



INDIVIDUAL CABINET MEMBER AND OFFICER DELEGATED DECISIONS THURSDAY, 11 DECEMBER 2025

Please find enclosed Decision Notice in connection with the following:

ICMD22 Halton-with-Aughton Neighbourhood Plan Decision to Proceed to Referendum (Pages 2 - 131)

Please note that this is subject to call-in.

Queries regarding these documents

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

Democratic Support, Town Hall, Dalton Square, Lancaster, LA1 1PJ

Published on THURSDAY, 11 DECEMBER 2025

DATE DECISION

11.12.25

PUBLISHED:



Promoting City, Coast & Countryside

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

NOTICE OF DECISION					
TITLE OF DECISION: Halton-with-Aughton Neighbourhood Plan Decision to Proceed to Referendum					
NAME OF DECISION TAI	KER: COUNC	CILLOR TYL	DESLEY		
POSITION AND RESPONSIBILITY HELD:		OLIO HOLD	DER FOR PLANNING		
CONTACT OFFICER:	Paul H	HATCH			
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That Cabinet Member ag	parties that the modified Neighbourhood Plan should proceed to Referendum as soon as reasonably possible. That Cabinet Member agrees to the advance funding of the Referendum which will be claimed back from the Government in due course.				
content of which has be content and direction of planning and, subject to indicated that they wish Version of the Plan whice Given the plan has been have legal responsibilities will be led by the Council	en subject to inde their plan has be modifications, ca to proceed to this h will be published found to meet the es in supporting a il's Elections team	ependent e en found t an proceed s next stag ed early in he Basic Co and facilita m. Subject	g the preparation their neignamination over the course oneet the basic condition of to public referendum. They and are currently preparthe new year. Inditions of neighbourhooding the referendum stage to a successful outcome of the council for approval in council.	se of the 202 ns of neighb ne Parish Col ring a Reference od planning, e of the proc at referendu	25. The bourhood uncil have endum the Council ess, which
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DATE DECISION 1	1.12.25		DATE RECEIVED BY DEMOCRATIC SERVICES:	11.12.25	IOIVIDZZ
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IMPLEMENTATION DATE

19.12.25

(publication day + 5

working days):



Halton-with-Aughton Neighbourhood Plan Decision to Proceed to Referendum

Individual Cabinet Member Decision (Councillor Tyldesley)

Report of Chief Officer - Planning & Climate Change

PURPOSE OF REPORT						
To seek approval from the cabinet member for the Halton-with-Aughton Neighbourhood Plan to proceed to referendum at the earliest possible opportunity.						
Key Decision		Non-Key Decision		X	Referral from Cabinet Member	
Date of notice of forthcoming key decision N/A						
This report is public						

RECOMMENDATION OF THE CHIEF OFFICER – PLANNING & CLIMATE CHANGE

- 1. That the Cabinet Member endorses the proposed changes to the Neighbourhood Plan, as set out in in the Examiners Report and agrees that decision statement can be issued to inform interested parties that the modified Neighbourhood Plan should proceed to Referendum as soon as reasonably possible.
- 2. That Cabinet Member agrees to the advance funding of the Referendum which will be claimed back from the Government in due course.

1. INTRODUCTION

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

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preparation. The Independent Examination into the Plan took place between May to August 2025 and an Examiners Report has now received indicating that, subject to modifications their neighbourhood plan can be advanced to the referendum stage. These modifications have now been made.

2.0 PROPOSAL DETAILS

- 2.1 Halton-with-Augton Parish Council began work on their Neighbourhood Plan following the areas designation in 2015. In preparing the document the group has placed community engagement at the heart of their plan, undertaking a series of consultations and building evidence to support the policies contained in the plan.
- 2.2 The content of the plan seeks to address a range of issues including landscape and the natural environment, built heritage, housing need, high quality and sustainable design, transport and local community facilities. It also sets out a range of community aspirations around the delivery of new traffic calming, parking, recreational provision, green spaces and footpaths which the community would wish to see advanced as part of any future development proposals in the Parish.
- 2.3 The Parish Council (who are responsible for preparing the plan) fulfilled the statutory requirements of neighbourhood plan making process and have undertaken consultation on a draft plan in the Summer of 2024. Lancaster City Council consulted on the Halton-with-Aughton Neighbourhood Development Plan (2024-2031) for seven weeks from Monday 10 March 2025 to 12 noon Monday 28 April 2025 (regulation 16)
- 2.4 Following the publication of the final version of the Halton-with-Aughton Neighbourhood Plan, the documentation was scrutinised by an independent examiner. The examiner was appointed jointly between the City Council and Parish Council. The examination of the plan was carried out through the written representations procedure and did not involve any form of hearing sessions. The final version of the Examiners Report was received on the 31 July 2025 and recommended that, subject to a series of modifications, the plan can proceed to referendum. The most significant modification required related to the replacement of a policy relating to management of water and flood risk to ensure that it most appropriately reflected national planning policy and took into account the relative position of the relevant responsible water authorities. The Examiner's Report is attached at Appendix B of this Report.
- 2.5 The modifications set out by the Examiner are considered to be necessary to ensure that the neighbourhood plan meets the Basic Conditions as required by the Localism Act. The basic conditions for neighbourhood plan making are:
 - Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan.
 - The making of the neighbourhood plan contributes to the achievement of sustainable development.
 - The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority.
 - The making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.

- Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).
- 2.6 Officers have reviewed the plan in light of the proposed modifications and conclude that the plan will continue to meet the Basic Conditions when incorporating the Examiner's modifications. Since receiving the modifications, the Qualifying Body agree that the changes are acceptable, and they have amended the Neighbourhood Plan accordingly and have confirmed that they wish for it to proceed to referendum at the earliest practicable opportunity.
- 2.7 If approved, the referendum will be held at the earliest practicable opportunity, in accordance with legislation. The question to be used in the referendum is set by the 'Neighbourhood Planning (Referendums) Regulations 2012', and must be "Do you want Lancaster City Council to use the neighbourhood plan for Halton-with-Aughton to help it decide planning applications in the neighbourhood area?"
- 2.8 If more than 50% of those voting in the referendum answer "yes", the plan would then form part of the Development Plan for the City Council and would then need to be formally 'made' (adopted) by the Council. This 'making' of the neighbourhood plan would be a decision made by full Council.

3.0 DETALS OF CONSUTLATION

3.1 The Halton-with- Neighbourhood Plan was formally consulted upon at Regulation 16 (The Neighbourhood Planning (General) Regulations 2012 (as amended) stage prior to the submission of the neighbourhood plan for examination by the appointed Examiner.

4.0 OPTIONS AND OPTIONS ANALYSIS (including Risk Assessment)

	Option 1: Accept the modifications of the Examiner, issue a decision statement to this effect and approve the Neighbourhood Plan to go forward to referendum.	Option 2: Reject some of the modifications of the Examiner and delegate authority to the Planning Manager to publish the decision.	Option 3: Reject all of the modifications of the Examiner.
Advantages	The benefit of a Neighbourhood Plan shaped by local residents of Halton with Aughton Parish, enables the community to influence development in their area through plan making. It will enable the community as a whole to decide if the Neighbourhood Plan should be used by the	That the plan could be prepared in line with (or closer in line with) the original intentions of the Parish Council.	None known. Rejection of all the modifications would mean rejection of the Neighbourhood Plan on the basis that the Council could not be satisfied that the Plan could met the Basic Conditions required by Schedule 4B Town and Country Planning Act 1990.

	Council for determining planning applications.		
Disadvantages	None known	Officers and the Parish Council have agreed the modifications are acceptable and that the plan is suitable to be the subject of a referendum.	The Neighbourhood Plan would not be made.
		Rejecting modifications may remove clarity, factual correctness or compatibility with other local authority plans or policies. It could also lead to the Basic Conditions requirement not being met.	
		Rejecting modification will require further consideration by officers as to the suitability of the plan and further consideration by Council.	
Risks	Acceptance of the Examiners' recommendations and adoption could lead to legal challenge.	Removal of some of the modifications may lead to the Neighbourhood Plan not meeting the Basic Conditions and to the ultimate decision that the plan should not be progressed. Removal of some of the Examiner's recommendations may also create ambiguity and uncertainty in the application of the Plan. This could lead to legal challenge and difficulty in the application of planning policy to planning decisions.	The Neighbourhood Plan, with the Examiners' recommendations, is agreeable to the Neighbourhood group. To reject the Neighbourhood Plan by not accepting the modifications could be subject to public law challenge.

5.0 CONCLUSIONS

5.1 The preferred option is Option 1. Given the level of work undertaken by the Parish Council alongside the extensive consultation that took place prior to the Examination

of the plan it is considered that subject to the outcome of the referendum that it is the will of the community of Halton-with-Aughton Parish for a neighbourhood plan to be adopted.

- 5.2 The Independent Examiner has scrutinised plan in making an assessment as to whether it meets the Basic Conditions and subject to modification is of the view that the plan is ready to proceed to Referendum.
- 5.3 In conclusion it is the opinion of the Director that the Halton-with-Aughton Neighbourhood Plan is ready to proceed to referendum, subject to modifications as recommended by the Examiner being made.

RELATIONSHIP TO POLICY FRAMEWORK

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

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

CONCLUSION OF IMPACT ASSESSMENT

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

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

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

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

LEGAL IMPLICATIONS

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

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

Or

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

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

If Council resolves to reject some of the Examiner's recommendation, it will have to give clear reasons for its rejection. If the rejection is due to some new evidence, fact or a different interpretation of a fact, then the authority will have no notify prescribed persons of the proposed decision (and the reason for it) and invite representations. The Authority may refer the issue to independent examination.

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

FINANCIAL IMPLICATIONS

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

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

Given the advance stage of the Halton-with-Aughton Neighbourhood Plan the Independent Examination has already taken place, costing the City Council £7.500 + VAT. The Council's democratic service officers have advised that the estimated direct costs of holding a referendum (comprising printing and posting of voting materials, the Poll Station day staff and count voters) would be in the region of £9,450.

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

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

OTHER RESOURCE IMPLICATIONS

Human Resources:

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

	4.	_	
Inform	ation	Serv	/ices:

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

Appendix A – Halton-with-Aughton Neighbourhood Plan Submission Version

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

https://www.lancaster.gov.uk/assets/attach/1 5075/Halton-with-Aughton-NDP-Report-of-Independent-Examination-310725.pdf

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1. Introduction and Background

Introduction

- 1.1. Welcome to the Neighbourhood Development Plan (NDP) for Halton-with-Aughton Parish.
- 1.2. The Plan includes a vision and objectives and a set of local planning policies to guide decisions about development in the Parish up to 2031. It has been prepared by a Steering Group of parish councillors and local residents and is informed by the responses to the informal consultation on the Neighbourhood Plan which was undertaken from October to November 2019. The Plan has been revised and updated following further informal consultation on the emerging Draft Plan from 8th April 5th May 2024 and formal consultation from 15th July 8th September 2024.

What is an NDP?

- 1.3. Neighbourhood Plans, also known as Neighbourhood Development Plans or NDPs, are planning policy documents used to help determine planning applications by the local planning authority (here, Lancaster City Council). NDPs were introduced through the Localism Act 2011 to give local people a greater say in planning decisions that affect their area. NDPs contain local planning policies designed to reflect the needs and priorities of local communities. They are prepared by parish councils.
- 1.4. NDPs can identify where development should take place, set out local design principles so that buildings respond positively to local character and built heritage, and protect the natural environment and open spaces. They are an important part of our planning system because by law planning applications are determined in accordance with the development plan¹ unless material considerations indicate otherwise². Made (adopted) NDPs are part of the local statutory development plan for their area.
- 1.5. NDPs cannot be prepared in isolation. They must be 'in general conformity' with strategic planning policies in this case, the strategic policies in A Local Plan for Lancaster District 2011 2031 Part One: Strategic Policies and Land Allocations DPD, Adopted 29th July 2020. (Non-strategic policies are contained in A Local Plan for Lancaster District 2011 2031 Part Two: Review of the Development Management DPD, adopted 29th July 2020.) Immediately following adoption Lancaster City Council started a partial review of the adopted Strategic Policies and Land Allocation Development Plan Document (DPD) and the Development Management DPD to ensure that the climate emergency is adequately considered and to include the necessary mitigation and adaption measures necessary (Climate Emergency Local Plan Review or CELPR). Work on the partial review is at an advanced stage with its adoption expected in Summer or early Autumn 2024.
- 1.6. On 12th September 2023 Lancaster City Council took the decision to undertake a full review of the Local Plan. The Review will revisit a range of issues that will include (but is not limited to) matters of housing, employment, climate change, design, and the natural environment.
- 1.7. NDP Policies must also 'have regard to' national planning policy, as set out in the National Planning Policy Framework (NPPF) which was updated on 20th December 2023³, and other National Planning Practice Guidance, Ministerial Statements and Government advice.

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¹ The development plan includes local and neighbourhood plans that have been brought into force.

- 1.8. Overall, the Plan must meet a set of 'basic conditions' set out in national guidance. These include being in general conformity with strategic policies and having regard to national policies as set out above, as well as not breaching European obligations (transposed into UK law) and contributing to the achievement of sustainable development. An independent examiner will consider whether the Plan meets the basic conditions (or will, subject to certain recommended modifications) when the Plan reaches examination stage.
- 1.9. Preparing an NDP is a lengthy process set out in Government regulations: the <u>Neighbourhood Planning (General) Regulations 2012</u> (as amended). This process is summarised in **Figure 1 Neighbourhood Development Plan Process**. The process reflects the requirements that NDP policies must be underpinned by a clear and robust evidence base of technical resources and be informed by extensive public consultation.
- 1.10. The NDP has reached the Submission Stage. The Plan will be subject to a 6-week consultation, an independent examination and finally the referendum.
- 1.11. During the referendum stage the whole parish will be asked to vote on whether the Plan should be approved and adopted. If there is a majority Yes vote (50% of turnout + 1), the Plan will be made by Lancaster City Council and used to help determine planning applications alongside Lancaster's planning policies and national policies.

Designation

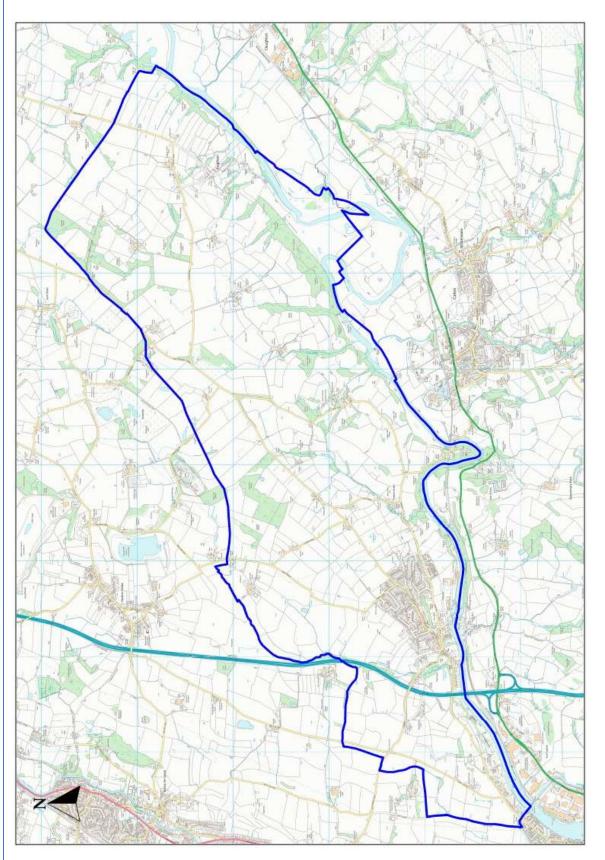
1.12. The Parish Council of Halton-with-Aughton agreed it was important to exercise their rights to influence local development and in 2015 applied for the area to be designated a Neighbourhood Development Planning Area. Lancaster City Council approved this application on 27th October 2015. The designated area is the same as the Parish boundary and is shown Map 1 - Halton-with-Aughton Designated Neighbourhood Plan Area and Parish. The policies and proposals in the NDP only apply to development within this boundary.

Drafting of the Plan & Public Consultation

- 1.13. The decision to start work on the initial Draft Neighbourhood Plan was made in late 2017 resulting in an informal public consultation of the first draft plan in autumn 2019. Following COVID, work on the emerging plan resumed in autumn 2022, with another informal public consultation occurring in spring 2024 and a formal consultation occurring during the summer.
- 1.14. The Plan is underpinned by a technical evidence base of documents including the <u>Halton Conservation Area Appraisal 2009</u>, <u>Lune Valley CLT Housing Needs Survey 2019</u>, and <u>A Landscape Strategy for Lancashire 2000</u>, <u>Jacobs Flood Risk Management Study 2020</u> and a <u>Landscape Character Assessment for Halton 2023</u>. The evidence base documents are all published on the NDP page of the Parish Council website.

² 3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.

³ All references to NPPF paragraph numbers refer to the December 2023 version which was the most up to date version at the time of the publication of the Draft Plan (July 2024).



Map 1 - Halton-with-Aughton Designated Neighbourhood Plan Area and Parish

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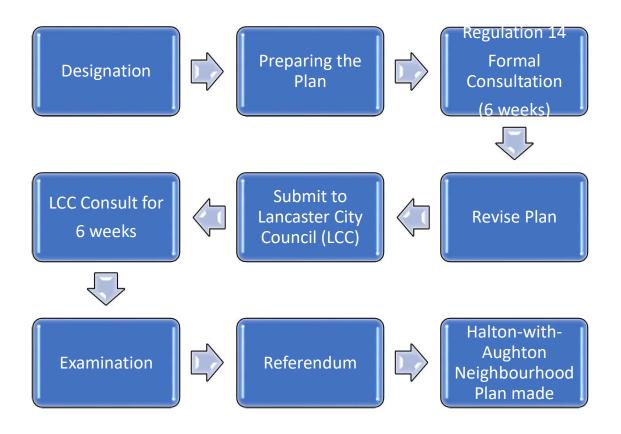


Figure 1 - Neighbourhood Development Plan Process

Parish Council Actions and Community Aspirations

- 1.15. The Parish Council is aware that there are many important local concerns which have been raised in public consultations which cannot be addressed through planning policies in the NDP. These are complementary to the Plan and actions to address them will also contribute towards the Vision and Objectives.
- 1.16. These are detailed in Community Aspirations along with possible courses of actions for consideration by the Parish Council. They include Traffic Calming and Parking; enhanced Community Facilities; protecting and improving Green Spaces; community management of verges and residual green spaces protected by planning conditions; and more public footpaths.

2. A Description of Halton-with-Aughton Parish

- 2.1. Halton-with-Aughton sits on the north bank of the River Lune in the local authority area of Lancaster City Council in the county of Lancashire. The Parish covers an area of 15.85 km². The main village of Halton is located 3 miles from Lancaster city centre and a small portion of the Parish to the south-west lies within the urban boundary of the City of Lancaster. This area also includes a section of the M6 motorway corridor and the major intersection of Junction 34. However, most of the Parish has a very rural character as it extends northeastwards into the open countryside and the Forest of Bowland National Landscape.
- 2.2. Aughton forms a separate township within the parish of Halton-with-Aughton. It consists of some 55 residences of which 29 form a loose grouping around the church and recreation room, with the remainder dispersed around the township, including a hamlet of 10 dwellings at Middle Highfield. The core of the village retains much of its 17th century character and apart from a small number of barn conversions there has been no significant development for at least the last two decades. There is a small village green in the centre of the village.
- 2.3. The population expanded from 2,277 (2011) to 2,900 (2021) which is an increase of 27%.
- 2.4. In total, about 362 new homes, from 1 bed flats to 5 bed houses, will have been added in Halton village from 2011 to 2024; an increase of 38%, taking the total number of village homes to about 1,320.
- 2.5. The close proximity of the City of Lancaster provides significant employment opportunities for local residents. Within the Parish local businesses are largely linked to agriculture, tourism and local shops and services. The NDP does not include policies and proposals on employment in addition to those in the Local Plan as these higher-level policies comprehensively address employment related issues in the neighbourhood plan area.
- 2.6. Halton-with-Aughton enjoys a range of venues for social activities. There are two public halls, one public house, a social club and a scout hut. The parish also has a thriving Church of England primary school, two churches, a library, a doctor's surgery, a post office, hairdressers, shops and two cafes.
- 2.7. The Centre @ Halton is at the heart of Halton village and is run by a team of volunteers, Halton Community Association (HCA) which is a registered charity. It is used by many activity groups. Services are supported by holding fundraising events, hiring out the facilities and hosting a Coffee Shop to fund improvements and bring new ideas to the Centre. It also includes a Changing Places toilet.
- 2.8. Outdoor facilities next to The Centre building include a skate park, multi-use games area (MUGA), children's play areas, recreation area/football pitch, picnic area, parking, and boules area.

- 2.9. The former Luneside Engineering works at Halton Mill down by the river was converted into workshops and offices to rent in 2013. Run by the Green Elephant Co-operative it also has meeting rooms to hire and hosts a variety of events and classes.
- 2.10. Aughton Recreation Room was built by local farming families in 1923 to provide a social and community space within the historic township of Aughton and has been run as a registered charity since 2009. The trustees hire out the premises for private functions to create an income to subsidise community events and recreational activities at what has become known as 'Aughton Village Hall'. The Hall is closely associated with the Vale of Lune Young Farmers Club.
- 2.11. Many in the Parish are reliant on private cars for transport. The 2021 Census figures show that the proportion of households with 2 or more vehicles was significantly higher than the national average. The nearest train stations are at Carnforth and Lancaster. There are buses that run through Halton to Carnforth, Lancaster and via Caton through the Lune Valley, however, the eastern two-thirds of the parish has no public transport, leaving those residents of Aughton with very limited travel choices.
- 2.12. There are several public rights of way within the Parish including a renowned circular route included in many published Guidebooks from the Crook of Lune to Aughton via the Highfields and returning via the banks of the Lune. Both the National Route 69 of the National Cycle Network and Lancashire Cycleway Northen Loop [90] pass through the Parish.
- 2.13. The Parish contains significant built heritage assets. There is evidence that Halton was a place of considerable importance before the Norman Conquest in 1066. It was an Anglo-Saxon Manor, and this led to the construction of the 11th century castle. The rural character changed in the mid-18th century in response to the industrial revolution when a blast furnace and foundry were established. The construction of mill buildings and mill workers' cottages followed.
- 2.14. Halton Conservation Area includes the historic core of the village, Castle Hill with St Wilfrid's Church to the south-west, Foundry Lane and St Wilfrid's Hall to the north and properties on High Road, Low Road, and at Manor House and Town End Farm. The Parish has 48 Listed Buildings including the Castle Hill Motte and Bailey, and Halton Cross which are scheduled monuments.
- 2.15. Halton-with-Aughton has a distinctive landscape character and includes coastal drumlins, a drumlin field, the floodplain of the River Lune and the river gorge at Halton. The landscape is largely lowland agriculture with a characteristic patchwork of small fields. As well as stands of trees and mature hedges, some of which form green corridors along the River Lune and within the village, there are several designated remnants of ancient woodland including Dale Wood, Gutterflat Wood, Aughton and Burton Woods. Burton Wood is also a Site of Special Scientific Interest (SSSI), and Aughton Woods is managed by the Wildlife Trust. The diversity of flowers and birds in the woods in Springtime is especially notable.
- 2.16. To the west of the M6 the Parish includes Halton Army Camp, a training camp on the banks of the River Lune.
- 2.17. The Thirlmere Aqueduct, which was completed in 1925 and supplies water to Manchester, enters from the north of the parish. It then travels south to cross the river Lune between Crook O'Lune and Aughton. The bridge allows pedestrian access, so forms part of a popular circular walk along the riverbanks from Crook O'Lune.

- 2.18. The Local Plan Part One: Strategic Policies and Site Allocations Policies Map (see **Appendix 1: Lancaster District Local Plan Policies Maps**) shows that most of the Parish is in the Open Countryside (Policy EN3). There are several site allocations for housing, which are either developed or in the process of being developed, an established employment area and several areas of open space / recreation provision. There is also an Area of Separation (Policy EN6) identified to ensure that strategic growth to the north of the city does not result in the two settlements (Lancaster and Halton) merging.
- 2.19. These and other higher level strategic planning policies provide the Lancaster planning context with which the NDP policies must be in general conformity.

3. Vision and Objectives

- 3.1. An NDP must include a shared Vision and Objectives which the planning policies will help to deliver.
- 3.2. The consultation in 2019 did not include a Vision or Objectives but the Draft Plan referred to the feedback received from local people in 2013 for the Parish Plan which showed what they valued. This has been used to define a Vision for the Halton-with-Aughton NDP:

Vision

In 2031 local people will value Halton-with Aughton as a place where they want to spend their lives and bring up their families taking advantage of the many opportunities the locality affords.

The rural setting with its beauty and tranquillity will be conserved. The broad views across and along the Lune Valley of fells, woodland and open green fields will continue to provide a strong sense of living in a rural landscape, whilst the motte and bailey on Castle Hill and the surrounding Conservation Area remain a focus for appreciation of the history of the parish. The historic core of Halton village will be protected, and green spaces will support opportunities to enrich biodiversity wildlife in the parish.

Halton-with-Aughton will have vibrant and engaged communities and parishioners will enjoy a range of venues for social activities and the best of rural life.

- 3.3. The NDP Objectives are informed by the 'Issues for the Neighbourhood to Address' which were set out in the 2019 Draft Plan and have been updated in 2024 following the informal consultation. These are:
 - Objective 1: To ensure new development is integrated into its setting, whether it is in the heart of the villages, or in the more rural areas.

This will be delivered through NDP Policies HA1, HA6 and HA8.

• Objective 2: To conserve and enhance the distinctive rural character of both villages and the countryside.

This will be delivered through NDP Policies HA1, HA3, HA4, HA6, HA8 and HA9.

 Objective 3: To protect and enhance sites of biological importance, including the remnants of ancient woodlands, to improve the wildlife value of other green spaces within the Parish, and to ensure opportunities are taken to link and extend green corridors through the villages and along the river, so that connectivity between areas of wildlife importance is maximised.

