for residential/non-residential developments. The following wording is suggested:

*'Applications for **non-residential** development are encouraged to demonstrate accordance with the appropriate BREEAM standards in use at the time of submission. Encouragement is also given to **both residential and non-residential** schemes that meet Passivhaus standards. Housebuilders are encouraged to register for assessment under the Home Quality Mark. This should show how resource efficiencies and climate change adaptation measures will be incorporated through aspects **of the development**, such as the layout of the proposed development, orientation, massing, landscaping and building materials.'*

- 4.22 Criteria 2 of the policy would also benefit from a slight amendment to ensure the wording better aligns with legislation (Section 72 of the Planning Listed Building and Conservation Areas Act 1990), and so the following wording is suggested:

*'Development in or within the setting of the Slyne Conservation Area **should preserve or enhance** the character **and appearance** of the Conservation Area and its setting, responding positively to key qualities, expressed in terms of scale, height, materials, and detailing. Density of housing in the Conservation Area is High relative to the rest of the Village. See Rationale Point 2 (Conservation Area).'*

- 4.23 In Section 4.10, 'Rationale and Further Explanation for Policy BE1 Design', it is recommended that the following phrase under point 4 is amended to '**embodied** carbon' for consistency with the policy wording.

#### **Policy B1: Business Development**

- 4.24 With regard to the first paragraph of Policy B1, whilst the Council have no objections to its content and direction, it does believe that the wording should be amended to provide greater clarity to the readers and users of the document. The following wording is recommended:

***‘Support will be given to development proposals for sustainable rural tourism and business development that provide local benefits both visitors and the community. Proposals will be supported where they respect the character of their rural surroundings in regard of their design, construction and operation. Proposals located within the Green Belt should have due regard to necessary national and local planning policy.’***

- 4.25 With regard to the second paragraph, the Council welcome the reference to the ability for homeworking, particularly in light of changing working habits arising from the COVID Pandemic. However, the current wording of the policy does not seem to provide any greater clarity than the current policy basis in the Local Plan, within the Plan extensions to residential dwellings are permitted subject to meeting the necessary policy requirements and the reference in the Neighbourhood Plan to support this does not advance the issue further. Additionally, the suggestion that extensions to residential property for home-working only (i.e. it performs an ancillary use) would be challenging to enforce. It is recommended that this paragraph is removed from the Neighbourhood Plan and emphasis is reverted to the content and direction of the Local Plan.
- 4.26 In relation to the fifth paragraph, requirements for development to adhere to national planning policy (in relation to Green Belt matters) is already referred to in paragraph one, as are references to local character. There is no need for it to be repeated. Furthermore, it is not clear why a distinction has been made to specific use-classes in this section. It is recommended that this paragraph is deleted.
- 4.27 The second sentence of paragraph 4.11.9 in the supporting text is a repeat of paragraph 4.11.4 and it is recommended that this is deleted.

**Policy NE1: Flooding**

- 4.28 There is no need to reiterate the NPPF, it is recommended that the first two sentences are removed from the first paragraph. The policies aims could be strengthened by removing, ‘wherever possible’.
- 4.29 In relation to bullet point 3, the SFRA provides information at a point in time and will date. It is important that the most up to date sources are used, including the Environment Agency Flood Maps for rivers and seas, surface water, ground water and reservoirs flood risk.
- 4.30 The last two bullet points are equally relevant to sites which are not at flood risk. It is recommended that bullet points follow a separate paragraph relating to Sustainable Drainage Systems for all development.
- 4.31 The last bullet point misses the opportunity to require multi-functional sustainable drainage systems which provide multiple benefits. The PAN referred is dated and will be superseded through the CELPR process, it is recommended that this reference is removed. The word ‘Urban’ is no longer used within the term and should be removed so that the policy states, Sustainable Drainage Systems. It is recommended that draft policy DM34 of the CELPR is referred to for guidance on rewording the policy to encourage above ground multi-functional SuDS. Although as this policy has not yet been through the appropriate processes it is not recommended that the policy itself is referred to specifically in the Neighbourhood Plan. Further advice on the drafting can be given out with this formal response.

**Policy NE2: Views**

- 4.32 The policy identifies 20 viewpoints for protection. Whilst justification for the inclusion of these viewpoints is provided in table 6 the Council would expect this to be supported by additional evidence demonstrating why these particular views are important and so should be protected.

**Policy NE3: The Coastline and Development**

- 4.33 This policy would benefit from some rewording for clarity. For example, the opening sentence states 'The Plan advises that new development...', but then later in the same sentence says 'will be permitted only when it can be clearly demonstrated that'. The two phrases contradict one another.
- 4.34 It would also help to add clarity to the policy if it was more clearly linked to the areas identified in Figure 21. It is acknowledged that the title of this Figure states that these areas are to be protected by Policy NE3, but this should be clearly referenced within the policy wording.
- 4.35 As stated in Section 2 of the Neighbourhood Plan, Morecambe Bay is also designated as an SPA, SAC and Ramsar site, which are internationally designated sites, yet these are not identified on the map in Figure 21. Area B is also designated as Natural and Semi-Natural Greenspace under policy SC3 of the Strategic Policies and Land Allocations DPD.
- 4.36 Paragraph 4.20.3 makes reference to the 'Lancaster City Council Multi-Agency Flooding Plan 2016'. This has been updated. The paragraph should therefore be amended to reflect the most recent plan:

*'Areas identified at high risk of flooding in the **Lancaster Resilience Forum Multi Agency Flood Plan Site Specific Plan for: Lancaster District 2021** include the coastal areas TL 23 Hest Bank and TL 24 Bolton le Sands and covers the functionally linked agricultural land and part of the coastal road along the seafront at Hest Bank.'*

**Policy COM1: Community Facilities**

- 4.37 With regard to the fourth paragraph, the Council have yet to establish a CIL for the district and, at this point in time, there is no expectation for CIL to be adopted in the area. Whilst the City Council welcome an NP which looks to be future proofed, it is recommended that more flexible wording is provided to ensure a more adaptable policy. The following wording is suggested:

***'Proposals that help improve the quality of community facilities in the Parish will be supported. Developer Contributions, either by s106, CIL or any other form of developer tariff should be directed toward the improvement of the following facilities:'***

**Policy COM2: Green Spaces**

- 4.38 The policy identifies 16 areas as valued sites of open space and green space, which are to be protected and improved to ensure that residents of all ages have access to green space and outdoor activities that benefit their health and well-being. Figure 24 contains a map to accompany this policy, and spatially identifies the extent of the green spaces within Slyne-with-Hest, however, only 11 of the 16 spaces are included within this map. The following sites are not mapped:
- Land to rear of Rushley Way/Lonsdale Road leading to towpath,
  - Reanes Wood,
  - Bottomdale Wood,
  - Lancaster Canal, towpath, and watercourse from bridge 116 to bridge 119

- The shoreline of Morecambe Bay: land adjacent to including the footpath along the shore and within the parish boundary, part of Lancashire Coastal Way

4.39 For consistency it would be beneficial to spatially identify these spaces as well, to ensure the policy applies equally to all sites. It is worthwhile noting that a number of these green spaces are also designated under policy SC3 'Open Space, Recreation and Leisure' within the Strategic Policies and Land Allocations DPD, but it is recognised that policy COM2 refers to parish specific open space matters and does state that applications which may affect these areas should be in accordance with policy DM27 'Open Space, Sports and Recreation Facilities' of the Development Management DPD. However, careful consideration should be given to the approach towards the green spaces which have been identified at a Local Plan level but have not been identified through the Neighbourhood Plan, and it is suggested that the following wording is added for clarity:

***'This represents a list of sites identified by the Neighbourhood Plan; however, this list is not exhaustive, and the sites identified in the Slyne-with-Hest Parish within the Local Plan via policy SC3, or its successor policy, remain a material planning consideration'.***

4.40 Paragraph 4.22.6, within the supporting text, makes reference to the Council not currently having a Community Infrastructure Levy (CIL) but that this is being investigated. Lancaster City Council has decided not to pursue CIL at this time. It is recommended that the paragraph is amended as follows:

***'Lancaster City Council does not currently have a Community Infrastructure Levy (CIL) and has decided not to pursue CIL at this time. If this position changes in the life of this Neighbourhood Plan, COM1, COM2 and the Community Aspirations & Projects will be addressed as to how such funds can be utilised. See Appendix 3 page 17.J.'***

### **Projects**

4.41 Section 6 sets out four projects which identify the aspirations of parishioners and other matters of local importance for future developments within the Parish. The Council welcomes the approach to set these aspirations out as projects, rather than policies, because they are not directly planning related matters, but the inclusion of these projects highlights locally important issues that are to be considered as part of the design of a development but are not a planning policy requirement. The purpose and benefits of each project are set out in the supporting text.

4.42 Project CC2 does state 'this policy aims to improve and resolve...'. As this is not a policy, it would be more appropriate to refer to this as a project or aspiration. However, Project CC2 then goes on to highlight a number of aspirations of the Parish Council to improve road safety.

4.43 Project CC3 recognises that it is not necessary to repeat the planning policy approach set out within the Local Plan to protect and enhance heritage assets. It should be noted that the Local Plan has now been adopted. The Council's Conservation Team welcomes the support of the Parish Council in identifying the unique non-designated heritage assets within Slyne with Hest.

### **Monitoring Framework**

4.44 The inclusion of guidance on how the Neighbourhood Plan will be monitored is welcomed. It is recommended that the monitoring report be prepared annually for consideration by the Parish Council. This would ensure that the Group was aware of the effectiveness of policies with

opportunity for action should this be required. A triennial monitoring report is not considered sufficient.

## **5. CONCLUSION**

- 5.1 The City Council recognise the role of neighbourhood plans as a tool for local people to shape the development of their local community. The City Council have welcomed the opportunity to discuss the evolution of the plan with regard to the Slyne with Hest Neighbourhood Plan Area and recognise the significant effort which has been put into its preparation by the local community.
- 5.2 Notwithstanding this, the City Council considers that there are some outstanding issues that have been highlighted within this response that need to be addressed and revisited. In order to meet these requirements, the City Council have suggested a number of modifications and points for clarity to the Plan for the Examiner and Steering Group's consideration. On the whole the City Council supports the policies within the Neighbourhood Plan and considers that they are in conformity with national planning policy, the adopted Local Plan and emerging Climate Emergency Local Plan Review, subject to the recommended changes being made. However, the City Council does recommend that the view of the three SA bodies should be sought in relation to the issues raised with regards to the SEA/HRA. The Council would also recommend that the Neighbourhood Plan is accompanied by a Proposals/Policies Map which highlights allocations/designations within the whole area, rather than on individual maps within the Plan.
- 5.3 Should the examiner require further information, evidence or discussion on any of the matters raised in this response the City Council will be happy to assist in this matter.