This will be delivered through NDP Policies HA1, HA2 and HA4 and Parish Council Actions and Community Aspirations.

- Objective 4: To ensure new housing meets the local needs of the Parish.
 This will be delivered through NDP Policy HA7.
- Objective 5: To recognise the importance of community facilities, sport and recreation facilities in in the Parish by ensuring existing facilities are protected and proposals for new and improved facilities are supported including through financial contributions from new residential developments.

This will be delivered through NDP Policy HA11.

 Objective 6: To promote sustainable transport alternatives and to support measures which increase walking, cycling and use of public transport and which reduce reliance on private cars.

This will be delivered through NDP Policy HA10 and Parish Council Actions and Community Aspirations.

- Objective 7: To reduce surface water flooding at key risk areas.
 - This will be delivered through NDP Policy HA5 and Parish Council Actions and Community Aspirations.
- Objective 8: To protect green spaces and take opportunities to enhance their wildlife value.

This will be delivered through NDP Policy HA4.

Neighbourhood Plan Policies

- 3.4. The following sections set out the planning policies for Halton-with-Aughton Parish and these will be used to help determine planning applications for development. The evidence and rationale behind each policy are set out in the supporting text.
- 3.5. The policies are necessarily wide ranging in their scope and taken together, should help to deliver the future development within the Parish that is both sustainable and appropriate.
- 3.6. The policies will help deliver the Objectives and Vision.
- 3.7. The following maps indicate which areas would be covered by the policies:
 - Map 2 Policy HA-1 Conserving and Enhancing Local Landscape Character Areas
 - Map 3 Policy HA-4 Local Green Spaces Areas
 - Map 5 Policy HA-11 Community Facilities Locations (Halton)
 - Map 6 Policy HA-11 Community Facilities Locations (Aughton)

4. Landscape and Natural Environment

Landscape Character

- 4.1. The beautiful landscape setting of Halton-with-Aughton is one of the defining characteristics of the neighbourhood plan area and it is highly valued by residents and visitors.
- 4.2. Part of the neighbourhood plan area, to the west of the M6 and north of A683 is within the North Lancashire Green Belt (Local Plan: Part One Policy EN4 The North Lancashire Green Belt). NPPF paragraph 152 sets out that 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.' Paragraph 154 advises that local planning authorities 'should regard the construction of new buildings as inappropriate in the Green Belt' apart from certain exceptions which are set out. Paragraph 155 explains that 'certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it' and describes these types of development.
- 4.3. At a national level Natural England has identified a number of National Character Areas (NCAs) and the neighbourhood plan area largely falls within NCA 20. Morecambe Bay Limestones, with a small area to the west of the M6 corridor in NCA 31. Morecambe Bay and Lune Estuary.
- 4.4. At a County level, the <u>Landscape Strategy for Lancashire 2000</u> identifies and describes a number of Landscape Character Areas. Parts of Halton-with-Aughton fall within the following areas and relevant extracts are provided below:
 - 12 Low Coastal Drumlins which are found on the north-west coast of the study area where the last retreating ice sheets left a series of rounded boulder clay hills in their paths.
 - 12a Carnforth-Galgate ... The Low Coastal Drumlins provide a convenient transport corridor; the Lancaster Canal, M6, A6 and mainline railway run side-by-side in a north-south orientation.... The drumlins provide elevated points from which there are views over the salt marshes to Morecambe Bay... Traditional farmsteads and older settlement cores are built of stone, but the modern development is often built using red brick. Buildings on top of the drumlin hills are particularly visible. Woodland is limited to small plantations, woods associated with former estates and rarely, fragments of ancient woodland in unusual hilltop or hillside settings.
 - 13 Drumlin Fields which occur inland, on higher land than the Low Coastal Drumlins. They are found on the edges of upland areas where the retreating ice sheets left moulded boulder clay deposits in their paths.
 - 13c Docker-Kellet ... The area is underlain by limestone and is distinguished by large scale undulating hills of pasture, some formed from glacial till and others which are outcrops of limestone, or reef knolls The smooth rolling scenery is emphasised by the network of stone walls. Greater variety of texture is provided by the isolated areas of moorland which protrude from the field, for example at ... the River Lune which cuts a gorge through the hills at Halton. This gorge provides a major transport route through the hills with a number of parking, picnic and camping sites scattered along its length. Woodlands are often associated with designed landscapes ...
 - **11 Valley Floodplains** which is found on the valley floors of the course of the major lowland rivers throughout the study area.
 - **11d Lune Valley**. The Lune floodplain is a flat floodplain surrounded by rolling drumlins and hills. The Lune is a major lowland river with a classic pastoral, tranquil

floodplain; medium-large, regular fields of lush green pasture are bounded by low clipped, often gappy, hedgerows with hedgerow trees. River terraces and bluffs along the edge of the floodplain are sculptural elements which often support stone farm buildings and the remains of motte-and-bailey castles. These mottes provide visible evidence for the historic importance of the Lune as a routeway. ... Stone bridges are again a feature and mark historic crossing points of the river. There is also evidence of the industrial past and present; the route of a dismantled railway is still visible in the landscape.

- 4.5. A significant part of the eastern part of the Parish lies within the Forest of Bowland National Landscape. Development within and close to National Landscapes are expected to conform to a high standard of design, to be in keeping with local distinctiveness and, fundamentally, seeks to conserve and enhance the National Landscape's natural beauty. National Landscapes enjoy the same levels of protection in planning terms as National Parks.⁴
- 4.6. The Forest of Bowland Area of Outstanding Natural Beauty Landscape Character Assessment 2009 describes various landscape character types in the National Landscape. The Parish includes areas in J Valley Floodplain (J1 Lune) and K Drumlin Field (K1 Gressingham).
- 4.7. The overall strategy for the Valley Floodplain Landscape Character Type is to conserve the diverse pattern of standing water, floodplain hay meadows, mature floodplain trees and the network of hedgerows and dry-stone walls. The strong intervisibility with surrounding Landscape Character Types should also be conserved and key landscape features appropriately enhanced where in decline. Where lost, the natural river form should be restored and conserved.
- 4.8. The overall strategy for Drumlin Fields is to conserve the distinctive rolling landform, and to maintain the distinctive landscape pattern of pasture fields delineated with dry stone walls and hedgerows. Inter-drumlin wetlands should be retained and enhanced. The strong built vernacular character, and skyline and views into and out of the area should be retained. Built development on ridgelines and hill tops should be avoided.
- 4.9. The <u>Parish Plan 2013</u> recognised the importance of the landscape character in the Parish and set out 'Parish Planning Guidance' principles to preserve, and where possible, enhance characteristic habitats of the landscape where built development would take place.
- 4.10. The principles were carried forward into the <u>Draft Plan for Consultation 2019</u>. The responses from residents indicated support for the NDP to have a strong focus on conserving and enhancing local landscape character. There were comments suggesting that locally characteristic features such as trees and hedgerows should be protected and used in planting schemes. The importance of preserving the current landscape and views was noted.
- 4.11. The NPPF supports a positive approach to conserving landscape character. Paragraph 135 advises 'Planning policies and decisions should ensure that developments ... c) are sympathetic to local character and history, including the surrounding built environment and landscape setting.' Paragraph 182 goes on to say, 'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty.'

⁴ See Forest of Bowland Management Plan 2019 – 2024 https://www.forestofbowland.com/files/images/FOB%20ManPlan0719bLoRes.pdf

- 4.12. Local Plan Part One Policy EN2: Areas of Outstanding Natural Beauty sets out that the landscape character and visual amenity of the National Landscape and their settings will be conserved and enhanced, and development will be guided by the relevant National Landscape Management Plan. Policy EN3: The Open Countryside refers to areas of open countryside that define the rural context of the district. A small area of the Parish in the west falls within Policy EN5: Local Landscape Designations (Land South of the Bay Gateway); these areas will be conserved, and important natural features safeguarded.
- 4.13. Local Plan: Part Two Policy DM6: Housing Provision in the Forest of Bowland National Landscape sets out that the number, size, types and tenures of all homes provided should closely reflect identified local needs and meet certain criteria. Proposals for major development will not be permitted in the National Landscape, unless the proposal can be demonstrated to be in the public interest and exceptional circumstances exist. In determining whether exceptional circumstances exist, the Council will consider, amongst other things, any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which it could be moderated. Policies DM43: Green and Blue Infrastructure, DM45: Protection of Trees, Hedgerows and Woodland and DM46: Development and Landscape Impact aim to protect and enhance trees, hedgerows and landscape, and these policies have been enhanced in the Climate Emergency Local Plan Review (CELPR).
- 4.14. Halton-with-Aughton NDP Policy HA-1 provides design guidelines to ensure development proposals respond positively to local landscape character by conserving those features which contribute to the Parish's distinctive landscape character areas.

Policy HA-1: Conserving & Enhancing Local Landscape Character

Policy HA-1 Conserving and Enhancing Local Landscape Character

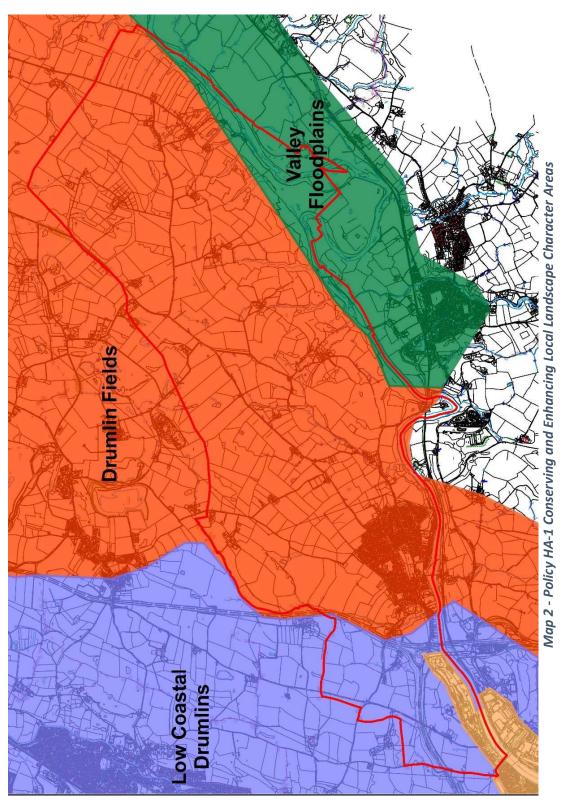
Landscape Character Areas are identified on Map 2 - Policy HA-1 Conserving and Enhancing Local Landscape Character Areas.

The design of all new buildings should minimise any adverse visual impacts on the local landscape character of Halton-with-Aughton Parish. Development should conserve important local features which contribute to the distinctive landscape character of the neighbourhood plan area and use designs and planting in landscaping schemes to enhance them. In particular:

- **1. In the Valley Floodplain** landscape character area (flood zones 2 and 3) development should, where feasible:
 - a) Protect and incorporate into landscaping schemes, natural flood risk management, for example areas of standing water, floodplain hay meadows, mature floodplain trees and the network of hedgerows and dry-stone walls;
 - b) Take opportunities to restore and conserve the natural river form where it has been lost, and to re-naturalise water courses;
 - c) Avoid adverse visual impacts on open views across and along the floodplain;
 - d) Incorporate suitable screening and soft landscaping to provide a gentle and green transition from built form to the open countryside;
- **2. In Low Coastal Drumlins and Drumlin Fields** landscape character areas, development should, where feasible:
 - a) Retain and enhance the distinctive rolling landform and landscape pattern of pasture fields delineated with dry stone walls and hedgerows;
 - b) Retain and enhance inter-drumlin wetlands;
 - c) Avoid built development on ridgelines and hill tops.

3. In all areas:

- a) Planting schemes should use locally appropriate native broadleaved woodland and hedgerow species;
- b) Landscaping designs should be climate resilient and use species which are drought tolerant;
- c) Measures should be taken to minimise light pollution and other disturbance to wildlife; and
- d) Opportunities should be taken to restore contaminated brownfield land.
- e) Measures should be taken to protect the night sky from light pollution and minimise other disturbance to wildlife, particularly in Dark Sky Discovery Sites.



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Natural Environment

- 4.15. The NPPF is clear that planning policies should contribute to and enhance the natural local environment by protecting and enhancing sites of biodiversity or geological value (paragraph 180 a). Paragraph 185 advises that 'To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.'
- 4.16. The Local Plan policies maps (see **Appendix 1: Lancaster District Local Plan Policies Maps**) identify the main environmental and landscape policy designations from the Local Plan which cover all of the parish apart from a small area to the south-west:
 - Policy EN2: Areas of Outstanding Natural Beauty
 - Policy EN3: The Open Countryside
 - Policy EN5: Local Landscape Designations
 - Policy EN7: Environmentally Important Areas
- 4.17. The neighbourhood plan area includes several important wildlife sites (and parts of sites) which are identified in Local Plan: Part One Policy EN7: Environmentally Important Areas. These are the Nationally Designated Site EN 7.7 Burton Wood SSSI; and the following Regionally Designated Sites:
 - Halton Gorge and Quernmore Valley Geological Heritage Site;
 - Lambclose Wood and Gutterflat Wood Biological Heritage Site;
 - Applehouse Wood, Walks Wood Biological Heritage Site;
 - River Lune Biological Heritage Site;
 - Great Close Wood Biological Heritage Site; and
 - Dale Wood Biological Heritage Site.
- 4.18. Local Plan: Part Two Policy DM44: The Protection and Enhancement of Biodiversity requires development proposals to protect and enhance biodiversity and / or geodiversity with guidance for nationally designated sites and environmentally sensitive sites and species and ecological networks.
- 4.19. Halton-with-Aughton's natural environmental assets form part of the network of green and blue infrastructure (GBI) linking across the neighbourhood plan area, to the City of Lancaster and out to the open countryside. There is an aspiration to identify opportunities to improve this infrastructure.
- 4.20. Halton is fortunate to have two remnants of ancient woodland, Dale Wood in the west, and Gutterflat/Lambsclose Wood along the river to the east. Ancient woods have the most richly biodiverse habitats, with highly complex ecosystems, developed over hundreds of years, supporting a great number of species of plants, fungi, insects, and other wildlife; yet they now cover only 2.5% of the UK. Dale Wood and Gutterflat/Lambclose Wood are very special places and require our protection, once gone they cannot be replaced. They can, however, be restored and enhanced. Forge Wood is separated from Gutterflat Wood by an area of scrubland, it was once part of the ancient woodland before industrialisation in the

19th century (see old maps prior to 1850). It is now regenerating; with protection years of decline are being reversed and the two woods reconnected.

- 4.21. **Map 10 Wildlife Corridors connecting Woodland** indicates how wildlife corridors connect the woodlands around Halton. The river provides an important corridor, whilst roads create barriers to the movement of wildlife.
- 4.22. These local wildlife corridors and areas of wildlife importance can be lengthened and strengthened, through the village and along the river and stream banks. **Community Aspirations** lists some hopes and ideas that have been raised by residents and the Parish Council.
- 4.23. Policy HA-2 Protecting and Enhancing Wildlife and Geodiversity sets out how such biodiversity net gains may be achieved on development sites, or if this is not possible within the Halton-with-Aughton neighbourhood plan area.

Policy HA-2: Protecting and Enhancing Wildlife and Geodiversity

Policy HA-2 Protecting and Enhancing Wildlife and Geodiversity

- 1. Development proposals should protect and enhance biodiversity and/or geodiversity and minimise both direct and indirect impacts.
- 2. Development proposals will be assessed against the requirements set out in A Local Plan for Lancaster District 2011 -2031 Part Two: Review of the Development Management DPD Policy DM44: The Protection and Enhancement of Biodiversity (or any future policy). Development proposals will only be permitted if it can be concluded that the proposals, either alone or in combination with other plans or projects, will not adversely affect the integrity of the national site network. Where a proposal has implications for internationally designated sites it must be accompanied by information to allow the competent authority to consider the impacts of development.
- 3. Development should not result in any significant loss of biodiversity and/or geodiversity and should seek to enhance existing natural assets. Where there is unavoidable loss or damage to habitats, sites or features because of exceptional circumstances, mitigation and compensation will be required. Development which causes loss of trees, hedgerows and woodland should include replacement of those assets within the site or, where this is demonstrated to not be practical, contribute to off-site provision.
- 4. Proposals to meet Government biodiversity targets should first aim to do this on the development site itself.
- 5. Any offsite provision should prioritise biodiversity net gain within the Parish through suitable habitat enhancements. This could include for instance the following measures:
 - a) Linkages to and enhancement of existing wildlife corridors (see Map 10 Wildlife Corridors connecting Woodland);
 - b) Woodland management and planting to improve local areas of broadleaved woodland;
 - c) Restoration of gappy hedgerows and planting new hedgerows with traditional local species;
 - d) Conservation and enhancement of hay meadows; and
 - e) Protection and enhancement of watercourses and ponds, and re-naturalisation of culverted watercourses.

Area of Separation

- 4.24. The area of the Parish to the west of the M6 corridor is subject to significant development pressure and is in close proximity to the built-up area of the City of Lancaster.
- 4.25. Lancaster City Council has identified an Area of Separation between Lancaster and Halton to ensure that strategic growth to the north of the City (Policy SG9) does not result in the merging of the two distinct settlements of Lancaster and Halton. Policy EN6: Areas of Separation is clear that proposals will not be supported where they have impacts on wider openness within the area and result in coalescence between settlements and affect overall distinctiveness.
- 4.26. In response to development pressure in this area, the Parish Council organised a public consultation process in October 2022 to better understand local peoples' concerns. The consultation took the form of an online and paper questionnaire, with public meetings held on October 2022. The responses were collated and showed that over 90% of respondents wanted to maintain the area's role as an area of separation to protect the village of Halton's identity and character.
- 4.27. In the summer of 2023, EPD were tasked with producing a <u>Landscape Character Assessment</u> (<u>LCA</u>) report for the Area of Separation to further justify the designation of this land. The study forms part of the evidence base for the NDP and is published on the neighbourhood plan page of the parish council website.
- 4.28. The LCA notes that there are two listed buildings located in the Area of Separation (Carus Lodge and Carus Lodge Cottage), both Grade II.
- 4.29. The report states: '4.11 The entire Separation Area landscape character area with a few exceptions due to changes in elevation and the presence of a small woodland is also within visual range of the Grade II listed buildings of Carus Lodge, the Piers, Walls and Railings to Carus Lodge and Carus Lodge Cottage. The buildings' curtilage and historical context is within an area of fields with a parkland character. Any development in this character area adjacent to Carus Lodge and Carus Lodge Cottage would have significant impacts on their setting. There would be a significant resulting adverse effect on the visual amenity, the fabric of the landscape and potential loss of woodland in this location'.
- 4.30. Policy HA-3 provides further detail to Strategic Policy EN6 to help ensure this area remains open and to prevent Halton merging with the City.

Policy HA-3 - Area of Separation

Policy HA-3 Area of Separation

The Area of Separation identified in Policy EN6 in the Local Plan for Lancaster District 2011-2031 Part One: Strategic Policies and Land Allocations DPD Lancaster District Local Plan will continue to be protected to preserve the visual and physical separation between the City of Lancaster and Halton village. Proposals which would have a significant adverse impact on the setting of the heritage assets of Carus Lodge and Carus Lodge Cottage, or on the woodland and the open, parkland character of the landscape around these assets will not be acceptable.

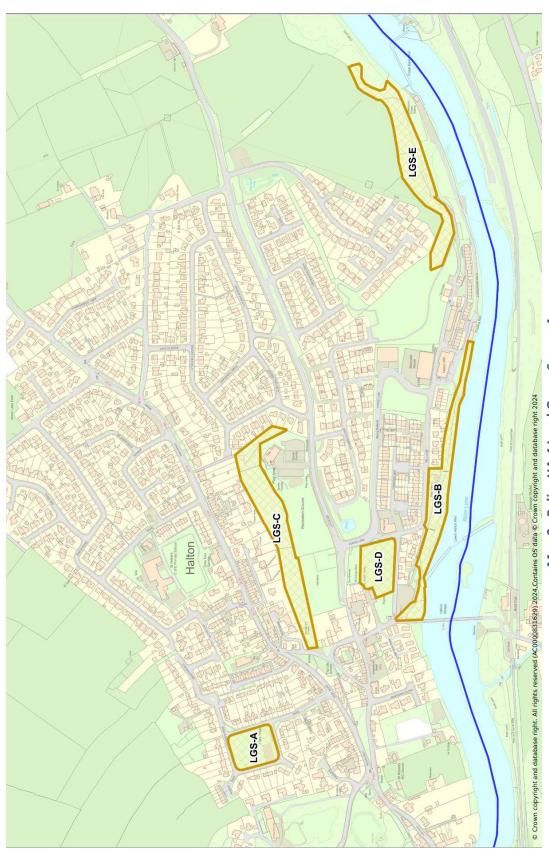
Local Green Spaces

- 4.31. The NPPF supports the designation of land as Local Green Space through neighbourhood plans to allow communities to identify and protect green areas of particular importance to them. Local Green Spaces must meet the criteria set out in the NPPF and can be used to recognise the wider value that these areas have to the local community.
- 4.32. NPPF paragraph 106 sets out: 'The Local Green Space designation should only be used where the green space is:
 - a) in reasonably close proximity to the community it serves;
 - b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
 - c) local in character and is not an extensive tract of land.'
- 4.33. Local Plan Part One Policy SC2: Local Green Spaces identifies several Local Green Spaces in the District but there are none in Halton-with-Aughton.
- 4.34. The <u>Parish Plan of 2013</u> and <u>Draft Plan 2019</u> identified several candidates for Local Green Spaces and there were many comments in the consultation responses supporting the protection of these and other areas considered to be important for various reasons.
- 4.35. As part of the work to identify Local Green Spaces in the Local Plan the District Council prepared a robust methodology that was subject to public consultation. This methodology was used to assess each of the sites identified in the Plan along with other potential candidates identified by the NDP Steering Group.
- 4.36. The <u>Local Green Space Assessment Report</u> provides more information about the assessment process. There were 33 areas suggested, the NDP Steering Group then decided to limit Local Green Space designation to those areas which would benefit from the additional protection. Those areas considered to meet the criteria in the NPPF, and which are not protected by other policies in the Local Plan were proposed as Local Green Spaces in the emerging Draft Neighbourhood Plan.
- 4.37. The NPSG invited landowners to comment informally on the proposed Local Green Spaces as part of the informal consultation on the emerging Draft Plan in Spring 2024. The landowner of sites B Lune Riverbank (formerly C) and E Forge Wood (formerly F) supported their inclusion in the NDP and noted that the two areas form crucial parts of the network of green and riparian corridors so essential in maintaining biodiversity in the village. Former sites B Dale Wood and G Steeply sloping and flat scrubland North of river between the Hydro and Green Beck were removed from the policy on the advice of Lancaster City Council and further information was added to the Green Space Assessment Report to support the justification of the retained sites.

Policy HA-4 - Local Green Spaces

Policy HA-4 Local Green Spaces

- 1. The following areas shown on Map 3 Policy HA-4 Local Green Spaces Areas are designated Local Green Spaces:
 - LGS-A: St Wilfrid's Park
 - LGS-B: Lune Riverbank Halton Bridge to Halton Mill
 - LGS-C: Wooded bank Quarry Road to The Centre
 - LGS-D: Town End Farm field
 - LGS-E: Forge Wood
- 2. Development will not be permitted within a Local Green Space unless there are very special circumstances which outweigh the harm to the Local Green Space including the loss of the particular local significance that justified the designation.



Map 3 - Policy HA-4 Local Green Spaces Areas

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Flooding

- 4.38. Halton-with-Aughton Parish has been subject to more frequent extreme weather events in recent years, and several areas in Halton have been affected by fluvial (river) and surface water flooding. Halton has experienced five flood events since 2002, with the two most recent events in December 2015 and November 2017. Further detailed information about these events is provided in **Appendix 4: Halton's Recent Flooding History and Responses**.
- 4.39. The responses to the <u>Draft Plan in 2019</u> showed that there was support for more sustainable design and the need to address climate change and concerns about the scale and design of recent developments. The CELPR will provide a positive and detailed planning policy framework to ensure development is as sustainable as possible and does not exacerbate flooding. The NDP does not include further policies on sustainable design of new buildings as this is dealt with in the Local Plan. However, the level of public concerns about flooding and the need to provide bespoke responses to the area's problems support a case for a planning policy in the NDP to help ensure future development does not exacerbate known existing, and unresolved problems.
- 4.40. The Flood Risk Management Study Halton Initial Assessment produced by consultants Jacobs on behalf of Lancashire County Council, was published in February 2020. The aim of the initial assessment was to establish whether a workable, sustainable, and justified solution to reduce the risk of flooding can probably be found, or whether the project should take a different course or be stopped.
- 4.41. The report established that in extreme rainfall, peak run-off already exceeds the capacity of key elements of the existing drainage and culverts through the village see Map 13 Areas at risk of flooding during a 1.33% AEP rainfall event and Map 14 Drainage Network Capacity during 1.33% AEP rainfall event. It therefore advocates minimising peak run-off into the village system from upstream sources, and proposes several indicative 'Do something' options:
 - Option 1: East Halton Flood storage or Sustainable Drainage Solutions (SuDS): This
 aims to reduce the amount of surface water flowing onto, and down, Low Road towards
 Forgewood Drive. This can be achieved by capturing and attenuating surface water flow
 paths either side of Low Road. Attenuation could take the form of formalised storage
 areas with a controlled outlet as required, or SuDS. See Map 15 Indicative location
 of Do-Something Option 1.
 - Option 2: Schoolhouse Lane Flood storage or SuDS: This aims to reduce the amount
 of water reaching properties on Schoolhouse Lane and Lythe Fell Avenue by attenuating
 surface water from the land north of Schoolhouse Lane. Attenuation could take the
 form of formalised storage area with a controlled outlet as required, or SuDS. See Map
 16 Indicative location of Do-Something Option 2.
 - Option 3: North-East Halton Flood storage or SuDS, Highway drainage, Land drainage:
 This aims to reduce the amount of surface water flowing into north-east Halton, mainly from Arrow Lane Watercourse and down Kirkby Lonsdale Road. As multiple flow pathways are involved there are several components to the option. These are attenuation (either formalised storage area or SuDS), management of overland flow pathways by using swales or land drains, and additional highway drainage. See Map 17 Indicative location of Do-Something Option 3.

- 4.42. The Report's Conclusions set out: 'Three Do-Something options have been shortlisted and developed. These focus on capturing and attenuating surface water runoff originating in the catchments to the north and east of Halton before it reaches the urban boundary. Each Do-Something option is designed to tackle a specific overland flow pathway or flood mechanisms across four distinct areas. An additional option, Do-Something Option 4, has also been recognised as a potential option for development, although Lancaster City Council may already be developing this option.'
- 4.43. Of the three options assessed, Option 3 emerged as the best economically performing option. However, the property values affected by flooding in Halton are not high enough to justify the national 'partnership' grant funding needed for solutions. So: 'It is recommended that Lancashire County Council identify potential alternative funding sources to ascertain the financial feasibility of delivering Flood Risk Management in Halton...'
- 4.44. As far as the Parish Council is aware, no alternative funding has been found, and none of the report's eleven further recommended steps have been undertaken. So, NDP Policy HA-5 Flooding has been prepared to minimise flood risk from new development, given the existing, unresolved, situation in Halton. Policy HA-5 paragraphs 3 & 6 forms a constraint on possible development sites [see Housing Need, para 6.29].
- 4.45. So that flood risk avoidance is given sufficient priority in their site planning, developers will be expected to undertake Flood Risk Assessments at the beginning of the design process so that sufficient flood risk management space requirements are built into site layouts and assessments, from the start.

Policy HA-5 - Flooding

Policy HA-5 Flooding

All development proposals in the Neighbourhood Plan Area should be designed to minimise flood risk and take opportunities to reduce flood risk.

Given the evidence of flood risk in Halton village, development proposals in the area identified in **Map 12 - Halton Study Area** (reproduced from Figure 1-1: Halton study area in the <u>Jacobs Flood Risk Management Study 2020</u>) will be expected to:

- 1. Be designed to minimise flood risk and take opportunities to reduce flood risk;
- 2. Avoid areas at risk of flooding in the design flood event;
- Safeguard the sites of the 'Do something' Options 1 to 3 from development identified in the Jacobs Flood Risk Management Study 2020 (see maps 15, 16 & 17 in Appendix 4: Halton's Recent Flooding History and Responses) to ensure they are available for future potential flood mitigation schemes when and if funding becomes available for implementation;
- 4. Take opportunities to support the delivery of one or more of the 'Do something' options in the Flood Risk Management Study where they are located in areas which would benefit from improved flood management schemes, including those areas identified on maps 15, 16 & 17 in Appendix 4: Halton's Recent Flooding History and Responses. This support may for example, consist of privately funding and delivering one or more of the 'Do something' options, or contributing towards the 'Do something' options. Such opportunities must be considered in addition to the incorporation of sustainable drainage systems to manage the runoff generated by new development;
- Recognise that development can provide opportunities for the provision of flood risk mitigation. This could include, for example, the use of natural flood management measures in addition to sustainable drainage systems to manage the runoff generated by new development. Proposals should seek to ensure that such opportunities are taken and delivered;
- 6. Not contribute to further surface water flooding by avoiding discharging any flows into the existing overloaded network of surface water drains and culverts (see Map 14 Drainage Network Capacity during 1.33% AEP rainfall event and Jacobs Flood Risk Management Study 2020). Developments must dispose of surface water only by: (a) either infiltration into the ground, or (b) discharging directly, through new drains, into a watercourse with sufficient capacity [to be demonstrated]. To assist this, developments may also take measures to reduce the causes and impacts of flooding, such as through over-attenuation and restricted discharge rates below the minimum standards set out in the Defra Technical Standards for SuDS and paragraphs 055, 056 & 063 of Planning Practice Guidance Flood risk and coastal change⁵;
- 7. Demonstrate, e.g. by means of a drainage analysis, how 'exceedance flows' (runoff flows that exceed the design capacity of the development's drainage system, so flow off the site over the surface) will not cause increased off-site flooding by tracking excess surface water flow routes all the way through the village, down to the River Lune discharge point, and showing how they will not cause flooding to any properties on the way;

⁵ https://www.gov.uk/guidance/flood-risk-and-coastal-change

- 8. Minimise rainfall runoff from sites by, for example, using SuDs, avoiding non-permeable surfacing of gardens, driveways and highways, providing water butts, and where practicable incorporating green and blue roofs;
- 9. Proposals will be expected to give consideration to the impacts of climate change on all sources of flooding in accordance with most up to date Government Guidance⁶.

⁶ https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances

5. Conserving our Built Heritage

- 5.1. The Parish contains a wide range of built heritage assets that are important locally and nationally and which make a significant contribution to the character of Halton and Aughton and the surrounding area. This link between past and present is important to many parishioners and the Neighbourhood Plan provides an opportunity to help ensure future development is sensitive and that change enhances rather than detracts from the evidence of the area's long history.
- 5.2. There are 46 statutorily Listed Buildings including 2 scheduled monuments see **Listed Buildings**.
- 5.3. A list of proposed Non designated Heritage Assets has been prepared by the NDP Steering Group see **Non-Designated Heritage Assets**. This list does not include various buildings of special character such as St Wilfrid's Hall, the Congregational Chapel of 1898, the War Memorial, the Old School, the railway station platform and goods shed (in Quernmore Parish), and Halton Bridge since these are already protected by the Conservation Area.

Halton Conservation Area

- 5.4. Part of the village of Halton is designated as a Conservation Area see <u>Halton Conservation</u> <u>Area Appraisal, December 2009</u>. This sets out a summary of Special Interest as follows:
 - Origins as an important Anglo-Saxon manor held by Earl Tostig, brother of King Harold;
 - Earthworks of 11th century castle;
 - Unplanned linear mediaeval layout along High Road and Church Brow parallel with the River Lune;
 - Architectural and historic interest of the area's buildings, including 20 listed buildings;
 - Major listed buildings include the Manor House, Clock House, Tower House and Townend Farm;
 - Further buildings of interest include 17th century farmhouses and the Victorian St Wilfrid's Hall;
 - 16th century tower of St Wilfrid's Church, otherwise rebuilt by E G Paley of Lancaster in 1876;
 - Prevalent use of locally quarried building stone for buildings and boundary walls;
 - Prosperous agricultural community in the 17th century;
 - Significance of iron working in the 18th century;
 - Also, major production of cotton and oilcloth in the 18th and 19th centuries;
 - Influence of the railway after 1846;
 - Landscape setting of the Lune valley with extensive rural views;
 - Important treescape along the Lune and to the north of Castle Hill;
 - Small details that help to define local identity, such as small areas of stone setts and cobbles, decorative datestones, stone gate piers and the war memorial.

- 5.5. The Townscape Appraisal Map (Map 11 Halton Conservation Area Appraisal 2009, Townscape Appraisal Map) identifies a range of important features including focal points, views and vistas, significant open spaces, landscape and trees, and public realm features.
- 5.6. The materials, styles and detailing include use of local sandstone in elevations and boundary treatments, use of 'slobbering' (i.e., the application of an uneven render to a rubblestone surface, nowadays often painted white) on elevations, stone slabs, slate and clay-tiles in roofs, and use of mullioned windows with drip mouldings, gables with kneelers and copings, and ornate datestones.
- 5.7. The 2019 consultation on the emerging Draft Plan had a strong focus on design and heritage, with issues carried forward from the Parish Plan. The strong level of support for the protection and enhancement of the historic character and in particular the historic core and Conservation Area were noted, together with the evident local pride in the area's historical development and built heritage assets and archaeology. The responses to the 2019 consultation included comments about the need for improved public access to the motte and bailey and Castle Hill and support for an industrial history walk along the north bank of the river. There were concerns however about planning policies being too restrictive in terms of heritage and design.
- 5.8. Lancaster District Council Local Plan Part One Policy SP7: Maintaining Lancaster District's Unique Heritage notes that 'Lancaster district has an extraordinarily rich and varied historic environment which is described in more detail through this chapter of the Plan. The heritage assets within the district have all played a major role in helping to shape the district's distinctive identity.' The Policy lists a range of important assets that are protected including Motte and Bailey Castles along the Lune Valley such as the one at Halton, remaining historic agricultural structures which have shaped the character of rural areas, remnants of the district's industrial heritage such as mills and other significant buildings, and key cultural assets including parks. The Council will, amongst other things, seek to identify, protect, and enhance local heritage assets.
- 5.9. NDP Policy HA-6 Protecting Historic Character sets out design principles to ensure development is sympathetic to the important and distinctive historic character of the Parish.

Policy HA-6 - Protecting Historic Character

Policy HA-6 Protecting Historic Character

Development proposals will be expected to preserve or enhance the historic character and appearance of the Neighbourhood Plan Area.

Designs and detailing should be sympathetic to the character of the surrounding area and make a positive contribution to the street scene and setting. In particular, proposals should address the following design guidelines:

1. Parish-Wide

- a) The distinctive form and layout of the settlements, which stem from the Parish's long and important history, should be retained. New development will be expected to 'nestle' into the historic landform and townscape by respecting the scale, materials, detailing and boundary treatments of traditional buildings.
- b) New development should respect the historically distinctive and different characters of the two settlements of Halton and Aughton and protect the dispersed character of the Parish's rural area. Proposals which detract from that pattern, and which would lead to village sprawl, or increasing sub-urbanisation of the rural setting, will not be supported.
- c) Sites of potential historic or archaeological interest should be protected whenever possible. Special weight should be given to the protection of sites of local character and distinctiveness within the Parish. These include prehistoric sites, surviving medieval field boundaries and patterns, former industrial sites and historic farm buildings.

2. Halton Historic Core

- a) Development proposals within the Halton Conservation Area should preserve or enhance the significance, character, appearance and archaeological significance of the Conservation Area in accordance with the Halton Conservation Area Appraisal.
- b) Designs should reflect the architectural and historic traditions of the village in terms of style, materials, scale and variety. Such measures should extend beyond the main building, or extension, to include surface and boundary treatments and ancillary structures. Mixing styles or historical references in the same building and inappropriate pastiches of generic period features should be avoided.

6. Housing Need

Introduction

- 6.1. There is an opportunity for the Neighbourhood Plan to include planning policies and proposals to help ensure future housing development includes house types, tenures and sizes which meet the housing needs of local people.
- 6.2. More than 90% of the Parish's population live in the main village of Halton which will remain the focus for new housing development. In addition, the hamlets of Aughton, Halton Green, Halton Park and surrounding farms and houses together provide around 40 homes, and there are about 20 further individual farms and houses scattered through the rural area.
- 6.3. The neighbourhood plan area includes a range of house types. The 2021 Census showed that the proportion of dwellings which were a whole house or bungalow was 95.2%, flats, maisonettes or apartments made up 4.0% and caravans or other mobile or temporary structures comprised 0.7% of dwellings. There was a relatively high proportion of larger properties: only 4.2% were 1 bedroom, 23.7% were 2 bedrooms, 41.3% were 3 bedrooms and 30.8% had 4 or more bedrooms. In terms of tenure, 47.4% of households owned their properties outright, 35.9% owned with a mortgage or loan or shared ownership, 6.4% were in social rented accommodation, and 10.3% were in private rented or lived rent free.
- 6.4. There is a Traveller Site on land to the north of Foundry Lane, Halton and adjacent to the M6 motorway, with 2 static caravans and 3 touring caravans.
- 6.5. The Local Plan for Lancaster District Part One: Strategic Policies and Land Allocations DPD provides the strategic planning framework for housing delivery. Policy SP2: Lancaster District Settlement Hierarchy identifies Halton under Part 3 Sustainable Rural Settlements Outside of Areas of Outstanding Natural Beauty: 'These settlements will provide the focus of growth for Lancaster district outside the main urban areas subject in the AONBs to the constraints of the protected landscapes where a landscape-capacity approach will be taken.' Aughton falls under Part 4 Rural Villages: 'These settlements will accommodate development that meets evidenced local needs only.'
- 6.6. Policy SP6: The Delivery of New Homes sets out that between 2011/12 and 2030/31 the Council will seek to deliver a 20-year housing requirement of 10,440 new dwellings. This figure includes 409 dwellings under Policy H2 Residential Delivery in Rural Areas. Policy H2 identifies 4 strategic sites in Halton:
 - H2.6 Halton Mills, Halton (20 dwellings)
 - H2.7 Land South of Low Road, Halton (60 dwellings)
 - H2.8 Land Between Low Road and Forge Lane, Halton (90 dwellings)
 - H2.9 Land to the Rear of Pointer Grove and Adjacent to High Road, Halton (66 dwellings).
- 6.7. Within some settlements including Halton, the City 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.

- 6.8. The strategic sites have all been developed or are in the process of being developed, as follows:
 - H2.6 Halton Mills, Halton: ('Lune Walk') 20 affordable dwellings (4 flats and 16 houses)
 completed; plus Halton Senior Cohousing site, with planning permission for 20 dwellings decision pending.
 - H2.7 Land south of Low Road, Halton ('Forest Heights'): 60 houses completed.
 - H2.8 Land between Low Road and Forge Lane, Halton ('Foundry Close'): 12 apartments and 68 houses completed.
 - H2.9 Land to the rear of Pointer Grove and adjacent to High Road, Halton ('Bowland Fold'): 2 apartments and 63 houses in progress.
- 6.9. Policy SG9: North Lancaster Strategic Site also includes an area within the Parish north of Halton Road and between the canal and the army camp which is identified for housing. This area is considered to be an extension of the Lancaster suburbs and is quite separate from the village of Halton.
- 6.10. In total, about 360 new homes, from 1 bed flats to 5 bed houses, will have been added in Halton village from 2011 to 2024; an increase of 38%, taking the total number of village homes to about 1,320. There are no further Local Plan designated strategic sites in the parish.
- 6.11. Affordable housing thresholds are set out in A Local Plan for Lancaster District 2011-2031 Part Two: Review of the Development Management DPD Policy DM3: The Delivery of Affordable Housing. Halton-with-Aughton is in Rural East:
 - Greenfield 10 units and over on-site: 40%
 - Brownfield 10 units and over on-site: 30%.
- 6.12. However, in Halton, the three recent commercial developments on sites H2.8 and H2.9 have all provided less than these targets, with viability assessments setting out 'abnormal costs'. The reasons given for such abnormal costs are the engineering costs of dealing with the steepness of a site [H2.9], and the lack of surface water capacity in existing drains, requiring each site to provide considerable additional space, and extra engineering costs, for on-site drainage works SuDs or infiltration ponds [H2.7, 8 and 9]. One result is that LCC has spent S106 funds on purchasing land for the 100% affordable' 20 homes at Lune Walk site [part of H2.6]. These physical constraints are important in later discussion of future potential development sites [see NDP Part 7 paragraphs 26 and 27 and Policy HA-8].
- 6.13. Policy DM6: Housing Provision in the Forest of Bowland is also relevant for the parts of the parish in the National Landscape. This policy requires at least 50% of new homes to be delivered as affordable homes. For schemes of 2-5 dwellings, this is expected to be provided as a financial contribution. For proposals of 6 or more dwellings, provision will be on site.
- 6.14. The NPPF places a strong emphasis on housing development. Paragraph 60 advises 'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community.'

- 6.15. Halton-with-Aughton is a designated rural area⁷. NPPF paragraph 65 sets out 'Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.'
- 6.16. Paragraph 82 goes on to say, 'In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.'
- 6.17. The District's Annual Monitoring Report 2020 -218 notes that there were 17 affordable completions in Halton at the Foundry Close and Forest Heights developments in the previous 12 months. 20 affordable units have been developed on Lune Walk by South Lakes Housing in partnership with the Lune Valley CLT in 2023. These are all included within the completed totals quoted in paragraph 7 above.
- 6.18. So, the NDP area has seen significant growth since 2011. Although the strategic sites have been developed the area continues to see pressure for development due to its many attributes: close proximity to the City of Lancaster and university, good access to the national motorway network and location within a beautiful landscape setting, partly within the Forest of Bowland National Landscape, and near to the Lake District and Yorkshire Dales National Parks.

1997 No. 622 HOUSING, ENGLAND AND WALES

The Housing (Right to Acquire or Enfranchise) (Designated Rural Areas in the North West and Merseyside) Order 1997

https://www.legislation.gov.uk/uksi/1997/622/made?view=plain

⁷ The Housing (Right to Acquire or Enfranchise) (Designated Rural Areas in the North West and Merseyside) Order 1997 STATUTORY INSTRUMENTS

⁸ A Local Plan for Lancaster District 2020 – 2031 Plan period 2011 – 2031 Authority Monitoring Report 2020/2021 [January 2022]

Housing Needs Survey, November 2019

- 6.19. A <u>Housing Needs Survey</u> (HNS) was undertaken in 2019 for the parishes of Halton-with-Aughton, and Caton, Slyne, Quernmore and Skerton. It provides up to date evidence to support an NDP planning policy on house types and tenures in the neighbourhood plan area.
- 6.20. Key findings from the area profile included the following:
 - At the time of the 2011 Census, the study area showed high proportions of larger and detached dwellings and of home ownership. 84% were under-occupied to some degree, the majority of which were owned.
 - There was a low proportion of renting, with rented homes most likely to have 2 bedrooms. Of (the low proportion of) 1-bedroom dwellings, 45% were socially rented, and 25% privately.
 - The over 60 age group made up a high proportion of the study area, and where the household representative person (HRP) was over 65, 87.2% were owner-occupiers. There was a small proportion of renters in this age group.
 - The over 65 group is projected to grow by 34.5% over the 25-year period from 2016 to 2041, becoming the equal largest group by that point.
- 6.21. The study found that affordability of purchase and rental of local housing appears challenging to households wishing to move, especially those newly forming and on below average incomes. Newly forming households on lower quartile incomes could afford shared accommodation only, and existing households would struggle with anything larger than a 1-bedroom dwelling.
- 6.22. In terms of market housing the highest priorities given by respondents about new house building were for first time buyers and those needing affordable homes, to rent or part buy. Respondents saw the highest priority house type to be 2 to 3-bedroom family homes, and small homes for single people and couples. There are shortages of:
 - 1 and 2-bedroom houses;
 - 1 and 2-bedroom bungalows;
 - 3 or more-bedroom bungalows;
 - 1 and 2-bedroom flats; and
 - 1 and 2-bedroom other housing type.
- 6.23. The overall HNS conclusion noted that 'it is clear that the housing profile of the area is not in step with the predicted needs of local households. Like many rural settlements the population is predominately elderly and ageing, but with some younger and newly forming households being unable to afford the premium prices associated with villages rather than town environments.'

6.24. Since the Housing Needs Survey (November 2019) developments have delivered or are delivering many more homes, and some affordable ones; but these have not met all local needs for more affordable and smaller 1 to 3 bed units, including housing for older residents and newly forming households. The still unsatisfied demand for affordable homes is demonstrated by the actual experience of the early 2023 bidding process for the 13 affordable rented flats and houses in the Lune Walk development (H2.6). All the Lune Walk affordable rented homes now have a resident with a strong Halton connection, as set out by the agreed policy; but since there were about 4 'Halton' bids for each one, three quarters of Halton-connected bidders are still searching for an affordable home. The results of early 2023 bidding process for the 13 affordable rented flats and houses in the Lune Walk development (H2.6):

Property Type	LCC 'District' bids for each one	'Halton' – based bids for each
		one
		(as at Feb 24)
1 Bed flats [4 'offers']	Average 30 Range 24 – 42	Average 5 Range 3 to 7
2 Bed House [6 'offers']	Average 52 Range 27 - 84	Average 4 Range 1 to 5
3 Bed House [2 'offers']	Average 86 Range 83 – 90	4 bids for each offer
4 Bed House [3 'offers']	Average 27 Range 27 - 28	Average 2 Range 0 to 3

- 6.25. The 2019 consultation on the Draft Plan generated various comments in relation to housing. These included the need for more starter homes and fewer larger (4 bedroom) properties, the need for housing for older people and those wanting to downsize, more affordable and shared ownership schemes and concerns about design. There were also concerns about infrastructure capacity and the development boundary / need to protect Halton's identity as a village, separate from the City of Lancaster.
- 6.26. Halton-with-Aughton NDP Policy HA-7 Meeting Local Housing Needs requires development to contribute to local needs for smaller housing, suitable for older people seeking to downsize whilst remaining within the community, and for younger and newly forming households seeking more affordable accommodation in the area.

Policy HA-7 - Meeting Local Housing Needs

Policy HA-7 Meeting Local Housing Needs

Proposals for new residential development should demonstrate how they contribute to a suitable mix of tenure, type and size of dwelling across the Neighbourhood Plan Area based on the results of the Parishes of Halton-with-Aughton, and Caton, Slyne, Quernmore and Skerton Housing Needs Survey for the Lune Valley Community Land Trust 2019, or if available, more up to date evidence of housing need.

In particular, the provision of affordable, smaller dwellings of up to 3 bedrooms will be supported.

Halton Urban Development

- 6.27. **Map 4 Halton Urban Development Areas** shows the land around Halton. There are some clear planning and landscape limitations to development:
 - To the west:
 - o EN4 North Lancashire Green Belt
 - o EN6 Area of Separation
 - M6 motorway
 - To the south: the River Lune
 - To the east: the Forest of Bowland National Landscape
 - To the north: steep slopes in some areas
- 6.28. A crucial constraint to further developments, especially to sites north and east of the village arises from the existing flooding risk, and **Policy HA-5 Flooding** para 3 & 6:
 - 3. Safeguard the sites of the 'Do something' Options 1 to 3 from development identified in the Jacobs Flood Risk Management Study 2020 (see maps 15, 16 & 17 in Appendix 4: Halton's Recent Flooding History and Responses) to ensure they are available for future potential flood mitigation schemes when and if funding becomes available for implementation
 - 6. Not contribute to further surface water flooding by avoiding discharging any flows into the existing overloaded network of surface water drains and culverts (see Map 14 Drainage Network Capacity during 1.33% AEP rainfall event and Jacobs Flood Risk Management Study 2020). Developments must dispose of surface water only by: (a) either infiltration into the ground, or (b) discharging directly, through new drains, into a watercourse with sufficient capacity [to be demonstrated]. To assist this, developments may also take measures to reduce the causes and impacts of flooding, such as through over-attenuation and restricted discharge rates below the minimum standards set out in the Defra Technical Standards for SuDS and paragraphs 055, 056 & 063 of Planning Practice Guidance Flood risk and coastal change
- 6.29. If such sites were to be developed, leaving space for these possible interventions will reduce the layout space available for homes, site value and viability.
- 6.30. Given the whole of the area around Halton is within Policy EN3: Open Countryside, the focus is now to promote the redevelopment of small in-fill sites, and previously developed or unused land and buildings within the built-up areas, to help ensure efficient and sustainable use of land. Potential sites also include:
 - Land adjacent to Town End Farm, Low Road: the higher end of the site along Low Road, above areas which are in Flood Zones 2 and 3. The site would need an access road off Forge Lane, not Low Road. Much of the site is in Flood Zone 2 and 3; this comprises Local Green Space LGS-E.
 - Sites between Dale Wood and the M6 motorway; but subject to motorway noise, and next to the cemetery. It would need improved access.

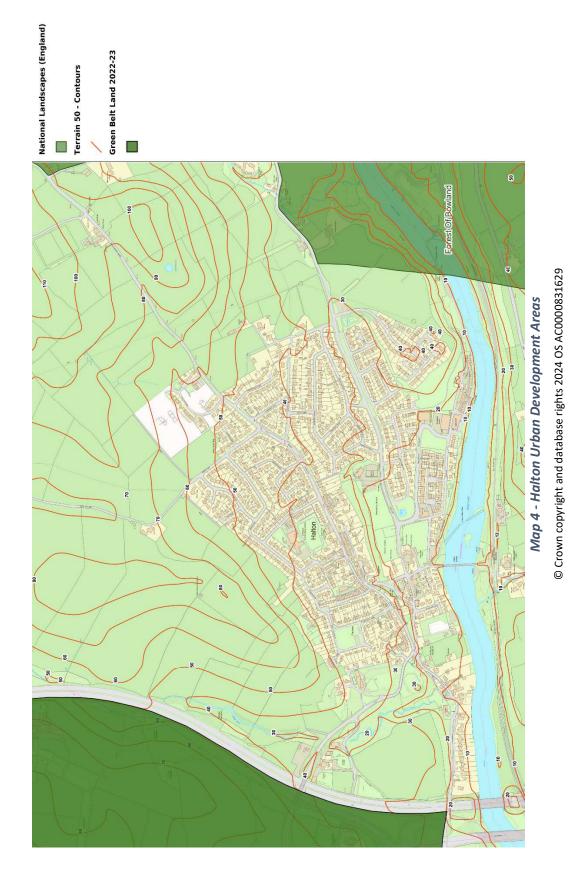
- 6.31. Planning Practice Guidance advises that 'National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.' This is known as the vacant building credit.
- 6.32. NDP Policy HA-8 Halton Urban Development identifies suitable development within and around the built-up area.

Policy HA-8 - Halton Urban Development

Policy HA-8 Halton Urban Development

Development within Halton will be supported within the built-up area provided it satisfies other policies within the Lancaster District Local Plan and Halton-with-Aughton Neighbourhood Development Plan.

- 1. Proposals should not conflict with or adversely impact on future flood risk control sites (see NDP **Policy HA-5 Flooding**).
- 2. Proposals in areas with clear physical constraints, should provide satisfactory evidence, e.g. an outline viability assessment, to demonstrate how these constraints can be overcome.
- 3. Developments that use infill sites, re-use previously developed land, or sensitively convert existing buildings will be supported.



7. High Quality and Sustainable Design

- 7.1. The Neighbourhood Plan provides an opportunity to influence design in new development and to promote high quality contemporary and sustainable designs.
- 7.2. Development is concentrated in the large village of Halton and to a lesser extent the smaller settlement of Aughton, with scattered farms and rural buildings in the surrounding countryside, which are largely of traditional materials and designs.
- 7.3. The <u>2019 Draft Plan</u> set out various design related issues and accompanying parish planning guidance linked to character areas ('Halton Area Zones') which had been identified in the <u>2013 Parish Plan</u>. These zones were focused on the built-up areas of the village of Halton, Halton Camp and the Rural District including the village of Aughton.
- 7.4. Since the Parish Plan was prepared, the character of some of these zones has changed due to new development; these include substantial new development in the Halton Mills area and the strategic housing site to the northeast of the village (Local Plan Strategic Site H2.9). The Plan also included planning guidance for Zone G Halton Camp although there are no known plans for disposal and redevelopment at the current time. Due to the significant changes in character resulting from recent new development the identified area zones are no longer appropriate and they are not carried forward into the NDP.
- 7.5. The Government places a strong focus on good design in new development. NPPF Paragraph 131 sets out 'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.' Paragraph 132 goes on to say, 'Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.'
- 7.6. At a Lancaster District level Local Plan Part 2 Policy DM29: Key Design Principles requires new development to be as sustainable as possible and make a positive contribution to the surrounding landscape and / or townscape and sets out the Council's expectations. The Policy sets out general principles, and principles addressing accessibility and highway safety, green Infrastructure and the natural environment and other environmental considerations. Policy DM30: Sustainable Design sets out that sustainable design has an important role to play in improving the overall sustainability performance of new development, offering opportunities to deliver improved efficiency and reduced environmental impacts. The Council is supportive of proposals that deliver high standards of sustainable design and construction. This Policy has been updated in the CELPR to Policies DM30a: Sustainable Design and Construction Water Efficiency and DM30c: Sustainable Design and Construction Materials, Waste & Construction.

- 7.7. Local Plan for Lancaster District Part Two: Review of the Development Management DPD Policy DM29: Key Design Principles sets out that 'new development should be as sustainable as possible.' Policy DM30: Sustainable Design sets out that 'The Council is supportive of proposals that deliver high standards of sustainable design and construction.'. This may include:
 - I. Measures to reduce energy consumption and carbon dioxide emissions, and water consumption;
 - II. Opportunities for energy supply from on-site, decentralised, renewable or low carbon energy systems;
 - III. Opportunities to contribute to local and community-led energy initiatives.'
- 7.8. NDP Policy HA-9 High Quality and Sustainable Design has been prepared to help ensure new development respects local character and is of a high-quality sustainable design.

Policy HA-9 - High Quality and Sustainable Design

Policy HA-9 High Quality and Sustainable Design

- 1. New residential and commercial development and conversions of existing buildings will be expected to respect traditional local character.
- 2. Density, scale, mass and height should be appropriate to the surrounding area and proposals should incorporate references to the local vernacular through use of traditional local materials and detailing.
- 3. High quality and innovative contemporary designs will only be supported where they would enhance the setting and provide visual interest.
- 4. New housing should be designed to reflect the guidelines for sustainability and energy and resource efficiency in Local Plan for Lancaster District Part Two: Review of the Development Management DPD Policy DM29.
- 5. In particular, schemes in Halton-with-Aughton will be supported where they address the following criteria:
 - a) The design of buildings should minimise heat and energy loss and developers should seek to incorporate the highest recognised government standards of insulation and energy efficiency applying at the time or any other such standards required by the Local Plan. Passivhaus standards will be encouraged wherever possible;
 - b) Solar, heat recovery, air source and ground source energy are encouraged where there is a minimal visual impact;
 - c) The orientation of buildings and roof pitches should incorporate passive solar design principles;
 - d) Use of re-used, reclaimed and recycled materials is encouraged, and where possible materials should be sourced from local suppliers;
 - e) Consideration should be given to the provision of high quality, accessible and attractive open spaces and land for food growing;
 - f) External and accessible electric vehicle charging points should be provided.

8. Transport

- 8.1. In terms of climate change transport is the largest emitting sector of greenhouse gas emissions, producing 24% of the UK's total emissions in 2020⁹.
- 8.2. Travel and transport are key local issues in the neighbourhood plan area and therefore the NDP provides a positive local planning framework to support a move away from private car use and encourage low or zero carbon alternatives which also improve health and welling.
- 8.3. Halton is located close to the City of Lancaster, but many residents are reliant on private cars to access employment and services. The NDP can support a transition towards 'active travel'; walking and cycling and use of public transport by guiding development to areas close to community facilities and services and improving linkages to local public rights of way, including the cycle route to Lancaster.
- 8.4. Many in the Parish are reliant on private cars for transport. In 2021 the Census figures show that 29.5% of households had 1 car or van, 35.9% had 2 cars or vans and 13.5% had 3 or more cars or vans. 56.1% of the working age population drove a car or van to work, 2.4% were a passenger in a car or van, 2.3% used a bicycle and 4.0% were on foot. 30.6% worked mainly at or from home¹⁰.
- 8.5. Local Plan Part One Policy T2: Developing the Cycling and Walking Network advises that the Council are committed to supporting and promoting the role of cycling and walking in the district, building on the existing network and the Cycling Network is identified on the Policies Map. Local Plan Part Two Policy DM61: Prioritising Walking and Cycling aims to protect, maintain and improve the pedestrian environment and advises that cycling improvements should be equitably implemented across all communities.
- 8.6. The Local Plan Policies Map identifies several cycle routes in the neighbourhood plan area.
- 8.7. The National Cycle Network Route 69 passes along the River Lune Millennium Park Path to the Crook O'Lune then up Park Lane, Kirkby Lonsdale Road, Aughton Road onwards to Gressingham.
- 8.8. The Lancashire Cycleway Northern Loop (90) passes through Nether Kellet along Kellet Lane, down Foundry Lane and over Halton Bridge onto the River Lune Millennium Park Path.
- 8.9. Whilst only briefly passing through the parish at the Crook O'Lune, the River Lune Millennium Park Path linking Caton to Lancaster provides a crucial local recreational resource for walking, cycling and horse riding and allows residents to access employment and services in Lancaster City Centre without the need to drive.
- 8.10. In addition to being a popular area for walking and cycling, Halton-with-Aughton attracts horse riders. There are several equestrian businesses including the British Thoroughbred Rehabilitation Centre and Oakenhead Livery. Beaumont Grange livery and Beaumont Cote Livery are just outside the parish boundary. There are also several privately owned horses kept within the Parish.

⁹ Department of Transport, Transport and Environment Statistics, 2022

¹⁰ Note – the travel to work figures were likely to be affected by the Covid-19 pandemic.

- 8.11. There are routes for horse riding above the Bay Gateway linking to the Green Lane byway and around the Hermitage Field on the permissive Bridleway and a bridleway from near the Red Well/Stables Pub. Horse riders have to use increasingly busy roads to access these routes and there is a need for more multi-user routes suitable for all vulnerable road users which link the existing fragmented network. All routes should have user friendly surfaces that drain well and are ecofriendly such as 'flexipave' or 'nuflex' which have been used successfully on other routes by Lancashire County Council.
- 8.12. **Community Aspirations** and **Next Steps** set out in Part 12 of the NDP supports higher levels of use of public footpaths and cycle and horse-riding routes in the area. NDP Policy HA-10 sets out how development in Halton-with- Aughton should support a move towards low or zero carbon transport alternatives.

Policy HA-10 - Active Travel

Policy HA-10 Active Travel

To promote active travel and reduce reliance on the private car developments should:

- 1. Support homeworking by providing sufficient internal space by including a second bedroom / office, or additional external space with broadband provision in residential developments;
- 2. Be located close to local facilities, services and employment uses;
- 3. Be accessible to bus stops;
- 4. Provide safe pedestrian and cycle access to and from the site as well as enhancing safety within the village, e.g. by contributing towards crossings across Low Road/High Road.
- 5. Provide linkages to walking and cycling routes and bridlepaths including routes to the City of Lancaster and local facilities and to the countryside;
- 6. Support improvements to nearby PROW see NDP Part 11 Community Aspirations and Parish Council Actions;
- 7. Include secure external storage for bicycles and be capable of supporting external charging point for bicycles and cars.
- 8. Halton Bridge across the River Lune is a crucial local asset that links Halton to Lancaster and Caton. Proposals should take opportunities to support cycling and walking linkages to Halton Bridge. Proposals to close or remove the bridge will be resisted.
- 8.13. Sufficient internal space to support homeworking should be taken to mean at least 2 bedrooms including a single bedroom which could be used as a study / office, or sufficient floor area to allow for a workspace.

9. Local Community Facilities

- 9.1. The following community facilities are available in Halton-with-Aughton:
 - The village community centre known as The Centre @ Halton, with playing field, multiuse games area (MUGA), skate park and play areas;
 - The Recreation Room in Aughton with play area;
 - Two churches: St Wilfrid's in Halton, and St. Saviour's in Aughton;
 - St Wilfrid's Church of England Primary School;
 - Halton Mill;
 - Doctor's surgery and pharmacy;
 - Post Office counter
 - Library;
 - Halton Social Club;
 - Scout hut; and
 - Children's play areas at St Wilfrid's Park, Schoolhouse Lane and Mill Lane.
- 9.2. There is also a disused children's centre attached to the library which is currently used for storage.
- 9.3. The shops, chip shop and hairdresser on High Road are identified as a Rural Local Centre in the Local Plan which recognises the role of the local service businesses and provides protection for them.
- 9.4. All these provide much needed and highly valued services for the community.
- 9.5. The NPPF advises in paragraph 97 that 'planning policies and decisions should a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments; ... and c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.'
- 9.6. Halton NDP can identify and protect the use of the community buildings for community uses in accordance with Local Plan Part One Policy SP9: Maintaining Strong and Vibrant Communities which advises that the Council will seek to protect important facilities that act as hubs of the community, whether they be valuable areas of open space, local services or community buildings and support their improvement and diversification. Local Plan Part Two Policy DM56: Protection of Local Services and Community Facilities sets out criteria for assessing proposals that would result in the loss of buildings / uses, which currently (or have previously) provided the community with a local service including local shops and community facilities.

9.7. NDP Policy HA-11 identifies local community facilities in Halton-with-Aughton for protection.

Policy HA-11 - Community Facilities

Policy HA-11 Community Facilities

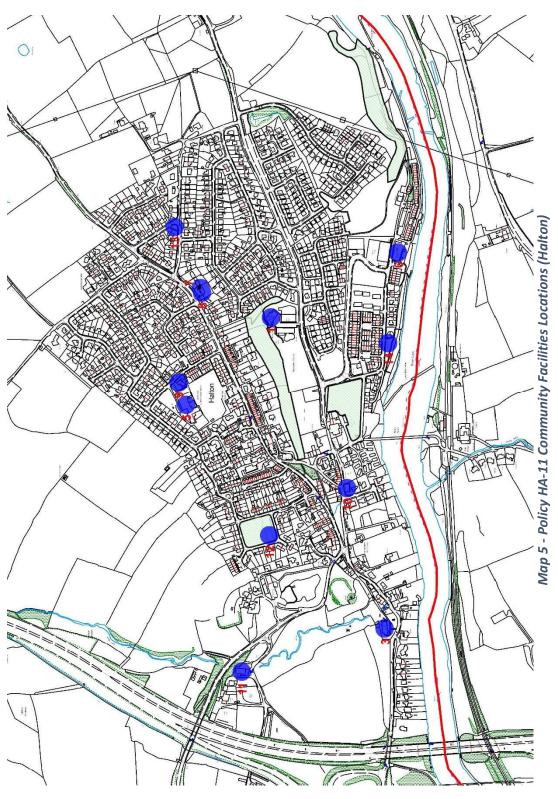
The following local community facilities act as hubs for the local community and provide important local services in line with Local Plan Part One Policy SP9: Maintaining Strong and Vibrant Communities:

- 1. The Centre @ Halton
- 2. The Recreation Room, Aughton
- 3. St Wilfrid's Church, Halton
- 4. St. Saviour's Church, Aughton
- 5. St Wilfrid's Church of England primary school
- 6. Halton Mill
- 7. Doctor's surgery and pharmacy;
- 8. Post Office counter
- 9. The library
- 10. Halton Social Club
- 11. Scout hut
- 12. Children's play area St Wilfrid's Park
- 13. Children's play area at Schoolhouse Lane
- 14. Children's play area at Mill Lane.

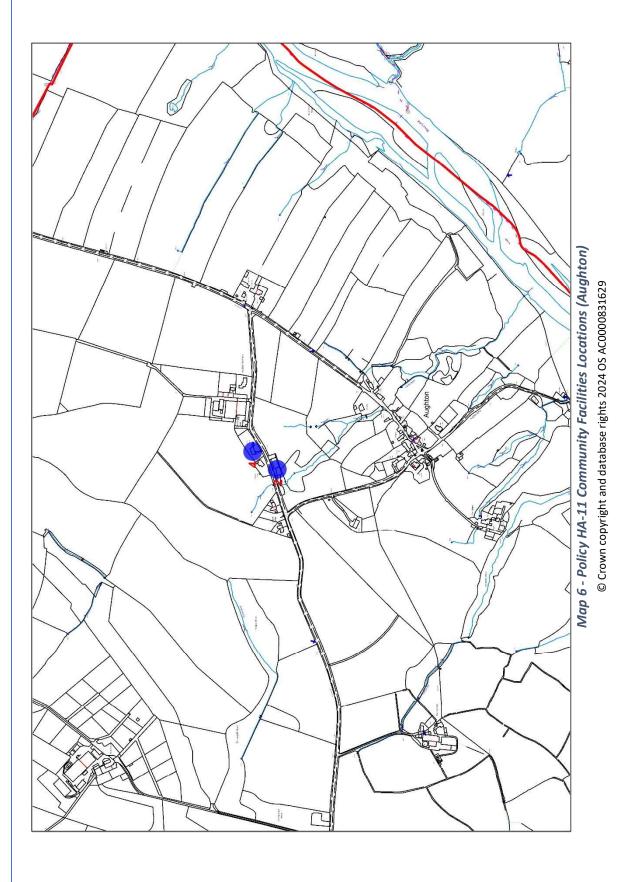
They are identified on Map 5 - Policy HA-11 Community Facilities Locations (Halton) and Map 6 - Policy HA-11 Community Facilities Locations (Aughton).

These facilities should be retained. Their loss, including the change of use of these facilities, will only be considered acceptable where:

- a) It can be demonstrated that the facility is no longer viable, having been actively marketed for a period of twelve months; or
- b) The proposed alternative use would provide equal or greater benefits for the local economy and community.



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10. Community Aspirations

- 10.1. The <u>Parish Plan</u> and <u>2019 Draft Plan</u> included several proposals to tackle traffic and parking, to improve community facilities, to manage green spaces for community benefit and to link up wildlife corridors, and to improve opportunities for walking, cycling and horse riding.
- 10.2. These are largely community aspirations rather than planning policies.
- 10.3. They were updated with additional suggestions following the informal consultation on the emerging Draft Plan from April to May 2024.

Traffic Calming, Parking and Transport

- 10.4. The Parish Council would like to see an extension of the 20-mph zone to include all of Low Road and High Road with speed cushions and road markings at all entrances to the village.
- 10.5. Key areas where traffic speeds are a local concern include the entrance to the village of Halton on High Road, coming in towards the shops and the entrance to the main village on Low Road, coming past the entrance to Forest Heights.
- 10.6. Traffic congestion on parts of High Road and though the Lythe Fell estate need to be addressed.
- 10.7. Lack of parking or inconsiderate parking (e.g. parking on the pavement) is a concern in several areas, particular on High Road and near the shops. Occasional overflow car parking around The Centre @ Halton is desired, particularly on football match days or during events.
- 10.8. Safer pedestrian crossing points would greatly benefit residents and encourage more active travel by foot. Crossing points are desired on Low Road close to The Centre @ Halton, near the roundabout to allow pedestrian access to the Memorial Garden, Castle Hill and The Red Door Café and on High Road adjacent to the shops.
- 10.9. Campaign to improve public transport services for Halton and Aughton including more off peak / evening use services.

Community Facilities

- 10.10.Also identified in the Parish Plan was a need for a full-size football pitch to meet the growing demand. This seems unlikely, so the football club have found an alternative solution.
- 10.11. There is a medium-term plan to improve the children's play areas at St Wilfrid's Park and The Centre @ Halton.
- 10.12. Public access to Castle Hill. There is an active project with an aim to enable public access to Castle Hill.

- 10.13. Aughton Recreation Room improvements. The trustees of Aughton Recreation Room have an active programme of improvements to the hall using a mixture of grant funding, own funds and volunteer assistance.
- 10.14. The library needs substantial work to maintain and improve it.
- 10.15. Facilities for older residents may be desirable, such as a bowling green.

Green Spaces and Wildlife Corridors

- 10.16.A combination of Halton Gardening Group, Lune Valley CLT and the NDP Steering Group considered various green spaces and potential wildlife corridors. The methodology, sites considered and assessments can be found in the <u>Local Green Space Report</u>.
- 10.17. The result of the assessment is summarised in Landscape and Natural Environment and Map 10 - Wildlife Corridors connecting Woodland shows the current wildlife corridors within the village.
- 10.18. Lancaster City Council Green and Blue Infrastructure (GBI) Strategy 2021 highlights the importance of connecting high quality, multifunctional green and blue spaces together to create corridors and chains that make up the wider GBI network. Using the GBI toolkit, opportunities for improving the GBI infrastructure can be identified with residents and local groups. The six main aspects of the GBI are:
 - Recreation/Accessible Greenspace
 - Ecology & Biodiversity
 - Landscape
 - Active Travel
 - Water Management
 - Historic Environment.

Footpaths

- 10.19. Halton-with-Aughton is poorly served by Rights of Way (ROW) footpaths given its size and population. Those that do exist often do not link up with others. Customary paths have disappeared due to building developments along the Lune (between the Greyhound Pub and what is now the motorway bridge), and along the north of the village, particularly in the postwar period. Parish Councils can propose 'permissive footpaths' and make 'Rights of Way Improvement Proposals' (ROWIP) through 'Path Creation Orders', under Section 3 of the Highways Act, 1980, both on publicly and privately-owned land. The existing list of <u>Definitive Rights of Way</u> are maintained by Lancashire County Council.
- 10.20. The creation of additional footpaths would enhance the recreational facilities of our parish. Several new paths were proposed in the <u>Halton Parish Plan 2013</u>, with further suggestions added during the initial stages of <u>drafting this plan in 2019</u>. These suggested new paths are listed below.

- 10.21. The proposed routes would require agreement from landowners who may be concerned about the impact it would have on their use of the land. Detailed discussions and negotiations with landowners would be needed to take these proposals forward, along with funds to physically create the paths.
- 10.22. The following proposed paths are long-term aspirational routes that were previously suggested in the <u>Halton Parish Plan 2013</u>:
 - Dale Wood/Castle Hill: Linking Low Road/Church Brow with the Burial Ground Road via Dale Wood. It could start at Castle Hill or the Church grounds. This route would provide the first section of a Northern Village Loop for the village of Halton.
 - Northern Village Loop: Linking Foundry Lane with Arrow Lane across the fields, to provide a northern route across Halton.
 - Mill Lane River Bank: Linking Halton Mill along the river to Halton Bridge. Parts of this
 already exist, so the objective is to have a continuous, clear route along the top of the
 riverbank so that walkers need not walk along the road.
 - Forge Wood fields: Linking Low Road (near School House Lane) to the river via the fields.
 This would enable those on the eastern edge of the village access to the river path that
 leads through Gutterflat Wood. This proposed route has been walked informally for at
 least 70 years.
 - Burton Wood Link: This would provide a shortcut between the existing public right of
 way that follows the large bend in the river between Lawson Wood and Burton Wood.
 It would make the route approximately 1.5miles shorter.
- 10.23. The following proposed paths are long-term aspirational routes that were suggested during the initial draft of this plan in 2019:
 - Churchyard Link: Linking St Wilfrid's churchyard to the footpath adjacent to the M6 bridge on Halton Road, via the woodland. This would provide a short circular route when combined with the Dale Wood/Castle Hill route and also connect the two burial grounds.
 - School House Lane Extension: Extending the existing path that starts from School House Lane through to Halton Green. The existing Right of Way stops short of Halton Green and turns sharply right towards the Low Road where the pavement becomes very narrow on a busy road.
 - Monkley Ghyll: Linking Halton Green with Park Lane via Monkley Ghyll Beck. Private tracks already exist along parts of this route. It would create a very pleasant walk, enabling walkers to link up the path from School House Lane with the existing path that runs from Park Lane through Nether Highfield.
 - Middle Highfield River Link: Linking the "Highfields" ROW to the Lune at a half-way point, via Burton Woods to enable the option of a shorter loop. The current path does not connect with the Lune path until Aughton is reached. Private tracks already exist along parts of this route.
 - Army Camp: The existing footpath along the northern boundary of the Army Camp which runs from the camp entrance to the M6 Bridge should be safeguarded by conversion to a Public Right of Way. It provides a valuable pedestrian route between Lancaster and Halton. It is owned by the Ministry of Defence and was dedicated to the Parish Council in 1988. The instrument of dedication includes the following provisions: "that it is only used as a footpath and the path is to remain as a grassed, surfaced, rural footpath."
- 10.24. Any new paths should be multi-use to allow horse riding and cycling.
- 10.25. Existing path networks should be maintained so that they remain usable, i.e. encouraging the County Council or landowners to repair or replace stiles.

Rural Land Management

- 10.26.To work with landowners and farmers to protect verges and hedgerows from large farm machinery and to encourage schemes for improved management of existing hedgerows and new hedgerow planting.
- 10.27.To work with farmers and landowners to access funding for environmental improvement schemes.

11. Next Steps

Monitoring and Review

- 11.1. The Parish Council will review the NDP at an appropriate time to ensure it remains up to date and relevant.
- 11.2. The Halton-with-Aughton Neighbourhood Development Plan is a 'living' document and as such will become an integral component of the stewardship of the Parish Council.
- 11.3. The Parish Council meetings will include a regular agenda item to monitor and action activities to progress the implementation of the Neighbourhood Development Plan. A regular agenda item will also be included to monitor the use of policies within the plan by the City Council when determining applications in the parish.
- 11.4. The Parish Annual Meeting will report on annual progress achieved and set out the programme aims and key activities for the subsequent year ahead integrating this within its own forward planning processes.
- 11.5. The Parish Council will monitor the progress of implementing the Neighbourhood Development Plan every 3 years. The focus of the monitoring will be to ensure that the policies made are effectively contributing to the realisation of the vision and objectives set out in the Neighbourhood Development Plan. Any resulting proposals to correct and improve policies to meet the vision and objectives will require to be undertaken through a review of the Neighbourhood Development Plan in full collaboration with Lancaster City Council. Evidence will also be reviewed and updated as required.

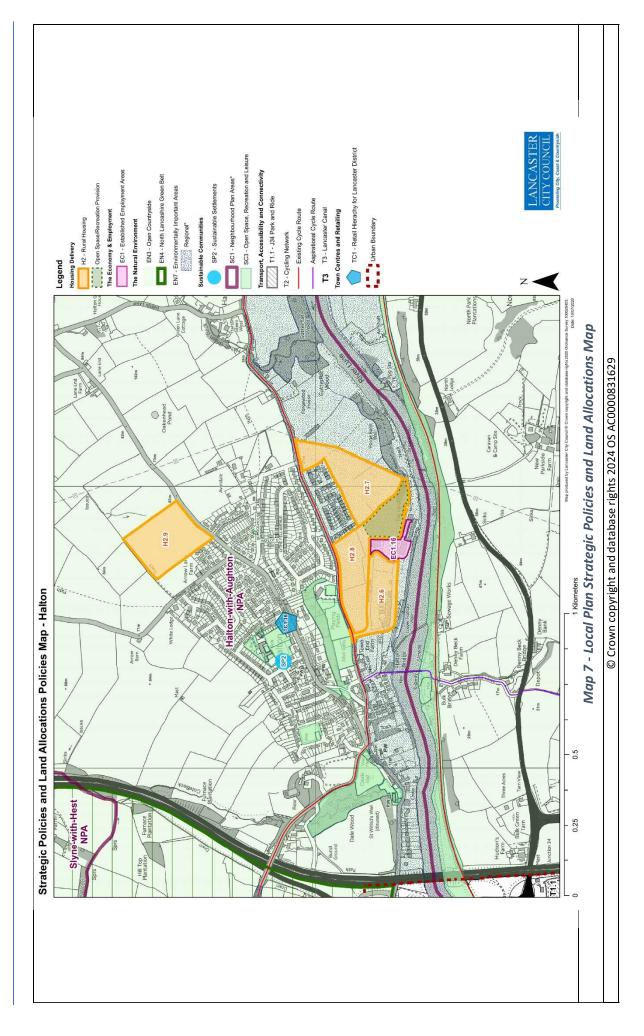
Halton-with- Aughton NDP Policy	Monitoring Process	Monitoring Data	Responsibility
Policy HA-1	Review of Planning Applications	Applications refused/approved on landscape grounds where Policy HA-1 of the Neighbourhood Plan is cited as a reason for decision.	Parish Council
Policy HA-2	Review of Planning Applications	The extent to which successful planning applications enhance local biodiversity by one or more measures set out in the Policy.	Parish Council
Policy HA-3	Review of Planning Applications	Applications refused/approved where Policy HA-3 of the Neighbourhood Plan is cited as a reason for decision.	Parish Council
Policy HA-4	Review of Planning Applications	Applications refused/approved where Policy HA-4 of the Neighbourhood Plan is cited as a reason for decision.	Parish Council
Policy HA-5	Review of Planning Applications	The extent to which successful planning applications address flood risk by incorporating one or more measures set out in the Policy.	Parish Council
Policy HA-6	Review of Planning Applications	The extent to which successful planning applications respond positively to historic character by one or more measures set out in the Policy.	Parish Council
Policy HA-7	Review of Planning Applications	Percentage of houses granted planning permission which meet up to date housing needs and percentage where smaller 1-3 bedroom dwellings are provided (target 100%).	Parish Council
Policy HA-8	Review of Planning Applications	Percentage of development in Halton which uses infill sites, re-uses previously developed land, or comprises the sensitive conversion of existing buildings (target 100%).	Parish Council
Policy HA-9	Review of Planning Applications	Applications refused/approved on design grounds where policy HA-9 of the Neighbourhood Plan is cited as a reason for decision. The number of planning applications which incorporate three or more measures set out in the Policy (Target 100%)	Parish Council
Policy HA-10	Review of Planning Applications	The number of planning applications which incorporate one or more measures set out in the Policy (Target 100%)	Parish Council
Policy HA-11	Review of Planning Applications	The number of identified community facilities remaining in Halton each year from the baseline in the Policy.	Parish Council

Appendix 1: Lancaster District Local Plan Policies Maps

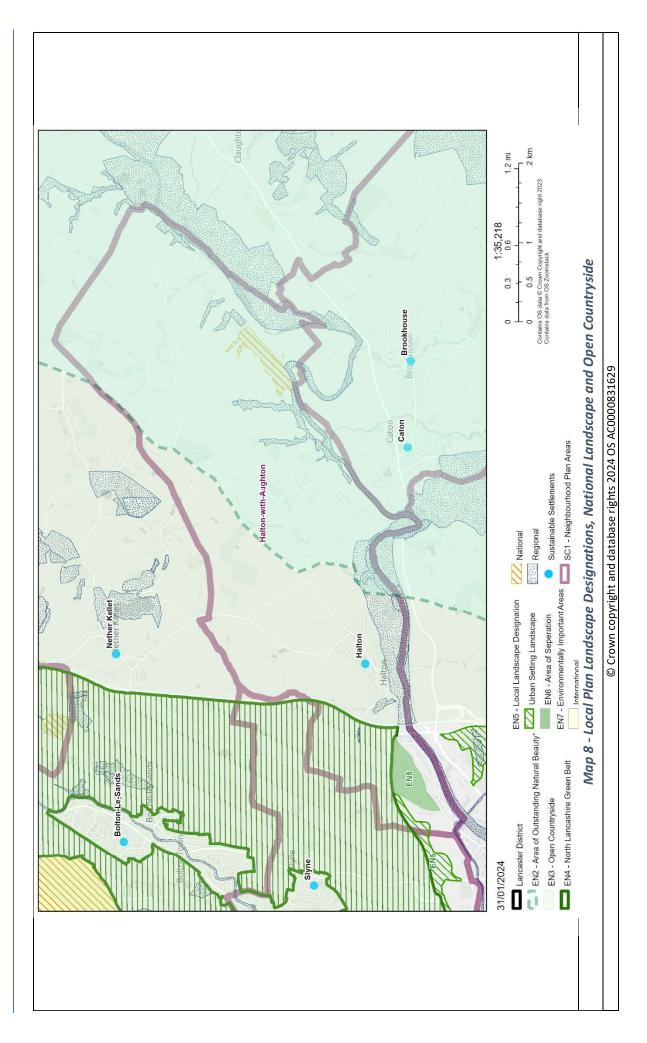
The following maps show the various designations covering Halton-with-Aughton Parish as defined in the Lancaster District Local Plan, including:

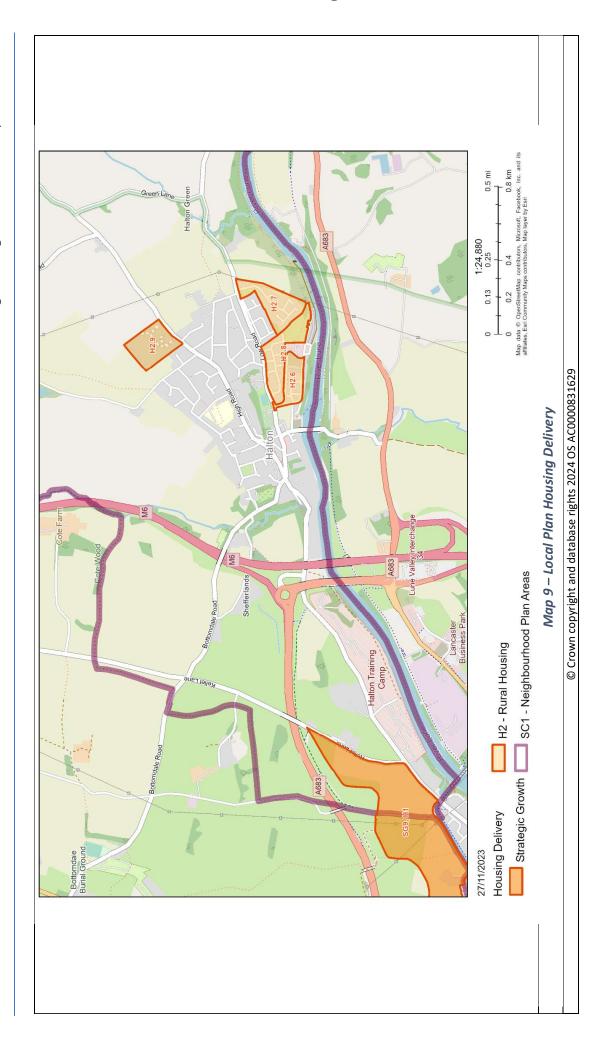
- Map 7 Local Plan Strategic Policies and Land Allocations Map
- Map 8 Local Plan Landscape Designations, National Landscape and Open Countryside
- Map 9 Local Plan Housing Delivery







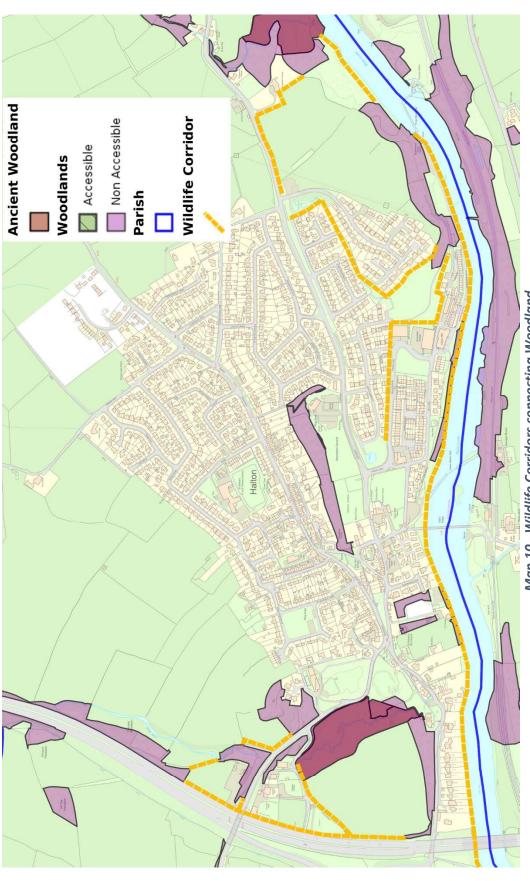




Appendix 2: Wildlife Corridors connecting Woodland

Halton-with-Aughton Neighbourhood Development Plan v14

- 1. Wildlife/green corridors are areas of habitat connecting wildlife populations separated by human activities and structures, e.g. buildings, roads.
- Also, such corridors allow both animals, plants and humans to occupy virtually the same area of land i.e. co-existing, which would not be possible without the A remaining portion of natural habitat is called a remnant and to conserve species, such portions need to be connected because when migration decreases, extinction increases. Fragmentation of natural habitats is thus an increasing threat to biodiversity. Wildlife/green corridors can potentially reduce this threat. 7
- One must consider which species such corridors are intended for, since some species react more positively than others. There are often also unintended positive effects, such as plant species benefiting from increased pollen and seed dispersal. ო
- 4. There are two distinct types of green corridor; water and land. Fortunately, Halton-with-Aughton has both types.
- Water: The River Lune and its subsidiary becks act as riparian ribbons, connecting the riverside woodland and banks with the green belt to the north and west of the two villages.
- plants. Halton-with-Aughton has stretches of woodland along the river and becks, as well as small woods and stands of trees within the villages, alongside in increasing biodiversity e.g. they can facilitate the movement of small animals, especially birds, from tree to tree. This would also increase the dispersal of Land: land corridors come in a range of types, from fields and woods down to a line of shrubs along a pavement. Such 'minimal corridors' can still play a part abundant shrub hedges and generous verges in places (see map of green corridors attached)



Map 10 - Wildlife Corridors connecting Woodland

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Appendix 3: Heritage Assets

Halton-with-Aughton Neighbourhood Development Plan v14

Non-Designated Heritage Assets

Ref	Name & address	Reason for inclusion	Description	Photographs
н	The Penny Stone In the garden of 2 Pennystone Rd Halton at the junction with High Road Halton	Historical significance contributing to the "collective memory "of the area".	Large carved stone with shallow square hollow in the top. Has an arrow mason's mark on one side. Moved to its current location in 1966 from a place on the south side of High Road towards Schoolhouse Lane. The stone is reputed to date from the time of the plague. It is said the hollow was filled with vinegar and anyone entering the village had to wash their coins in it to prevent the plague from spreading. It is possibly the base of a wayside cross that stood at the eastern edge of the village.	
2	Halton Social Club (Halton War Memorial Institute) Low Road, Halton	Historic and social significance to the village.	The building was erected to perpetuate the names of the men of Halton-with-Aughton who lost their lives in the "Great War" of 1914 – 1918. The institute was built in 1923 with three rooms. A billiards room, a games room and a reading room, these last two rooms were separated by a folding partition which allowed them to open up into a function room. During WW2 it was used as reception centre for evacuees, gas masks were assembled there, and the games room was used as the local air raid wardens post. In the 1950's it became a licensed social club.	

Ref	Name & address	Reason for inclusion	Description	Photographs
m	Denny Beck Bridge Between Station Rd Halton and Denny Beck Lane (Locally known as 'Halton Bridge', 'The Iron Bridge', 'Denny Beck Bridge' or 'The Penny Bridge'.)	Historical significance to the village. Wider historical significance to Lancaster and the history of the railway in the area.	The current bridge replaced a wooden toll bridge, built in 1849 by the railway company. Following works to replace the Greyhound railway bridge in Lancaster components from the old Greyhound bridge were used to construct a replacement for the old wooden bridge in Halton in 1913. The railway company owned the bridge and continued to operate it as a toll bridge until 1966 when the railway and station finally closed The bridge features double beams of heavy riveted iron latticework with much of the structure encased in a concrete deck. Underneath, the bridge is supported above the water on a series of cross-braced trestle piers, with additional inclined braces on the upstream side to protect the main legs from floating debris.	
4	Halton Mill Mill Lane, Halton	Last remaining example of industrial history of the village. Significant in the context of the loss of historic mills across Lancashire. Also, part of the post war social history of immigration in the area.	Halton Mill (formerly Middle Mill) is the last mill remaining out of a series of water powered mills which stood on the bank of the River Lune at Halton. Built sometime between 1890 and 1920 for the manufacture of oil cloth. During WW2 the mill was used by the Army as barracks and stores. After the war former Polish soldiers established Luneside Engineering a successful precision engineering company that closed in the 1990s. Mainly stone built mill with four double pitched roofs. Roof structure has both large King & Queen post trusses boarded over, with the original slate roof replaced with a single ply membrane when the mill was refurbished in 2012.	

Halton-with-Aughton Neighbourhood Development Plan v14

Listed Buildings

Halton-with-Aughton Neighbourhood Development Plan v14

Name	List Entry Number	Heritage Category Listing Grade	Location
High cross in St Wilfrid's churchyard, Halton	1009490	Scheduled Monument	Church of St Wilfrid, Halton, Lancaster
Castle Hill motte and bailey, Halton	1012440	Scheduled Monument	Foundry Lane, Halton, Lancaster
LANCASTER CANAL LUNE AQUEDUCT	1362451	_	LANCASTER CANAL LUNE AQUEDUCT, Lower Lune Valley, Lancaster
MANOR HOUSE	1164390	*=	MANOR HOUSE, LOW ROAD, Halton, Lancaster
HALTON GREEN WEST FARMHOUSE	1362450	*=	HALTON GREEN WEST FARMHOUSE, GREEN LANE, Halton, Lancaster
CLOCK HOUSE AND FLANKING WALLS	1071887	=	CLOCK HOUSE AND FLANKING WALLS, CHURCH BROW, Halton, Lancaster
THE BOAT HOUSE	1071888	II	THE BOAT HOUSE, CHURCH BROW, Halton, Lancaster
PAIR OF GATE PIERS AND GATES TO CHURCHYARD OF CHURCH OF ST WILFRID	1071889	=	PAIR OF GATE PIERS AND GATES TO CHURCHYARD OF CHURCH OF ST WILFRID, CHURCH STREET, Halton, Lancaster
NO 2 RECTORY COTTAGES	1071890	Ш	NO 2 RECTORY COTTAGES, FOUNDARY LANE, Halton, Lancaster
HALTON GREEN EAST FARMHOUSE	1071891	=	HALTON GREEN EAST FARMHOUSE, GREEN LANE, Halton, Lancaster
BARN TO NORTH-EAST OF HALTON GREEN EAST FARMHOUSE	1071892	=	BARN TO NORTH-EAST OF HALTON GREEN EAST FARMHOUSE, GREEN LANE, Halton, Lancaster
MILLERS FARMHOUSE	1071893	II	MILLERS FARMHOUSE, 79, HIGH ROAD, Halton, Lancaster
<u>LIME TREE HOUSE</u>	1071894	II	LIME TREE HOUSE, 111, HIGH ROAD, Halton, Lancaster
<u>CARUS LODGE</u>	1071895	=	CARUS LODGE, LANCASTER LANE, Halton, Lancaster

PIERS, WALLS AND RAILINGS TO CARUS LODGE, ADJOINING CARUS LODGE COTTAGE	1071896	=	PIERS, WALLS AND RAILINGS TO CARUS LODGE, ADJOINING CARUS LODGE COTTAGE, LANCASTER LANE, Halton, Lancaster
CATON LUNE BRIDGE	1071897	II	CATON LUNE BRIDGE, LOW ROAD, Halton, Lancaster
WESTERN RAILWAY BRIDGE OVER THE RIVER LUNE AT CROOK OF LUNE	1071898	II	WESTERN RAILWAY BRIDGE OVER THE RIVER LUNE AT CROOK OF LUNE, LOW ROAD, Quernmore, Lancaster
NEWBANKS COTTAGE	1071899	II	NEWBANKS COTTAGE, MAIN STREET, AUGHTON, Halton-with-Aughton, Lancaster
AUGHTON HOUSE AND ADJOINING BARNS	1071900	=	AUGHTON HOUSE AND ADJOINING BARNS, MAIN STREET, AUGHTON, Halton-with-Aughton, Lancaster
HALTON PARK	1071901	II	HALTON PARK, PARK LANE, Halton-with-Aughton, Lancaster
HAWKSHEAD FARMHOUSE AND ADJOINING BARN	1071902	II	HAWKSHEAD FARMHOUSE AND ADJOINING BARN, PARK LANE, AUGHTON, Halton-with-Aughton, Lancaster
HALTON PARK FARMHOUSE	1071903	II	HALTON PARK FARMHOUSE, PARK LANE, Halton-with-Aughton, Lancaster
MIDDLE HIGHFIELD, (SOUTH-WESTERN FARMHOUSE)	1071928	II	MIDDLE HIGHFIELD, (SOUTH-WESTERN FARMHOUSE), AUGHTON ROAD, Halton-with-Aughton, Lancaster
BRADSHAW MAUSOLEUM, HALTON CHURCHYARD	1071929	II	BRADSHAW MAUSOLEUM, HALTON CHURCHYARD, CHURCH BROW, Halton, Lancaster
WHITE LION HOTEL AND COACH HOUSE ADJOINING TO NORTH-EAST	1071930	II	WHITE LION HOTEL AND COACH HOUSE ADJOINING TO NORTH-EAST, CHURCH BROW, Halton, Lancaster
GHYLL HOUSE	1164053	II	GHYLL HOUSE, AUGHTON BROW, AUGHTON, LA2 8LU, AUGHTON, Halton-with-Aughton, Lancaster
FAR HIGHFIELD, (NORTHERN HOUSE)	1164060	II	FAR HIGHFIELD, (NORTHERN HOUSE), AUGHTON ROAD, Halton-with-Aughton, Lancaster

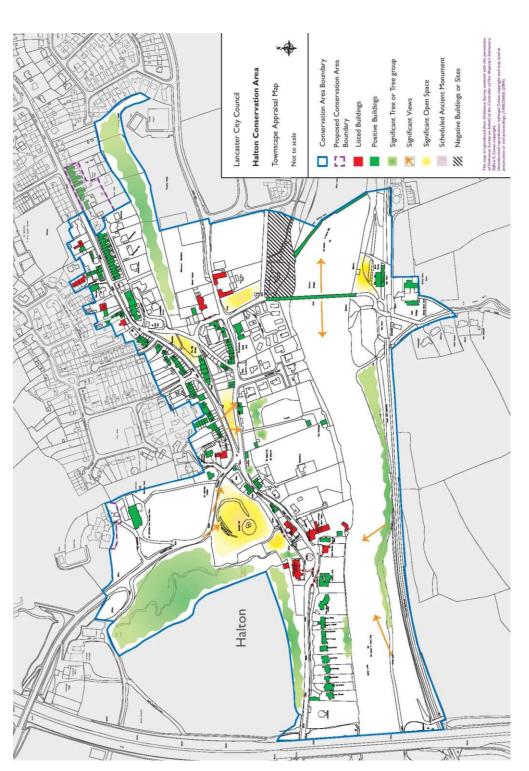
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CHURCH OF ST. WILFRID	1164098	=	CHURCH OF ST. WILFRID, CHURCH BROW, Halton, Lancaster
CARUS LODGE COTTAGE	1164345	II	CARUS LODGE COTTAGE, LANCASTER LANE, Halton, Lancaster
TOWN END FARMHOUSE	1164371	=	TOWN END FARMHOUSE, LOW ROAD, HALTON, Halton, Lancaster
GREEN BECK HOUSE	1164383	=	GREEN BECK HOUSE, LOW ROAD, HALTON GREEN, Halton, Lancaster
EASTERN RAILWAY BRIDGE OVER THE RIVER LUNE AT CROOK OF LUNE	1164408	=	EASTERN RAILWAY BRIDGE OVER THE RIVER LUNE AT CROOK OF LUNE, LOW ROAD, Caton-with-Littledale, Lancaster
THE BEECHES	1164417	=	THE BEECHES, MAIN STREET, AUGHTON, Halton-with-Aughton, Lancaster
AUGHTON OLD HALL	1164463	=	AUGHTON OLD HALL, MAIN STREET, AUGHTON, Halton-with-Aughton, Lancaster
NETHER HIGHFIELD	1164483	=	NETHER HIGHFIELD, PARK LANE, HALTON, LA2 6PE, LOWER HIGHFIELD, Halton-with-Aughton, Lancaster
HALTON ROAD BRIDGE (NUMBER 108)	1194993	=	HALTON ROAD BRIDGE (NUMBER 108), HALTON ROAD, LANCASTER, Non-Civil Parish, Lancaster
BARN 30 METRES NORTH OF FARMHOUSE AT PEDLERS FARM	1317849	II	BARN 30 METRES NORTH OF FARMHOUSE AT PEDLERS FARM, HIGH ROAD, Halton, Lancaster
MOORGATE FARMHOUSE	1317852	=	MOORGATE FARMHOUSE, KIRKBY LONSDALE ROAD, Halton-with-Aughton, Lancaster
PAIR OF GATEPIERS TO FORMER HALTON HALL	1317893	=	PAIR OF GATEPIERS TO FORMER HALTON HALL, CHURCH BROW, Halton, Lancaster
SUNDIAL, ABOUT 4 METRES SOUTH-EAST OF CHURCH PORCH OF THE CHURCH OF ST WILFRID	1317920	=	SUNDIAL, ABOUT 4 METRES SOUTH-EAST OF CHURCH PORCH OF THE CHURCH OF ST WILFRID, CHURCH BROW, Halton, Lancaster

FARM BUILDING TO THE EAST OF TOWN END FARMHOUSE	1362414	=	FARM BUILDING TO THE EAST OF TOWN END FARMHOUSE, LOW ROAD, Halton, Lancaster
GATE PIERS WEST OF MANOR HOUSE	1362415	=	GATE PIERS WEST OF MANOR HOUSE, LOW ROAD, Halton, Lancaster
AUGHTON BARNS	1362428	=	AUGHTON BARNS, AUGHTON BROW, Halton-with-Aughton, Lancaster
PAIR OF GATEPIERS AT ENTRANCE TO CHURCHYARD TO SOUTH OF THE CHURCH OF ST WILFRID	1362429	=	PAIR OF GATEPIERS AT ENTRANCE TO CHURCHYARD TO SOUTH OF THE CHURCH OF ST WILFRID, CHURCH BROW, Halton, Lancaster
ARCHWAY TO FORMER HALTON HALL	1362430	=	ARCHWAY TO FORMER HALTON HALL, CHURCH BROW, Halton, Lancaster
TOWER HOUSE AND FORMER STABLES AND BARN ADJOINING	1362448	=	TOWER HOUSE AND FORMER STABLES AND BARN ADJOINING, CHURCH BROW, Halton, Lancaster
NO 1 RECTORY COTTAGES	1362449	=	NO 1 RECTORY COTTAGES, FOUNDARY LANE, Halton, Lancaster
FIELD COTTAGE	1362452	П	FIELD COTTAGE, 89, HIGH ROAD, Halton, Lancaster

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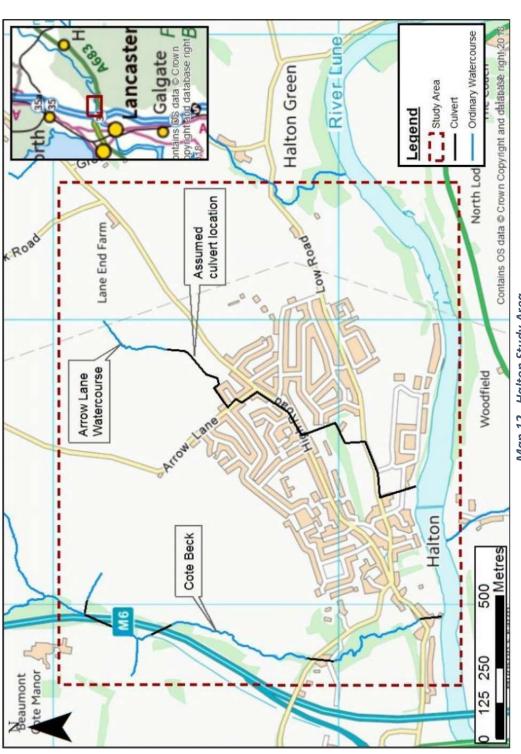
Map 11 - Halton Conservation Area Appraisal 2009, Townscape Appraisal Map

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Appendix 4: Halton's Recent Flooding History and Responses

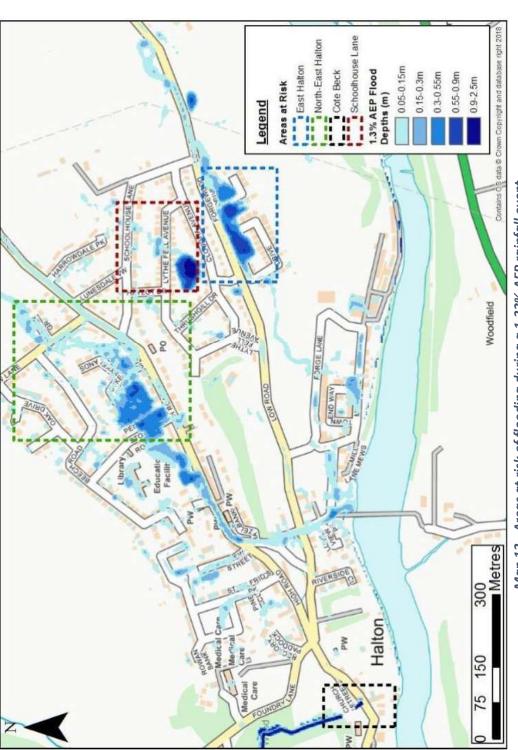
- 1. **Storm Desmond flooding**. On 5th December 2015, Storm Desmond's saturated ground conditions and very high rainfall caused the highest river flow recorded in the UK, in the River Lune, and caused extensive flooding:
 - a. River Lune 'fluvial' flooding along its northern bank, affected Lancaster Cohousing land (but not into the houses) and the park home site next to Halton Bridge. It also caused damage at Crook O' Lune, and landslides and bank erosion in some places; and flooded the Halton Lune Hydro, stopping power generation for some months.
 - b. Cote Beck stream flooding, from excess flows down the beck, 'backed up' by the Lune flood level at the bottom, flooding the Tower House area and Red Door café of the village.
 - c. Flooding all roads into and out of the village, preventing access.
 - d. 'Surface water' flooding from runoff over the surface, in excess of drain capacity, and down roads and through gardens, in various places in the village.
- **2. 2017 flooding.** In the 24 hours from 09:00 Wednesday 22nd November 2017 the weather station at Hazelrigg recorded 73.6mm of rainfall the highest level in more than 50 years since the centre started weather observations, causing flooding again:
 - a. The worst ever extensive 'surface water' flooding, including from upstream fields' runoff, in excess of drain capacity, of many village streets and gardens, and some houses, in Pennystone Road, High Road, Halton Road and Low Road causing families to have to leave their homes.
 - b. Cote Beck stream flooding, from excess flows down the beck, which again flooded the Tower House area and Red Door café of the village.
 - c. A high, but not so damaging, River Lune flood (but it stopped the Halton Lune Hydro again).
- 3. In response to the flooding, a village Flood Action Group (FLAG) was set up. It had various public meetings, and meetings with statutory authorities; and continued to liaise with them on agreed actions during 2018 and 2019. The actions included:
 - a. **Environment Agency** updating flood records, and the Surface Water Flood Risk Map;
 - b. Lancashire County Council (as the Local Lead Flooding Authority, LLFA) –removed some 70 tons of stones from the Cote Beck bed and culverts), instigating a study of how the motorway and new link road drainage have contributed to its flooding, and of how its flood risk can be reduced. It commissioned a detailed survey and study of the drainage capacity and flood risk in the village: the Flood Risk Management Study Halton Initial Assessment (the Jacobs Report) from consultants (see 5 below). Lancaster City Council (LCC) as the road drainage maintenance authority, cleaning all he drains, and reorganising the annual timing of cleaning, to be after leaf fall and before the likely November onwards flood season; and to liaise with the Parish Council to ensure that parked cars do not prevent this.
- 3. The FLAG, in conjunction with the newly set-up River Lune Forum, consulting with LCC Planning, and submitting proposed improvements to the flood risk management requirements of both the LCC draft Local Plan, and the consultation on the revised NPPF. These focus particularly on requiring and incentivising developers to carry the more sophisticated site Flood Risk Assessments that are required, right at the start of their site planning process; so that the flood risk management requirements space and cost can be built from the beginning into their land layouts, housing numbers and land price calculations.
- 4. After Storm Desmond, the Parish Council instigated an emergency plan to cover major events, including future flooding. An emergency generator is available at The Centre @ Halton, so it can be used as an emergency centre, as well as Halton Mill and St Wilfrid's School.

- 5. In February 2018, Lancashire County Council commissioned Jacobs UK Ltd to undertake a flood risk study covering Halton. The report <u>A Flood Risk Management Study Halton Initial Assessment</u>, February 2020 is provided on the NDP pages of the Parish Council website.
- 6. The aim of the initial assessment was to establish whether a workable, sustainable and justified solution to reduce the risk of flooding can probably be found, or whether the project should take a different course or be stopped.
- 7. The report examined [Section 3] 4 options for flood reduction in Halton. It concluded, and recommended [our emphasis]:
 - "The primary mechanisms of flooding in Halton is surface water flooding, driven by the amount of runoff entering the urban area from the surrounding upland areas. Flooding is exacerbated by local topography, which conveys flood flows through the urban area along key road networks towards low-lying areas. The surface water drainage network, including culverted watercourse and sewers, also becomes overwhelmed during the 5% AEP [1 in 20 years] rainfall event onwards. A total of 104 residential and 34 non-residential properties are estimated to be at risk of surface water flooding with Present Value damages estimated at £7.2m."
 - ".. a workable, sustainable and justified solution to reduce the risk of flooding can probably be found in Halton."
- 8. However, the property values affected by flooding in Halton are not high enough to justify the full national 'partnership' grant funding needed for solutions. So: "It is recommended that Lancashire County Council identify potential alternative funding sources to ascertain the financial feasibility of delivering Flood Risk Management in Halton. If it is likely that suitable funding sources can be identified, it is recommended that an Outline Business Case is developed by Lancashire County Council, with support from Lancaster City Council and key stakeholders such as United Utilities."
- 9. As far as we are aware, none of the Report's 11 further recommended steps have been undertaken.
- 10. During the informal consultation on the emerging Draft Plan in Spring 2024 flooding problems in Aughton were also noted.
- 11. Surface water flooding is a potential problem in many areas, exacerbated by poor maintenance of the drains and culverts. A particular concern is the extent to which flood water accumulates in the dip on the road between Halton and Aughton, adjacent to Pikethorn Wood and Monkley Gill Wood. After heavy rain this can become almost impassable.
- 12. These problems across both villages will only become more urgent as intense rainfall events become more common.
- 13. The following maps are sourced from the report A Flood Risk Management Study Halton Initial Assessment, February 2020 produced by Jacobs for Lancashire County Council.



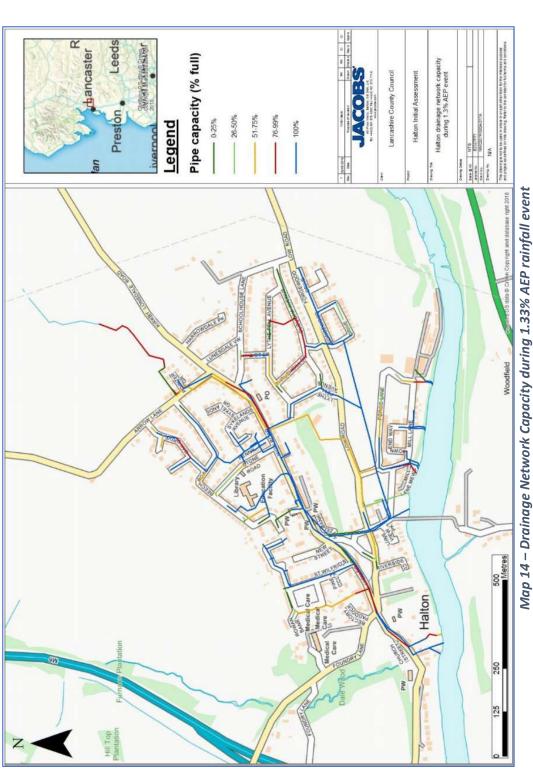
Map 12 - Halton Study Area

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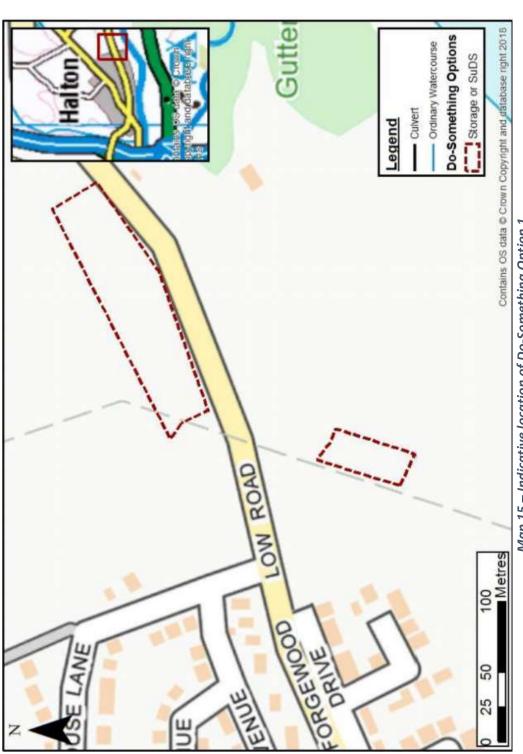


Map 13 - Areas at risk of flooding during a 1.33% AEP rainfall event

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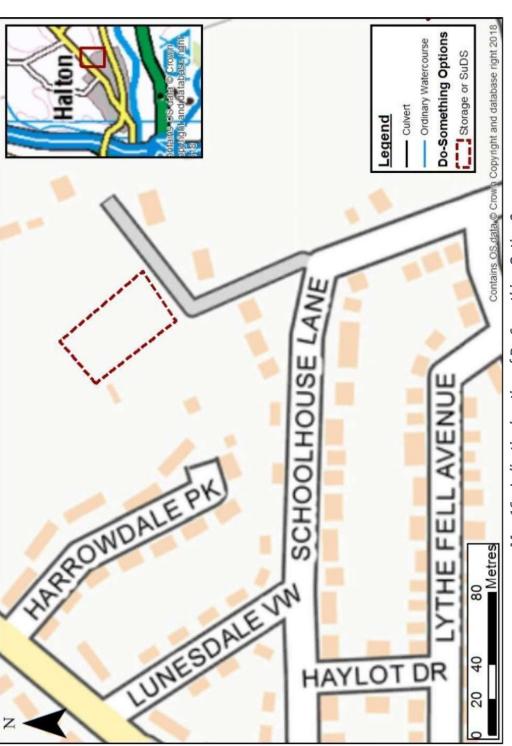


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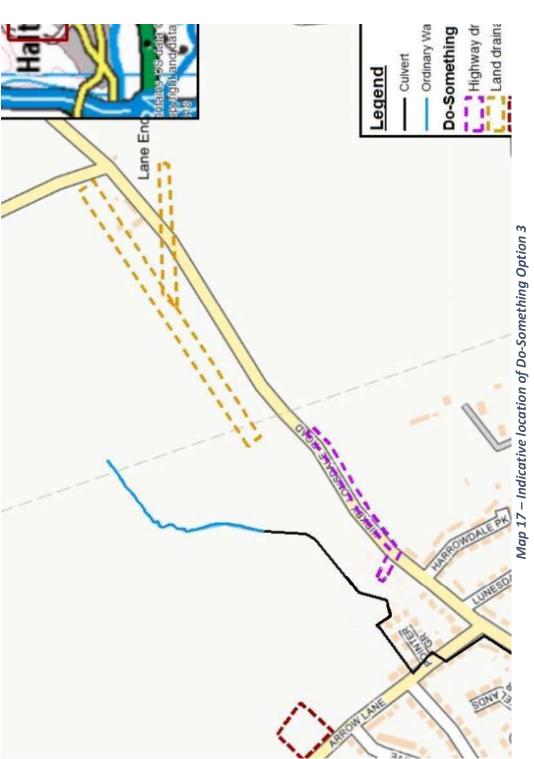
Map 15 – Indicative location of Do-Something Option 1

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Map 16 – Indicative location of Do-Something Option 2

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Halton-with-Aughton Parish Council with the support of:



Halton-with-Aughton Neighbourhood Development Plan

A report to Lancaster City Council of the Independent Examination of the Halton-with-Aughton Neighbourhood Development Plan

Copy to Halton-with-Aughton Parish Council

Independent Examiner Christopher Collison

Christopher Collison

BA (Hons) MBA MRTPI MIED IHBC

Planning and Management Ltd

31 July 2025

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Summary of Main Findings

This is the report of the Independent Examination of the Halton-with-Aughton Neighbourhood Development Plan. The Neighbourhood Plan relates to the Parish of Halton-with-Aughton which was designated as a Neighbourhood Area by Lancaster City Council on 27 October 2015. Halton-with-Aughton Parish Council is the qualifying body that has submitted the plan to Lancaster City Council. The plan period runs until 2031. The Neighbourhood Plan includes policies relating to the development and use of land. The Neighbourhood Plan does not allocate land for residential development.

As the Neighbourhood Plan was submitted to the City Council before 12 March 2025, in accordance with paragraph 239 of the National Planning Policy Framework December 2024, I must undertake this Independent Examination in the context of the National Planning Policy Framework published on 20 December 2023.

This report finds that subject to specified modifications the Neighbourhood Plan meets the Basic Conditions and other requirements. It is recommended the Neighbourhood Plan should proceed to a local referendum based on the plan area.

Neighbourhood Planning

- 1. The Localism Act 2011 empowers local communities to take responsibility for the preparation of elements of planning policy for their area through a neighbourhood development plan. Paragraph 29 of the National Planning Policy Framework (the Framework) states that "neighbourhood planning gives communities the power to develop a shared vision for their area".
- Following satisfactory completion of the necessary preparation process neighbourhood development plans have statutory weight. Decision-makers are obliged to make decisions on planning applications for the area that are in line with the neighbourhood development plan, unless material considerations indicate otherwise.
- 3. The parish of Halton-with-Aughton was designated as a Neighbourhood Area (the Neighbourhood Area) by Lancaster City Council (the City Council) on 27 October 2015. The Halton-with-Aughton Neighbourhood Development Plan (the Neighbourhood Plan) has been submitted by Halton-with-Aughton Parish Council (the Parish Council), a qualifying body able to prepare a neighbourhood plan, in respect of the Neighbourhood Area. The Neighbourhood Plan has been produced by a Neighbourhood Plan Steering Group supported by consultants Kirkwells.
- 4. The submission draft of the Neighbourhood Plan and accompanying documents were approved by the Parish Council on 11 December 2024, and submitted to the City Council on 28 January 2025. The City Council arranged a period of publication between 10 March 2025 and 28 April 2025. The City Council subsequently submitted the Neighbourhood Plan to me for independent examination which commenced on 23 June 2025.

Independent Examination

5. This report sets out the findings of the independent examination of the Neighbourhood Plan. The report makes recommendations to the City Council including a recommendation as to whether the Neighbourhood Plan should proceed to a local referendum. The City Council will decide what action to take in response to the recommendations in this report.

- 6. The City Council will decide whether the Neighbourhood Plan should proceed to referendum, and if so whether the referendum area should be extended, and what modifications, if any, should be made to the submission version plan. Once a neighbourhood plan has been independently examined, and a decision statement is issued by the local planning authority outlining their intention to hold a neighbourhood plan referendum, it must be considered and can be given significant weight when determining a planning application, in so far as the plan is material to the application.
- 7. Should the Neighbourhood Plan proceed to local referendum and achieve more than half of votes cast in favour, then the Neighbourhood Plan will form part of the Development Plan and be given full weight in the determination of planning applications and decisions on planning appeals in the plan area unless the City Council subsequently decide the Neighbourhood Plan should not be 'made.' The Housing and Planning Act 2016 requires any conflict with a neighbourhood plan to be set out in the committee report, that will inform any planning committee decision, where that report recommends granting planning permission for development that conflicts with a made neighbourhood plan. Paragraph 12 of the Framework is very clear that where a planning application conflicts with an up-to-date neighbourhood plan that forms part of the Development Plan, permission should not usually be granted.
- 8. I have been appointed by the City Council with the consent of the Parish Council, to undertake the examination of the Neighbourhood Plan and prepare this report of the independent examination. I am independent of the Parish Council and the City Council. I do not have any interest in any land that may be affected by the Neighbourhood Plan.
- 9. I am a Member of the Royal Town Planning Institute; a Member of the Institute of Economic Development; and a Member of the Institute of Historic Building Conservation. As a Chartered Town Planner, I have held national positions and have extensive experience at local planning authority Director or Head of Planning Service level. I have been a panel member of the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) since its inception, and have undertaken the independent examination of neighbourhood plans in every region of England, prepared in the full range of types of urban and rural communities.
- 10. As independent examiner, I am required to produce this report and must recommend either:
 - that the Neighbourhood Plan is submitted to a referendum, or
 - that modifications are made and that the modified Neighbourhood Plan is submitted to a referendum, or

- that the Neighbourhood Plan does not proceed to a referendum on the basis it does not meet the necessary legal requirements.
- 11.I make my recommendation in this respect and in respect to any extension to the referendum area, in the concluding section of this report. It is a requirement that my report must give reasons for each of its recommendations and contain a summary of its main findings.
- 12. Paragraph 9 of Schedule 4B to the Town and Country Planning Act 1990 provides that the general rule is that the examination of a neighbourhood plan is to take the form of the consideration of written representations. The Planning Practice Guidance (the Guidance) states "it is expected that the examination of a draft Neighbourhood Plan will not include a public hearing."
- 13. The examiner can call a hearing for the purpose of receiving oral representations about a particular issue in any case where the examiner considers that the consideration of oral representations is necessary to ensure adequate examination of the issue, or a person has a fair chance to put a case. This requires an exercise of judgement on my part. All parties have had the opportunity to state their case and no party has indicated that they have been disadvantaged by a written procedure. Regulation 16 responses clearly set out any representations relevant to my consideration whether the Neighbourhood Plan meets the Basic Conditions and other requirements. Those representations; the responses of the District and Parish Councils to my requests for clarification of matters; and the level of detail contained within the submitted Neighbourhood Plan and supporting documents have provided me with the necessary information required for me to conclude the Independent Examination. As I did not consider a hearing necessary, I proceeded based on examination of the submission and supporting documents; the written representations and comments; and an unaccompanied visit to the Neighbourhood Area.
- 14. This report should be read as a whole, and has been produced in an accessible format.

Basic Conditions and other Statutory Requirements

- 15. An independent examiner must consider whether a neighbourhood plan meets the "Basic Conditions." A neighbourhood plan meets the Basic Conditions if:
 - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;

- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and
- the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 16. With respect to the penultimate Basic Condition the European Withdrawal Act 2018 (EUWA) incorporates EU environmental law (directives and regulations) into UK law and provides for a continuation of primary and subordinate legislation, and other enactments in domestic law. An independent examiner must also consider whether a neighbourhood plan is compatible with the Convention Rights, which has the same meaning as in the Human Rights Act 1998. All these matters are considered in the later sections of this report titled 'The Neighbourhood Plan taken as a whole' and 'The Neighbourhood Plan Policies.' Where I am required to consider the whole Neighbourhood Plan, I have borne it all in mind.
- 17. In addition to the Basic Conditions and Convention Rights, I am also required to consider whether the Neighbourhood Plan complies with the provisions made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (in sections 38A and 38B themselves; in Schedule 4B to the 1990 Act (introduced by section 38A (3)); and in the 2012 Regulations (made under sections 38A (7) and 38B (4)). I am satisfied the Neighbourhood Plan has been prepared in accordance with the requirements of those sections, in respect to the Neighbourhood Planning (General) Regulations 2012 as amended (the Regulations) which are made pursuant to the powers given in those sections.
- 18. The Neighbourhood Plan relates to the area that was designated by the City Council on 27 October 2015. A map of the Neighbourhood Area is included as Map 1 of the Submission Version Plan. The Neighbourhood Plan does not relate to more than one neighbourhood area, and no other neighbourhood development plan has been made for the neighbourhood area. All requirements relating to the plan area have been met.
- 19. I am also required to check whether the Neighbourhood Plan sets out policies for the development and use of land in the whole or part of a designated neighbourhood area; and the Neighbourhood Plan does not include provision about excluded development (principally minerals, waste disposal, development automatically requiring Environmental Impact Assessment, and nationally significant infrastructure

- projects). I can confirm that I am satisfied that each of these requirements has been met.
- 20. A neighbourhood plan must also meet the requirement to specify the period to which it has effect. The front cover of the submission version Neighbourhood Plan states the plan period is 2024 2031. Paragraph 1.2 of the Neighbourhood Plan confirms the plan period runs until 2031.
- 21. The role of an independent examiner of a neighbourhood plan is defined. I am not examining the tests of soundness provided for in respect of examination of Local Plans. It is not within my role to examine or produce an alternative plan, or a potentially more sustainable plan, except where this arises because of my recommended modifications so that the Neighbourhood Plan meets the Basic Conditions and other requirements that I have identified. I have been appointed to examine whether the submitted Neighbourhood Plan meets the Basic Conditions and Convention Rights, and the other statutory requirements.
- 22. A neighbourhood plan can be narrow or broad in scope. There is no requirement for a neighbourhood plan to be holistic, or to include policies dealing with all land uses or development types, and there is no requirement for a neighbourhood plan to be formulated as, or perform the role of, a comprehensive local plan. The nature of neighbourhood plans varies according to local requirements.
- 23. Neighbourhood plans are developed by local people in the localities they understand and as a result each plan will have its own character. It is not within my role to reinterpret, restructure, or re-write a plan to conform to a standard approach or terminology. Indeed, it is important that neighbourhood plans reflect thinking and aspiration within the local community. They should be a local product and have meaning and significance to people living and working in the area.
- 24. I have only recommended modifications to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the Basic Conditions and the other requirements I have identified. I refer to the matter of minor corrections and other adjustments of general text in the Annex to my report.

Documents

25. I have considered each of the following documents in so far as they have assisted me in determining whether the Neighbourhood Plan meets the Basic Conditions and other requirements:

- Halton-with-Aughton Neighbourhood Development Plan 2024-2031 Submission Draft including Appendices 1 to 4 December 2024
- Halton-with-Aughton Neighbourhood Development Plan 2024-2031 Basic Conditions Statement December 2024 [In this report referred to as the Basic Conditions Statement]
- Halton-with-Aughton Neighbourhood Development Plan 2024-2031Consultation Statement January 2025 [In this report referred to as the Consultation Statement]
- Halton-with-Aughton Neighbourhood plan (Submission Version December 2024)
 Strategic Environmental Assessment (SEA) Screening Report
- Halton-with-Aughton Neighbourhood Plan (Submission Version December 2024) Habitats Regulations Assessment (HRA) Screening Report
- Information available on the Halton-with-Aughton Parish Council website including the Halton Conservation Area Appraisal 2009
- Information available on the City Council website including Jacobs Flood Risk Management Study, Halton Initial Assessment, February 2020; Landscape Character Assessment at Area of Separation between Lancaster and Halton, May 2023; Halton-with-Aughton Neighbourhood Development Plan Local Green Space Assessment Report December 2024; Parishes of Halton with Aughton and Caton, Quernmore and Skerton Housing Needs Survey for the Lune Valley Community Land Trust November 2019
- Representations received during the Regulation 16 publicity period and the comments of the Parish Council on those representations dated 7 July 2025
- Correspondence between the Independent Examiner and the City Council and the Parish Council including: the initial letter of the Independent Examiner dated 23 June 2025; the letter of the Independent Examiner seeking clarification of a matter dated 11 July 2025 and the joint response of the City and Parish Councils dated 16 July 2025
- National Planning Policy Framework (2023) [In this report referred to as the Framework]
- Lancaster City Local Plan Strategy 2008-2029 (adopted 17 February 2015) and Lancaster City Local Plan Allocations 2008-2029 (adopted 16 July 2019)
- Documents relating to the emerging Local Plan 2043
- Permitted development rights for householders' technical guidance MHCLG (10 September 2019) [In this report referred to as the Permitted Development Guidance]
- Planning Practice Guidance web-based resource MHCLG (first fully launched 6
 March 2014 and subsequently updated) [In this report referred to as the Guidance
 which should be taken to also include all Written Ministerial Statements]
- Town and Country Planning (Use Classes) Order 1987 (as amended)
- Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014
- Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2015
- Town and Country Planning Act 1990 (as amended)
- Planning and Compulsory Purchase Act 2004 (as amended)
- Equality Act 2010
- Localism Act 2011
- Housing and Planning Act 2016

- European Union (Withdrawal) Act 2018
- Neighbourhood Planning Act 2017 and Commencement Regulations 19 July 2017, 22 September 2017, and 15 January 2019
- Neighbourhood Planning (General) Regulations 2012 (as amended) [In this report referred to as the Regulations. References to Regulation 14, Regulation 16 etc in this report refer to these Regulations]
- Neighbourhood Planning (General) (Amendment) Regulations 2015
- Neighbourhood Planning (General) incorporating Development Control Procedure (Amendment) Regulations 2016
- Conservation of Habitats and Species Regulations 2017
- Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

Consultation

- 26. The submitted Neighbourhood Plan is accompanied by a Consultation Statement which outlines the process undertaken in the preparation of the plan. In addition to detailing who was consulted and by what methods. A summary of comments received from local community members, and other consultees, and how these have been addressed in the submission plan are presented in an accompanying document. I highlight here several key stages of consultation undertaken to illustrate the approach adopted.
- 27. Following a decision in late 2017 of the Parish Council to start work on preparation of a Neighbourhood Plan a Neighbourhood Plan Steering Group was established. A Housing Needs Survey that also included areas beyond the parish was undertaken in May and June 2019. A first draft plan was published for informal consultation from 5 October 2019 to 16 November 2019. Publicity included publication of the plan on the Parish Council website; postings on social media; coverage in 'The Prattle' a local newsletter delivered to all households bi-monthly; and two public drop-in events at 'The Centre.' Hard copy plan documents were made available at three locations and were available on request from the Clerk to the Parish Council. Comments received were made available for public inspection and informed the plan preparation process.
- 28. It was recognised that circumstances had changed since the previous consultation during the national pandemic with the adoption of Part One and Part Two Local Plan documents and new residents moving into the area, an updated draft plan was consulted on from 8 April 2024 to 5 May 2024 through publication online, availability of hard copy documents and public drop-in sessions. Landowners of sites identified

as potential Local Green Spaces were contacted in writing.

- 29. In accordance with Regulation 14 the Parish Council consulted on the presubmission version of the draft Neighbourhood Plan for a period of eight weeks between 15 July 2024 and 8 September 2024. A copy of the Pre-Consultation Draft Plan and supporting documentation was published, and could be downloaded from, the Parish Council website, and was made available in hard copy format. The consultation was also publicised through 'The Prattle' distributed to households throughout the parish including to each household, and on social media. Drop-in exhibitions were held on three dates. Consultee bodies were notified directly. The 29 responses to the consultation are presented in Appendix 10 of the Consultation Statement and Appendix 11 sets out comments of the Steering Group in response and any action taken, including modification and correction of the emerging Neighbourhood Plan. Suggestions have, where considered appropriate, been reflected in changes to the Plan that were approved on 11 December 2024 and submitted by the Parish Council to the City Council.
- 30. Following submission of a plan proposal by a qualifying body, the local planning authority will check it includes all items set out in Regulation 15, and then publicise the plan in accordance with Regulation 16. The local planning authority then sends the Independent Examiner all the documents set out in Regulation 17, which includes a copy of any representations that have been made in accordance with Regulation 16. The actions necessary under Regulation 16 and Regulation 17 are entirely matters to be undertaken by, and under the control of, the local planning authority. The Submission Version of the Neighbourhood Plan has been the subject of a Regulation 16 period of publication. The City Council arranged a period of publication between 10 March 2025 and 28 April 2025. The representations that were duly made have been published on the City Council website.
- 31. The City Council representation includes support for the objectives of the Neighbourhood Plan and support for Policy HA-1; Policy HA-2; Policy HA-6; Policy HA-9; Policy HA-10; and Policy HA-11. The City Council comment on Policy HA-3; Policy HA-4; Policy HA-5; Policy HA-7; and Policy HA-8 and I refer to those comments later in my report when considering those policies. The City Council representation includes other general comments which I refer to in the Annex to my report.
- 32. The Defence Infrastructure Organisation states on behalf of the Ministry of Defence (MOD) "Located within the Neighbourhood Plan Area (NPA) is an existing military establishment, known as Halton Training Camp. A plan of the Site is attached to Appendix 1. The Site plays a role in terms of national defence and military capability, and training. Importantly, there is an ongoing need to safeguard the facility for defence

purposes, and to support further development to meet operational requirements - in line with paragraph 102(b) of the NPPF (December 2024). As such, we consider that proposals associated with defence and military operations should be supported, where they would enhance or sustain operational capabilities. It is also important to note that non-military or non-defence related development within or in the areas around the Site will not be supported, where it would adversely affect military operations or capability, unless it can be demonstrated that there is no longer a defence or military need for the Site. It is our position that this should be clearly outlined within the Neighbourhood Plan in the form of a Policy, as set out at Appendix 2 of this representation. I consider this matter in relation to Policy HA-8.

- 33. The representation of the Defence Infrastructure Organisation also includes reference to community aspirations contained within paragraphs 10.23 and 10.24 of the Neighbourhood Plan relating to the upgrading of a pedestrian route. I refer to this matter later in my report when considering whether having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Plan. The representation also refers to Policy HA-2.
- 34. United Utilities Water Limited has commented in respect of Policies HA-4 and HA-5. Lancashire County Council's School Planning Team state "Although there is not a direct reference to educational impacts within the report, we ask that it is recognised that school place provision is a key element of delivering sustainable communities." The Coal Authority states "Our records indicate that within the Neighbourhood Plan area there are recorded coal mining features present at surface and shallow depth including; mine entries and probable coal workings. These features may pose a potential risk to surface stability and public safety. It is noted that the Neighbourhood Plan does not propose to allocate any new sites for development and on this basis, we have no specific comments to make on this document." Historic England also confirms no comment. Representations on behalf of National Gas Transmission and National Grid Electricity Transmission include general advice but do not include any comment in respect of the policies of the Neighbourhood Plan.
- 35. A detailed representation on behalf of Applethwaite Homes Ltd concludes by stating "Policy HA-5, as currently written, duplicates existing national policy in several areas, while introducing additional ambiguities that undermine certainty for developers, landowners, and the local authority. Given these critical weaknesses, it is our firm view that Policy HA-5 cannot be retained. The Do-Something allocations should be deleted in full. The retention of an ambiguous, unjustified, and ineffective flood mitigation strategy would not only constrain the delivery of much-needed homes but also conflict with the broader planning objectives of the Lancaster District."
- 36. I have been sent each of the Regulation 16 representations. In preparing this report I have taken into consideration all the representations submitted, in so far as they are

relevant to my role, even though they may not be referred to in whole in my report. Some representations, or parts of representations, are not relevant to my role which is to decide whether the Neighbourhood Plan meets the Basic Conditions and other requirements that I have identified. Where the representations suggest additional policy matters that could be included in the Neighbourhood Plan that is only a matter for my consideration where such additions are necessary for the Neighbourhood Plan to meet the Basic Conditions or other requirements that I have identified. Having regard to Bewley Homes Plc v Waverley City Council [2017] EWHC 1776 (Admin) Lang J, 18 July 2017, and Town and Country Planning Act Schedule 4B paragraph 10(6), where representations raise concerns or state comments or objections in relation to specific policies, I refer to these later in my report when considering the policy in question where they are relevant to the reasons for my recommendations.

- 37. I provided the Parish Council with an opportunity to comment on the Regulation 16 representations of other parties. Whilst I placed no obligation on the Parish Council to offer any comments, such an opportunity can prove helpful where representations of other parties include matters that have not been raised earlier in the plan preparation process. On 7 July 2025 the Parish Council commented on the representations of other parties, in particular relating to the statement on behalf of Applethwaite Homes that the Parish Council had failed to contact landowners at any stage. The Parish Council state "As listed in the Consultation Statement (page 168), letters were sent to the legally registered landowners who may wish to comment on the flood zones identified in the Neighbourhood Plan. Obviously, if addresses were out-of-date on the Land Registry, then those letters may have not arrived, but the Parish Council certainly attempted to contact relevant landowners." The Parish Council also stated that whilst the Lead Local Flood Authority had commented "at each stage" unfortunately they did not provide a Regulation 16 representation. The Parish Council sent me a copy of the Regulation 14 representation of Lancashire County Council as Lead Local Flood Authority dated 22 August 2024. I have taken the comments of the Parish Council, including the enclosure, into consideration in this Independent Examination but may not have referred to all those comments and enclosed submission in my report
- 38. The Regulations state that where a qualifying body submits a plan proposal to the local planning authority it must include amongst other items a consultation statement. The Regulations state a consultation statement means a document which:
 - a) contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;
 - b) explains how they were consulted;
 - c) summarises the main issues and concerns raised by the persons consulted;

and

- d) describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.
- 39. The Consultation Statement includes information in respect of each of the requirements set out in the Regulations. I am satisfied the requirements have been met. In addition, sufficient regard has been paid to the advice regarding plan preparation and engagement contained within the Guidance. It is evident the Neighbourhood Plan Committee has taken great care to ensure stakeholders have had full opportunity to influence the general nature, and specific policies, of the Neighbourhood Plan.

The Neighbourhood Plan taken as a whole

40. This section of my report considers whether the Neighbourhood Plan, when considered as a whole, meets EU obligations, habitats, and Human Rights requirements; has regard to national policies and advice contained in guidance issued by the Secretary of State; whether the plan contributes to the achievement of sustainable development; and whether the plan is in general conformity with the strategic policies contained in the Development Plan for the area. Each of the plan policies is considered in turn in the section of my report that follows this. In considering all these matters I have referred to the submission, background, and supporting documents, and copies of the representations and other material provided to me.

Consideration of Convention Rights; and whether the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations; and the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017

41. The Basic Conditions Statement states "The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights." I have considered the European Convention on Human Rights and in particular Article 6 (fair hearing); Article 8 (privacy); Article 14 (discrimination); and Article 1 of the first Protocol (property). The Human Rights Act 1998 which came into force in the UK in 2000 had the effect of codifying the protections in the European Convention on Human Rights into UK law. Development Plans by their nature will include policies that relate differently to areas of land. Where the Neighbourhood Plan policies relate differently

to areas of land this has been explained in terms of land use and development related issues. I have seen nothing in the submission version of the Neighbourhood Plan that indicates any breach of the Convention. I am satisfied the Neighbourhood Plan has been prepared in accordance with the obligations for Parish Councils under the Public Sector Equality Duty (PSED) in the Equality Act 2010. From my own examination the Neighbourhood Plan would appear to have neutral or positive impacts on groups with protected characteristics as identified in the Equality Act 2010.

- 42. The objective of EU Directive 2001/42 (transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004) is "to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment." The Neighbourhood Plan falls within the definition of 'plans and programmes' (Defined in Article 2(a) of Directive 2001/42) as the Local Planning Authority is obliged to 'make' the plan following a positive referendum result (Judgement of the Court of Justice of the European Union (Fourth Chamber) 22 March 2012).
- 43. The Neighbourhood Planning (General) (Amendment) Regulations 2015 require the Parish Council, as the Qualifying Body, to submit to the City Council either an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, or a statement of reasons why an environmental report is not required.
- 44. The Halton-with-Aughton Neighbourhood Plan (Submission Version December 2024) Strategic Environmental Assessment (SEA) Screening Report dated January 2025 sets out the Screening Outcome as follows "Initial internal screening of the Neighbourhood Plan concludes that it is unlikely that the Neighbourhood Plan would result in a significant environmental effect. The strong focus of the Neighbourhood Plan on the protection of the environment, heritage assets, its National Landscape focus and lack of allocations make it unlikely to result in significant effects. The council is satisfied that the Plan is unlikely to result in significant effects." The three statutory bodies Historic England, Natural England and the Environment Agency have confirmed this conclusion. I am satisfied the requirements regarding Strategic Environmental Assessment have been met.
- 45. The Halton-with-Aughton Neighbourhood Plan (Submission Version December 2024) Habitats Regulations Assessment (HRA) Screening Report dated January 2025 sets out a Screening Outcome as follows "The HRA Screening Report of the Halton-with-Aughton Draft Neighbourhood Plan has considered the potential

implications for designated sites near the Neighbourhood Plan area boundary. The Submission document places a strong emphasis on the protection of the area's natural environment. The inclusion of Policy HA-2 'Protecting and Enhancing Wildlife and Geodiversity' is a welcomed inclusion and will ensure, together with policies within the Local Plan, that the Neighbourhood Plan would not have an adverse effect on the integrity of the designated sites identified either alone, or in combination with other plans or projects". The Statutory Consultee Natural England has confirmed agreement with this conclusion. I am satisfied that the Neighbourhood Plan meets the requirements of the revised Basic Condition relating to Habitats Regulations.

- 46. There are other EU obligations that can be relevant to land use planning including the Water Framework Directive, the Waste Framework Directive, and the Air Quality Directive but none appear to be relevant in respect of this independent examination.
- 47. I conclude that the Neighbourhood Plan is compatible with the Convention Rights, and does not breach, and is otherwise compatible with, EU obligations. I also conclude the making of the Neighbourhood Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 48. The Guidance states it is the responsibility of the local planning authority to ensure that all the regulations appropriate to the nature and scope of a draft neighbourhood plan submitted to it have been met for the draft neighbourhood plan to progress. The City Council as Local Planning Authority must decide whether the draft neighbourhood plan is compatible with EU environmental law obligations (directives and regulations) incorporated into UK domestic law by the European Withdrawal Act 2018 (EUWA):
 - when it takes the decision on whether the neighbourhood plan should proceed to referendum; and
 - when it takes the decision on whether to make the neighbourhood plan (which brings it into legal force).

Consideration whether having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Plan; and whether the making of the Neighbourhood Plan contributes to the achievement of sustainable development

49. I refer initially to the basic condition "having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan." The requirement to determine whether it is appropriate that the plan is made includes the words "having regard to." This is not the same as compliance, nor is it

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- the same as part of the tests of soundness provided for in respect of examinations of Local Plans which requires plans to be "consistent with national policy."
- 50. Lord Goldsmith has provided guidance (Column GC272 of Lords Hansard, 6 February 2006) that 'have regard to' means "such matters should be considered." The Guidance assists in understanding "appropriate." In answer to the question "What does having regard to national policy mean?" the Guidance states a neighbourhood plan "must not constrain the delivery of important national policy objectives."
- 51. As the Neighbourhood Plan was submitted to the City Council before 12 March 2025, in accordance with paragraph 239 of the National Planning Policy Framework December 2024, I must undertake this Independent Examination in the context of the National Planning Policy Framework published on 20 December 2023. References to the Framework in my report refer to that version. I have considered the Planning Practice Guidance in that context.
- 52. Section 3 of the Basic Conditions Statement demonstrates how the Neighbourhood Plan and its policies have regard for the Framework. I am satisfied the Basic Conditions Statement demonstrates how the Neighbourhood Plan has regard to relevant identified components of the Framework.
- 53. The Neighbourhood Plan includes in paragraph 3.2 a positive vision for Halton-with-Aughton Parish that has social, and environmental dimensions, and indirectly an economic dimension. Paragraph 3.3 identifies eight objectives relating to: integration of new development; rural character; protection and enhancement of sites of biological importance; ensuring new housing meets local needs; protection and enhancement of community facilities; promotion of sustainable transport; reduction of surface water flooding at key risk areas; and to protect green spaces. The vision and objectives provide a framework for the policies that have been developed. It is intended the policies of the Neighbourhood Plan will assist the delivery of the objectives.
- 54. Section 10 of the Neighbourhood Plan sets out community aspirations relating to traffic calming, parking, and transport; community facilities; green spaces and wildlife corridors; footpaths and rural land management. Paragraph 1.15 of the Neighbourhood Plan explains these are important local concerns which have been raised in public consultations which cannot be addressed through planning policies in the NDP.
- 55. The representation of the Defence Infrastructure Organisation on behalf of the Ministry of Defence (MOD) includes "As outlined above, there is a need to safeguard Halton Training Camp, given its role for national defence and military capability, and training. On this point, the Neighbourhood Plan notes the presence of a footpath

along the northern boundary of the Army Camp, which runs from the camp entrance to the M6 Bridge. It is the intention of the Neighbourhood Plan to safeguard the route by way of a conversion to a public right of way, as it provides a valuable pedestrian route between Lancaster and Halton (para 10.23); and also allow the path to be multi-use to allow horse riding and cycling (para 10.24). The Neighbourhood Plan correctly draws reference to the Instrument of Dedicated (dated 8th of March 1988)1 which was agreed with the Council and requires the footpath to remain for pedestrian access only, as a grassy rural path. As such we consider the proposed upgrade and intensification of use (including for horse riding and cycling) would pose a conflict with military activity on the camp and an increased security risk. As such, the MOD does not agree to this proposed amendment, as required by para 10.21 of the Neighbourhood Plan. As such, we advise that this recommendation is removed from the proposed submission draft, as it would represent a breach of the conditions set and agreed."

56. The plan preparation process is a convenient mechanism to surface and test local opinion on ways to improve a neighbourhood other than through the development and use of land. It is important that those non-development and land use matters, raised as important by the Parish Council and the local community or other stakeholders, should not be lost sight of. The acknowledgement in the Neighbourhood Plan of issues raised in consultation processes that do not have a direct relevance to land use planning policy represents good practice. The Guidance states, "Wider community aspirations than those relating to the development and use of land, if set out as part of the plan, would need to be clearly identifiable (for example, set out in a companion document or annex), and it should be made clear in the document that they will not form part of the statutory development plan." The community aspirations are presented in a dedicated section of the Neighbourhood Plan. I am satisfied the community aspirations are adequately distinguished from the policies of the Neighbourhood Plan however I have recommended a modification so that their status is made clearer. I confirm the community aspirations have not been subject to Independent Examination.

Recommended modification 1:

- transfer Part 10 Community Aspirations to become an Annex to the Neighbourhood Plan
- delete paragraph 10.2 and continue paragraph 10.3 with "The community aspirations set out below are not planning policies and do not form part of the statutory Neighbourhood Development Plan"
- continue the final bullet point of paragraph 10.23 with "The Defence Infrastructure Organisation on behalf of the Ministry of Defence (MOD) has stated 'we consider the proposed upgrade and intensification of use (including for horse riding and cycling) would pose a conflict with

military activity on the camp and an increased security risk.' As such any change to the current situation regarding this path is unlikely."

- 57. Apart from those elements of policy of the Neighbourhood Plan in respect of which I have recommended a modification to the plan I am satisfied that the need to 'have regard to' national policies and advice contained in guidance issued by the Secretary of State has, in plan preparation, been exercised in substance in such a way that it has influenced the final decision on the form and nature of the plan. This consideration supports the conclusion that except for those matters in respect of which I have recommended a modification of the plan, the Neighbourhood Plan meets the basic condition "having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan."
- 58. At the heart of the Framework is a presumption in favour of sustainable development which should be applied in both plan-making and decision-taking. The Guidance states, "This basic condition is consistent with the planning principle that all planmaking and decision-taking should help to achieve sustainable development. A qualifying body must demonstrate how its plan or order will contribute to improvements in environmental, economic, and social conditions or that consideration has been given to how any potential adverse effects arising from the proposals may be prevented, reduced, or offset (referred to as mitigation measures). To demonstrate that a draft neighbourhood plan or order contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan or order guides development to sustainable solutions."
- 59. The Basic Conditions require my consideration whether the making of the Neighbourhood Plan contributes to the achievement of sustainable development. There is no requirement as to the nature or extent of that contribution, nor a need to assess whether the plan makes a particular contribution. The requirement is that there should be a contribution. There is also no requirement to consider whether some alternative plan would make a greater contribution to sustainable development.
- 60. The Framework states there are three dimensions to sustainable development: economic, social, and environmental. Table 1 of the Basic Conditions Statement demonstrates ways in which identified policies of the Neighbourhood Plan support the economic, social, and environmental aspects of sustainable development. The statement does not highlight any negative impacts of the Neighbourhood Plan or its policies.
- 61. I conclude that the Neighbourhood Plan, by guiding development to sustainable solutions, contributes to the achievement of sustainable development. Broadly, the Neighbourhood Plan seeks to contribute to sustainable development by ensuring

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schemes are of an appropriate nature and quality to contribute to economic and social well-being; whilst also protecting important environmental features of the Neighbourhood Area. I consider the Neighbourhood Plan as recommended to be modified seeks to:

- Conserve and enhance local landscape character;
- Protect and enhance wildlife and geodiversity;
- Maintain an identified area of separation between Lancaster and Halton;
- Designate five Local Green Spaces;
- Address flood risk;
- Protect historic character;
- Meet local housing needs;
- Establish conditional support for development within identified urban development areas;
- Establish design principles for sustainable development;
- Promote active travel; and
- Avoid unnecessary loss of identified community facilities;
- 62. Subject to my recommended modifications of the Submission Plan including those relating to specific policies, as set out later in this report, I find it is appropriate that the Neighbourhood Plan should be made having regard to national policies and advice contained in guidance issued by the Secretary of State. I have also found the Neighbourhood Plan contributes to the achievement of sustainable development.

Consideration whether the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)

- 63. Paragraph 13 of the Framework states 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." Paragraph 21 of the Framework states "plans should make explicit which policies are strategic policies." Footnote 16 of the Framework states "Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area." Paragraph 29 of the Framework states "Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine its strategic policies."
- 64. In this independent examination, I am required to consider whether the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). The City

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Council has confirmed the Development Plan applying in the Halton-with-Aughton Neighbourhood Area comprises the Local Plan for Lancaster District, Part One: Strategic Policies & Land Allocations (climate emergency review) Development Plan Document (Adopted 22 January 2025) and Part Two: Development Management (climate emergency review) Development Plan Document (adopted 22 January 2025).

- 65. The Guidance states, "A local planning authority should set out clearly its strategic policies in accordance with paragraph 21 of the National Planning Policy Framework and provide details of these to a qualifying body and to the independent examiner." The City Council has confirmed for the purposes of neighbourhood planning the strategic policies of the development plan are those within the Part One document.
- 66. The City Council has confirmed a review of the Local Plan has commenced but is not yet at any formal stage. It is currently anticipated the Lancaster District Local Plan for 2028/29 2042/43 will be finalised and adopted in June 2028.
- 67. The Neighbourhood Plan can proceed ahead of preparation of the new Local Plan. The Guidance states: "Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its Local Plan. A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. Although a draft Neighbourhood Plan or Order is not tested against the policies in an emerging Local Plan the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing needs evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development. Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:
 - the emerging neighbourhood plan;
 - the emerging Local Plan;
 - the adopted development plan;

with appropriate regard to national policy and guidance. The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination. The local planning authority should work with the qualifying body to produce complementary neighbourhood and Local Plans. It is important to minimise any conflicts between policies in the neighbourhood plan and

those in the emerging Local Plan, including housing supply policies. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved by the decision maker favouring the policy which is contained in the last document to become part of the development plan. Neighbourhood plans should consider providing indicative delivery timetables and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new Local Plan."

- 68. I am mindful of the fact that should there ultimately be any conflict between the Neighbourhood Plan, and the new Local Plan when it is adopted; the matter will be resolved in favour of the plan most recently becoming part of the Development Plan; however, the Guidance is clear in that potential conflicts should be minimised. To satisfy the basic conditions, the Neighbourhood Plan must be in general conformity with the strategic policies of the Development Plan. The emerging new Local Plan is not part of the Development Plan and this requirement does not apply in respect of that. Emerging planning policy is subject to change as plan preparation work proceeds. The Guidance states "Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood areas. They can be developed before or at the same time as the local planning authority is producing its Local Plan."
- 69. In considering a now-repealed provision that "a local plan shall be in general conformity with the structure plan" the Court of Appeal stated "the adjective 'general' is there to introduce a degree of flexibility" (Persimmon Homes v. Stevenage BC the Court of Appeal [2006] 1 P &CR 31). The use of 'general' allows for the possibility of conflict. Obviously, there must at least be broad consistency, but this gives considerable room for manoeuvre. Flexibility is however not unlimited. The test for neighbourhood plans refers to the strategic policies of the development plan, rather than the whole development plan.
- 70. The Guidance states, "When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:
 - whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with;
 - the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;
 - whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy;

 the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach."

My approach to the examination of the Neighbourhood Plan Policies has been in accordance with this guidance.

71. Consideration as to whether the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the Development Plan for the area of the authority (or any part of that area) has been addressed through examination of the plan as a whole and each of the plan policies below. I have taken into consideration Table 5 of the Basic Conditions Statement that demonstrates how the policies of the Neighbourhood Plan are in general conformity with relevant strategic policies. Subject to the modifications I have recommended, I have concluded the Neighbourhood Plan is in general conformity with the strategic policies contained in the Development Plan.

The Neighbourhood Plan Policies

72. The Neighbourhood Plan includes 11 policies as follows:

Policy HA-1 Conserving and Enhancing Local Landscape Character

Policy HA-2 Protecting and Enhancing Wildlife and Geodiversity

Policy HA-3 Area of Separation

Policy HA-4 Local Green Spaces

Policy HA-5 Flooding

Policy HA-6 Protecting Historic Character

Policy HA-7 Meeting Local Housing Needs

Policy HA-8 Halton Urban Development

Policy HA-9 High Quality and Sustainable Design

Policy HA-10 Active Travel

Policy HA-11 Community Facilities

73. 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." Footnote 16 of the Framework states "Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area."

- 74. Paragraph 15 of the Framework states "The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social, and environmental priorities; and a platform for local people to shape their surroundings."
- 75. Paragraph 16 of the Framework states "Plans should: a) be prepared with the objective of contributing to the achievement of sustainable development; b) be prepared positively, in a way that is aspirational but deliverable; c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees; d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals; e) be accessible through the use of digital tools to assist public involvement and policy presentation; and f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant)."
- 76. The Guidance states "A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise, and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared."
- 77. "While there are prescribed documents that must be submitted with a neighbourhood plan ... there is no 'tick box' list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan."
- 78. A neighbourhood plan should contain policies for the development and use of land. "This is because, if successful at examination and referendum (or where the neighbourhood plan is updated by way of making a material modification to the plan and completes the relevant process), the neighbourhood plan becomes part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise (See section 38(6) of the Planning and Compulsory Purchase Act 2004)."

- 79. "Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need." "A neighbourhood plan can allocate sites for development, including housing. A qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria. Guidance on assessing sites and on viability is available."
- 80. If to any extent, a policy set out in the Neighbourhood Plan conflicts with any other statement or information in the plan, the conflict must be resolved in favour of the policy. Given that policies have this status, and if the Neighbourhood Plan is 'made' they will be utilised in the determination of planning applications and appeals, I have examined each policy individually in turn. I have considered any inter-relationships between policies where these are relevant to my remit.

Policy HA-1 Conserving and Enhancing Local Landscape Character

- 81. This policy seeks to establish principles for development to conserve and enhance landscape character and includes additional specific principles to apply in two identified landscape areas.
- 82. Part 3c of the policy unnecessarily duplicates the more detailed part 3e of the policy. I have recommended a modification in this respect so that the policy "is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals" as required by paragraph 16d) of the Framework.
- 83. The policy is in general conformity with the strategic policies of the Development Plan. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
- 84. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy as recommended to be modified, is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 2: In Policy HA-1 delete part 3c

Policy HA-2 Protecting and Enhancing Wildlife and Geodiversity

- 85. This policy seeks ensure development proposals protect and enhance biodiversity and/or geodiversity and minimise impacts.
- 86. The representation of the Defence Infrastructure Organisation includes "Criterion (5) of Draft Policy HA-2 states that any offsite provision should prioritise biodiversity net gain within the Parish through habitat enhancements outlined. As the Council will be aware, the requirement for 'biodiversity net gain' applies to major and minor development, as defined in the National Planning Policy Framework (NPPF), with a list of exemptions set out in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024. Exemptions include proposals delivered under Crown Permitted Development and/or Urgent Crown Development. Whilst the MOD supports the ambition of Criteria (5); as a public body, ecological enhancements required to support defence operations (where planning permission is required) would be sought to be delivered on the MOD estate in the first instance, and any off-site BNG will be delivered within the county of Lancashire or the relevant National Character Area (Morecambe Coast and Lune Estuary) in line with BNG guidance." I have recommended a modification to the policy to accommodate this point. Part 3 of the policy requires modification so that it has sufficient regard for paragraph 186c of the Framework. I have recommended a modification in these respects so that the policy has sufficient regard for national policy and "is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals" as required by paragraph 16d) of the Framework.
- 87. The policy is in general conformity with the strategic policies of the Development Plan. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
- 88. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy as recommended to be modified, is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 3:

In Policy HA-2

- in part 3 after "required." insert "Development that causes harm to, or loss of, irreplaceable habitat including ancient woodland and veteran trees will be refused."
- in part 3 replace "loss of trees" with "loss of other trees"

• in part 5 replace "should prioritise" with "that prioritises", and after "enhancements" insert "will be supported"

Policy HA-3 Area of Separation

- 89. This policy seeks to preserve the visual and physical separation between the City of Lancaster and Halton village and highlights heritage and landscape character features upon which proposals should not have a significant adverse impact.
- 90. The City Council state it is unnecessary to duplicate Policy EN6: Areas of Separation of the Local Plan but if the policy is to remain, a map showing the extent of the area covered by the policy is required. The policy is supported by a Landscape Character Assessment report that sufficiently justifies the purpose of Policy HA-3 providing additional detail to Strategic Policy EN6 with respect to the woodland and open parkland character of the landscape around named heritage assets. I have recommended a modification to include a map of the area to which Policy HA-3 applies. I have also recommended a modification to clarify the second sentence of the policy is referring to development proposals. I have recommended these modifications so that the policy has sufficient regard for national policy and "is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals" as required by paragraph 16d) of the Framework.
- 91. The policy is in general conformity with the strategic policies of the Development Plan. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
- 92. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance, the policy as recommended to be modified, is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 4:

In Policy HA-3 insert "Development" as the first word of the second sentence.

Include in the Neighbourhood Plan a map identifying the area to which Policy HA-3 applies.

Policy HA-4 Local Green Spaces

- 93. This policy seeks to designate five Local Green Spaces, and establish an approach to development proposals within those areas.
- 94. The City Council raises concerns about the duplication of protection proposed for some of the sites and some of the justification. The City Council recommend that Local Green Spaces A, C, D and E are removed for the following reasons:
 - LGS A The site is already designated under Local Plan Policy SC3. While historical significance has been mentioned, it is not clear how this site is demonstrably special in comparison to other play areas across the district to warrant a Local Green Space designation. Whilst historical significance has been added to the conclusion as to why the site is considered suitable, the overall assessment suggests the reason for designation relates more to concerns around land ownership.
 - LGS C The site is already designated under Local Plan policy SC3. The Council is not clear why this site warrants the additional designation as a Local Green Space.
 - LGS D Whilst the heritage value of this site is recognised, the NPPF is clear that a Local Green Space needs to be demonstrably special to the community it serves and hold a particular local significance. The location of the boundary of the site is not a clearly defined edge, and why this boundary has been chosen is not clear. Whilst not disputing the value of this field the Council is not clear why this particular area warrants the designation of a Local Green Space for historic significance in comparison to other similar areas adjacent to listed buildings.
 - LGS E The site has the character of a green corridor on the edge of the settlement with access amongst most of the site's length limited to the path. The site boundaries are unclear and it is indicative of an extensive tract of land. The Council is not clear why this particular area is demonstrably special and warrants the designation of a Local Green Space.
- 95. United Utilities state the Local Green Space designations include underground water and wastewater infrastructure where investment may be necessary and request criterion 2 is extended to include support for water and wastewater infrastructure investment in local green spaces, where the investment is needed to respond to future growth and environmental needs.
- 96. Designation of Local Green Space can only follow identification of the land concerned. For a designation with important implications relating to development potential it is essential that precise definition is achieved. The proposed Local Green Spaces are presented on Map 3 of the Neighbourhood Plan and more detailed maps are included in the Local Green Space Assessment report which supports the policy.

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The scale and discrete nature of the areas of land in question assists in understanding the alignment of boundaries. I am satisfied the areas of land proposed for designation as Local Green Space have been adequately identified.

- 97. Paragraph 107 of the Framework states "Policies for managing development within a Local Green Space should be consistent with those for Green Belts." The part of the Framework that relates to 'Protecting Green Belt land,' including paragraphs 152 to 156, sets out statements regarding the types of development that are not inappropriate in Green Belt areas. I have recommended a modification so that it is clear the policy does not seek to introduce a more restrictive approach to development proposals than apply in Green Belt without sufficient justification, which it may not (R on the Application of Lochailort Investments Limited v Mendip City Council. Case Number: C1/2020/0812).
- 98. Paragraph 105 of the Framework states "The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs, and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period." In respect of each of the eight areas proposed for designation as Local Green Space I find the designation is being made when a neighbourhood plan is being prepared, and I have seen nothing to suggest the designation is not capable of enduring beyond the end of the plan period. The intended Local Green Space designations have regard to the local planning of sustainable development contributing to the promotion of healthy communities, and conserving and enhancing the natural environment, as set out in the Framework.
- 99. Paragraph 106 of the Framework states "The Local Green Space designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land." The sites proposed for designation are small, well defined, and substantially enclosed by boundaries made up of walls or hedgerows. The sites are easily recognised as discrete areas of land. The proposed designations both singly and in combination do not constitute a blanket designation of open countryside adjacent to existing settlement as a back door way to achieve what would amount to a new area of Green Belt by another name. I find that in respect of the intended Local Green Spaces the designations

relate to green spaces that are in reasonably close-proximity to the community they serve, are local in character, and are not an extensive tract of land.

- 100. The Guidance states the Qualifying Body (Parish Council) "should contact landowners at an early stage about proposals to designate any part of their land as Local Green Space. Landowners will have opportunities to make representations in respect of proposals in a draft plan." (Planning Practice Guidance Paragraph: 019 Reference ID:37-019-20140306 Revision date 06 03 2014). The areas proposed for designation as Local Green Spaces have been subject to extensive consultation with landowners and the local community.
- 101. The Local Green Space Assessment report (December 2024) includes information which seeks to justify the proposed designations as Local Green Space. For each proposed designation an assessment of community value is set out with other information including recent usage, as well as a detailed map and photographs. Relevant reasons for designation are indicated as applying in respect of each of the sites including matters referred to in the Framework. There is no requirement to compare sites proposed for designation with sites within the Neighbourhood Area or elsewhere that are not proposed for designation. I have visited the areas of land concerned and as a matter of planning judgement consider the attributes identified to be relevant and reasonable. The Neighbourhood Plan and evidence base provides sufficient evidence for me to conclude that the areas proposed for designation as Local Green Spaces are demonstrably special to a local community and hold a particular local significance.
- 102. The fact that an area proposed for designation as Local Green Space is protected by other designations, for example under Local Plan Policy SC3, does not prevent designation as Local Green Space. Different types of designations are intended to achieve different purposes. Whilst Policy SC3 protects identified open spaces and recreation areas from inappropriate development additional local benefit can be gained from designation as Local Green Space by highlighting the particular importance of the areas in question to the local community for example the Guidance states land designated as Local Green Space may potentially also be nominated for listing by the local authority as an Asset of Community Value. Listing gives community interest groups an opportunity to bid if the owner wants to dispose of the land.
- 103. The issue of public access has been referred to in a representation. Areas that may be considered for designation as Local Green Space may be crossed by public rights of way. There is no need to designate linear corridors as Local Green Space simply to protect rights of way, which are already protected under other legislation. The Guidance states land could be considered for designation even if

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there is no public access (eg green areas which are valued because of their wildlife, historic significance, and/or beauty).

- 104. I find that the areas proposed as Local Green Spaces are suitable for designation and have regard for paragraphs 105 to 107 of the Framework concerned with the identification and designation of Local Green Space.
- 105. The policy is in general conformity with the strategic policies of the Development Plan. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
- 106. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy as recommended to be modified is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 5:

In Policy HA-4 replace part 2 with "Within the designated Local Green Spaces development proposals will be managed in accordance with national Green Belt policy"

Policy HA-5 Flooding

- 107. This policy seeks to establish that all development should be designed to minimise flood risk and take opportunities to reduce flood risk. The policy also seeks, within a defined part of the Neighbourhood Area, to establish flood risk related principles for development including the safeguarding of identified sites for potential flood mitigation schemes, and expects development proposals located in areas that would benefit from defined flood management schemes to take opportunities to support the delivery of those schemes.
- 108. The City Council states "Policy 'HA-5 Flooding' seeks to safeguard land for potential future flood mitigation opportunities in accordance with paragraph 172b of the NPPF and in conformity with strategic policies 'CC1: Responding to Climate Change and Creating Environmental Sustainability' and 'SP8: Protecting the Natural Environment' of the SPLADPD. The Jacobs Flood Risk Management Study 2020 provides robust evidence and justification to support the areas proposed for safeguarding". "The wording of the policy has been amended since the Reg14 Plan to address some of the issues raised by the Local Lead Flood Authority. The resulting wording creates a policy which is not wholly clear on what the requirements are. For example, 'design flood is referred to' but the definition is not clarified. The

policy includes reference to 'may' in various places, this raised questions over what is expected of a development for it to meet the policy requirements. The aim of the policy to ensure that development mitigates and takes opportunities to reduce flood risk is supported. In particular, the policy aims to generate delivery and/or contributions to the delivery of schemes within the Jacobs Flood Risk Management Study. The wording does not make clear what the expectations are for development management purposes or that such contributions would need to meet the tests in paragraph 58 of the NPPF. The policy would benefit from some clearer wording to ensure that it provides a clear basis for development management purposes."

- 109. United Utilities states "We wish to suggest that criterion 2 is expanded to clearly state that it relates to all sources of flood risk as per the following amendment, '2. Avoid areas at risk of flooding from all sources in the design flood event.' With respect to criterion 6, we wish to highlight that any approach to surface water management must fully reflect the surface water hierarchy in national planning practice guidance which states that the public combined sewer, which carries both foul and surface water, is the last resort for the management of surface water. As such, connection to a surface water only system is preferable to a combined drainage. This position must be reflected in the decision-making process when determining drainage approaches. Whilst we are supportive of the intentions of criterion 6, we must explain that in the event that an alternative to the public sewer for the management of surface water is not available, UUW must accept a connection of surface water to the sewer network in accordance with our statutory obligations and the hierarchy for the management of surface water in national planning practice guidance."
- 110. The representation on behalf of Applethwaite Homes states they are progressing a planning application seeking outline planning permission for up to 80 dwellings on land south of Low Road, Halton. It is stated a site-specific Flood Risk assessment and drainage strategy accompanies the application confirming the site is located entirely within Flood Zone 1, and as a result of the drainage strategy the site does not increase flooding within or downstream of the catchment including an allowance for climate change. The representation states "the Neighbourhood Plan does not appear to have had regard to a current planning application, nor the wider evidential issues explored in the application. In particular, the Neighbourhood Plan's Policy HA-5 takes an approach to flood mitigation and reducing flood risk which is not in line with national policy and does not have a robust evidence base. The Policy should therefore be deleted."
- 111. In commenting on the Regulation 16 representations the Parish Council stated that whilst the Lead Local Flood Authority had commented "at each stage" unfortunately they did not provide a Regulation 16 representation. The Parish

Council sent me a copy of the Regulation 14 representation of Lancashire County Council as Lead Local Flood Authority dated 22 August 2024. I have taken the comments of the Parish Council, including the enclosure, into consideration in this Independent Examination but may not have referred to all those comments and enclosed submission in my report.

On 11 July 2025 I wrote to the City and Parish Councils advising them I had 112. identified flaws in Policy HA-5 Flooding which prevented the Neighbourhood Plan proceeding to referendum unless that policy, in its present form, is deleted from the Plan. In seeking to avoid that outcome I had drafted a recommended major modification of Policy HA-5 so that I would be able to recommend it remains part of the Neighbourhood Plan, and shared that draft with the City and Parish Councils. In response to my request for clarification of this matter the City and Parish Councils jointly wrote to me on 16 July 2025 stating "The Planning Practice Guidance, which has equal status as national planning policy to the Framework (Mead Realisations Ltd v Secretary of State for Housing, Communities and Local Government [2025] EWCA 32) states that, 'all Plans should make as much use as possible of opportunities presented by new development to reduce the causes and impacts of flooding' (Paragraph: 062 Reference ID: 7-062-20220825). This is not merely a requirement to ensure development does not increase flooding but an expectation that plans and development will reduce the causes and impacts of existing flood risk on and off site. Paragraph: 066 Reference ID: 7-066 20220825 states, 'Land that is likely to be needed for natural flood management could also be protected by safeguarding land for future flood risk management infrastructure'. There is no mention within this part of national policy that this relates only to residual flood risk. Policy HA-5 proposes to ensure that the areas identified are safeguarded and developed to provide natural flood mitigation measures that contribute to reducing the causes and impacts of significant flood risk within Halton. To accord with national policy, it is not enough that new development simply does not make flood risk elsewhere worse, it should contribute to reducing it. The areas identified by the Study provide an opportunity to include natural flood risk measures within development to reduce the causes and impact of flooding as expected by national policy. While the Study does acknowledge that the lack of landowner support may be an obstacle, this does not mean that such opportunities should be ignored where a development is proposed. Development in these areas should be designed to ensure that the areas identified are used for natural flood risk measures and contribute to rescuing the causes and impacts of flooding on and off the site. The WMS of 2015 relating to technical standards is dated and no longer reflects national planning policy which has evolved significantly since then. For example, many plans, including Lancaster Local Plan include technical standards for energy efficiency beyond the Code 4 referred to in the WMS. Policy DM34 of the Lancaster Local Plan also includes technical standards for sustainable drainage systems. The 'new system'

referred to relates to optional water, dwelling size, accessibility and energy efficiency standards. It does not relate to wider flood risk matters. The Framework and the Planning Practice Guidance expect plans to ensure that opportunities are taken to reduce flood risk. It is therefore appropriate for the Neighbourhood Plan to include policies which set out expectations for flood risk and drainage, especially where flood risk is identified as a significant issue in an area. We therefore request that you review your stance regarding the safeguarding of the areas of land identified within the Study. It is acknowledged that the wording of the policy relating to the safeguarded areas could be improved. Amending the wording to ensure that these areas are either safeguarded for potential future flood risk measures or if they are incorporated within an application site, the areas are designed to accommodate natural flood risk measures that reduce the causes and impacts of flood risk on and off site would ensure that they are not lost as opportunities to reduce flood risk in accordance with national policy. The bullet points within the recommended modified policy are consistent with the NPPF, PPG and policies DM33 and DM34 of the Local Plan which seek to reduce the causes and impacts of flood risk. They are however equally relevant to all new development, not just within the area identified in 'Plan 12'. We request the recommended modification is altered so that the revised policy relates to the whole of the Neighbourhood Plan area. If, despite the above, you remain of the opinion that policy HA-5 cannot safeguard the land for flood mitigation and/or the bullet points in your report should not relate to all development, please would you consider making the following amendments to the recommended modified policy: • Number the bullet points for ease of reference; • Add reference to the Jacobs report after 'evidence of flood risk in Halton Village ' Your reconsideration of the inclusion of safeguarding land for flood mitigation would be appreciated. We look forward either further correspondence with regard a revised modified policy or your report in due course." I have taken this joint response of the City and Parish Councils into consideration in this Independent Examination.

- 113. In February 2018, Lancashire County Council commissioned Jacobs UK to undertake an initial assessment of flood risk management covering Halton. The report was published in February 2020 which has subsequently been used as part of the evidence base supporting the Neighbourhood Plan. The report states Halton has experienced five flood events since 2002, with the two most recent events in December 2015 and November 2017. The report states the main mechanism of flooding in 2015 is likely to have been from out of bank flow from the River Lune, whereas a combination of pluvial, surface-water and fluvial flooding mechanisms were responsible for the 2017 event.
- 114. Paragraph 165 of the Framework states "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such

areas, the development should be made safe for its lifetime without increasing flood risk elsewhere." Paragraphs 167 to 172 set out a sequential risk-based approach to the location of development and an exception test. Paragraph 173 of the Framework states when determining any planning applications local planning authorities should ensure that flood risk is not increased elsewhere, and refers to site-specific flood risk assessments and criteria to be met for development to be allowed in areas at risk of flooding. Paragraph 175 of the Framework states major developments should incorporate defined sustainable drainage systems unless clear evidence demonstrates they would be inappropriate.

- 115. I agree with the City Council that the policy would benefit from clearer wording. I have recommended a modification so it is evident how a decision maker should react to development proposals. The first paragraph of Policy HA-5 and bullet point 1 include the imprecise terms "minimise" and "take opportunities to reduce flood risk". The term "will be expected to" in the second paragraph of the policy does not provide a basis for the determination of development proposals. The term "design flood event" in bullet point 2 is imprecise. Bullet point 4 includes the terms "including" and "for example" that introduce uncertainty. The requirement for development to "recognise" in bullet point 5 does not provide a basis for the determination of development proposals. I have recommended a modification in these respects so that the policy has sufficient regard for national policy and "is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals" as required by paragraph 16d) of the Framework.
- 116. The reference to safeguarding land from development that is required, or likely to be required, for current or future flood management in paragraph 167b of the Framework is in the context of management of residual risk after applying a sequential risk-based approach to the location of development. The Neighbourhood Plan does not make provision for development and has not applied a sequential risk-based approach to the location of development.
- 117. The City and Parish Councils have referred me to Paragraph: 066 Reference ID: 7-066-20220825 of the Guidance but that paragraph relates to strategic policies. It is Paragraph: 011 Reference ID: 7-011-20220825 of the Guidance that explains "How should land for future flood risk management infrastructure be safeguarded?" stating "During the preparation of strategic policies, it is useful to identify any land which is likely to be needed for flood and coastal erosion risk management infrastructure. Consideration can also be given to any necessary access to that land, and any additional land which may be needed temporarily during construction. Strategic policy-making authorities need to consult with other Risk Management Authorities and refer to strategic flood risk documentation (such as flood risk management plans, shoreline management plans, adaptation plans, surface water

management plans, and local flood risk management strategies prepared by Lead Local Flood Authorities) and the Environment Agency's Programme of flood and coastal erosion risk management schemes, to identify the land that is likely to be needed. Local Planning Authorities may then consider allocating these sites or including policies in their plan to discourage development that could prevent or hinder the delivery of planned flood risk management associated infrastructure. Land could also be safeguarded for natural flood management approaches that help to reduce the causes and impacts of flooding, particularly where development has the potential to prevent, hinder or help to enable their delivery. Safeguarding land in this way is particularly important for infrastructure that reduces the risk of flooding to large amounts of existing development, or where options for managing risk in other ways are limited." This paragraph relates to the preparation of strategic policies. The Neighbourhood Plan does not, and may not, contain strategic policies. The City and Parish Councils have also referred me to Paragraph: 062 Reference ID: 7-062-20220825 of the Guidance. That paragraph relates to use of natural flood management techniques wherever they would be effective and states strategic flood risk assessments should identify such opportunities.

118. I am not satisfied bullet points 3 and 4 of the second paragraph of Policy HA-5 are sufficiently justified to form part of the Development Plan. The Flood Risk Management Study 2020 is an initial assessment only. The aim of the assessment is to establish whether a workable, sustainable, and justified solution to reduce the risk of flooding can probably be found, or whether the project should take a different course or be stopped. An objective is to provide a starting point for discussion with communities and partner organisations for use in the development of potential schemes and negotiations regarding funding contributions. The study recognises it is based on several uncertainties and assumptions that need to be addressed, and in respect of which no public consultation, including with landowners and developers, has been undertaken. The study states the options considered are not comprehensive, and that even for options taken forward, further testing and refinement are required. The areas of land to be safeguarded by Policy HA-5 are referred to in the supporting document as "indicative locations." The areas of land proposed to be safeguarded are not sufficiently precisely defined in supporting evidence to form part of the Development Plan. The safeguarding of the parcels of land is stated in Policy HA-5 to "ensure they are available for future potential flood mitigation schemes." The Flood Risk Management Study states such schemes could be formal storage areas or SuDS and that lack of landowner support will likely be a major obstacle to progressing all the Do-Something options. Policy HA-5 is seeking to prevent development of land through safeguarding, to reduce pre-existing flood risk elsewhere. This planning obligation does not have sufficient regard for paragraph 57 of the Framework. I have recommended bullet points 3 and 4 are deleted for these reasons so that the policy has sufficient regard for national policy. I

have recommended a modification that establishes policy support, but not requirements, for development proposals for flood risk management infrastructure or natural flood management measures as this is sufficiently evidenced.

- 119. Whilst I am satisfied Map 14 of the Neighbourhood Plan adequately explains the term overloaded, bullet point 6 does not have sufficient regard for paragraph 16f of the Framework in that it duplicates elements of non-strategic Policies DM33 (Development and Flood Risk) and DM34 (Surface Water Run-off and Sustainable Drainage) which set out the sustainable drainage hierarchy. The Written Ministerial Statement of 25 March 2015 states neighbourhood plans should not set out any additional local technical standards or requirements relating to the construction, internal layout, or performance of new dwellings. The City and Parish Councils have stated many plans including the Lancaster Local Plan include technical standards for energy efficiency beyond the Code 4 referred to in the Written Ministerial Statement. The Lancaster Local Plan is not a Neighbourhood Plan. The representation of United Utilities states that if an alternative to the public sewer for the management of surface water is not available "UUW must accept a connection of surface water to the sewer network in accordance with our statutory obligations and the hierarchy for the management of surface water in national planning practice guidance." Bullet point 6 does not reflect statutory obligations. I have recommended a modification in these respects so that the policy has sufficient regard for national policy and "is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals" as required by paragraph 16d) of the Framework.
- 120. I have noted the representation on behalf of Applethwaite Homes refers to the requirement of paragraph 31 of the Framework for policies to be underpinned by upto-date evidence, and the suggestion that a drainage basin constructed on land off Forest Heights may have not been factored into the Flood Risk Management Study 2020. I have not explored this latter matter as it would not affect the basis of my recommendations of modification of Policy HA-5 set out above.
- 121. As recommended to be modified the policy is in general conformity with the strategic policies of the Development Plan. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
- 122. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance, the policy as recommended to be modified, is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 6:

Replace Policy HA-5 with "All development proposals must not increase flood risk elsewhere. Given the evidence of flood occurrence in the Neighbourhood Area (including evidence within the Jacobs Flood Risk Management Study, Halton Initial Assessment, February 2020) development proposals must:

- 1. Avoid areas at risk of flooding from all sources;
- Include sustainable drainage systems. (Natural flood management measures and design elements including permeable drive surfaces or green and blue roofs will be supported);
- 3. Demonstrate the development will not result in any on-surface water flows off the development site;
- 4. Wherever possible discharge surface water to a surface water only system, and not discharge any flows into existing overloaded surface water drains and culverts identified on Map 14 of the Neighbourhood Plan. Development proposals that dispose of surface water through infiltration into the ground, or discharge directly through new drains into a watercourse with demonstrated sufficient capacity will be supported; and
- 5. Demonstrate how consideration has been given to climate change.

Development proposals for flood risk management infrastructure or natural flood management measures will be supported."

Policy HA-6 Protecting Historic Character

- 123. This policy seeks to protect the historic character of the Neighbourhood Area.
- 124. Paragraph 180 of the Framework includes "Planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside." Paragraph 82of the Framework states "In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs, including proposals for community-led development for housing. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this." Paragraph 83 of the Framework states "To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village

nearby." Paragraph 84 of the Framework includes planning policies should avoid the development of isolated homes in the countryside unless one or more of stated circumstances apply. I have recommended a modification so that the policy has sufficient regard for national policy by more clearly recognising some forms of proportionate development may occur adjacent to the settlements of Halton and Aughton.

- 125. I am satisfied it is appropriate for this policy to refer to design matters relating to the historic and rural character of the Neighbourhood Area complementing the more general design guidance set out in Policy HA-9 of the Neighbourhood Plan. I have recommended a modification in this respect to improve clarity. I am also satisfied the policy has sufficient regard for national policy regarding the conservation and enhancement of the historic environment subject to my proposed modification that the preservation and enhancement of the historic character should be in a manner appropriate to its significance. The word "sub-urbanisation" requires correction. I have recommended a modification in these respects so that the policy has sufficient regard for national policy and "is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals" as required by paragraph 16d) of the Framework.
- 126. The policy is in general conformity with the strategic policies of the Development Plan. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
- 127. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance, the policy as recommended to be modified, is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 7:

In Policy HA-6

- in the first sentence delete "and appearance" and after "Area" insert "in a manner appropriate to its significance"
- insert "disproportionate" before "village sprawl"
- replace "sub-urbanisation" with "suburbanisation"

Policy HA-7 Meeting Local Housing Needs

128. This policy seeks to ensure proposals for new housing development meet local housing needs.

- 129. The City Council state the policy supports housing development in accordance with the development strategy and hierarchy in the Local Plan and policies which aim to meet an identified need.
- 130. Paragraph 63 of the Framework states that within the context of establishing housing need the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. The policy is supported by and refers to evidence in a housing needs survey dated 2019. The policy provides flexibility to respond to changing housing need.
- 131. The policy is in general conformity with the strategic policies of the Development Plan. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
- 132. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. This policy meets the Basic Conditions.

Policy HA-8 Halton Urban Development

- 133. This policy seeks to establish conditional support for development within the built-up area of Halton.
- 134. Paragraph 70 d) of the Framework states Local Planning Authorities should support the development of windfall sites through their policies and decisions giving greater weight to the benefits of using suitable sites within existing settlements for homes. Paragraph 124 of the Framework includes planning policies should "give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs" and "recognise that some undeveloped land can perform many functions such as … flood risk mitigation."
- 135. The City Council state "The aim of policy 'HA-8 Halton Urban Development' to support development in the built-up area is consistent with the Local Plan. However, bullet point 2 is not considered necessary as addressing constraints is an integral part of an assessment of any proposal. The reference to viability assessment is also misleading is not necessary to show constraints can be overcome. I agree with these points and have recommended part 2 of the policy is deleted. I have also recommended part 1 of the policy is deleted as it is confusing and unnecessary to refer to one other policy of the Neighbourhood Plan as the plan should be read as a whole. I have recommended these modifications so that the policy has sufficient regard for national policy and "is clearly written and unambiguous, so it is evident

how a decision maker should react to development proposals" as required by paragraph 16d) of the Framework.

- 136. The Defence Infrastructure Organisation states on behalf of the Ministry of Defence (MOD) "Located within the Neighbourhood Plan Area (NPA) is an existing military establishment, known as Halton Training Camp. A plan of the Site is attached to Appendix 1. The Site plays a role in terms of national defence and military capability, and training. Importantly, there is an ongoing need to safeguard the facility for defence purposes, and to support further development to meet operational requirements - in line with paragraph 102(b) of the NPPF (December 2024). As such, we consider that proposals associated with defence and military operations should be supported, where they would enhance or sustain operational capabilities. It is also important to note that non-military or non-defence related development within or in the areas around the Site will not be supported, where it would adversely affect military operations or capability, unless it can be demonstrated that there is no longer a defence or military need for the Site. It is our position that this should be clearly outlined within the Neighbourhood Plan in the form of a Policy, as set out at Appendix 2 of this representation."
- 137. Paragraph 101 (paragraph 102 in the 2024 version) of the Framework includes "Planning policies and decisions should promote public safety and take into account wider security and defence requirements by ... recognising and supporting development required for operational defence and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area." I have recommended a modification in this respect based on the suggestion of the Defence Infrastructure Organisation so that the policy has sufficient regard for national policy.
- 138. The policy is in general conformity with the strategic policies of the Development Plan. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
- 139. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy as recommended to be modified is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 8: In Policy HA-8

delete parts 1 and 2

• insert a new part "Proposals associated with defence and military operations will be supported within the Halton Training Camp identified on Map 4A, where they would enhance or sustain operational capabilities. Non-military or non-defence related development within or in the areas around the Halton Training Camp will not be supported, where it would adversely affect military operations or capability, unless it can be demonstrated that there is no longer a defence or military need for the site."

Insert the Location Plan for Halton Training Camp in Appendix 1 of the Regulation 16 representation of the Defence Infrastructure Organisation into the Neighbourhood Plan as Map 4A.

Policy HA-9 High Quality and Sustainable Design

- 140. This policy seeks to establish sustainable design principles for development.
- 141. To be read alongside the Guidance, Government published the National Design Guide on 1 October 2019 to set out the characteristics of well-designed places and demonstrate what good design means in practice. The National Design Guide was updated on 30 January 2021 to align with the National Model Design Code and Guidance Notes for Design Codes published separately (as forming part of the Guidance) on 20 July 2021, and have been last updated on 14 October 2021.
- 142. Paragraph 132 of the Framework states "neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development". The policy has regard for paragraph 135 of the Framework which sets out design principles of development that planning policies should ensure. The Design Codes and Guidance encourage high quality sustainable design whilst recognising that innovative and contemporary approaches may be appropriate where they positively respond to local character and context as referred to in paragraph 135 of the Framework. I am satisfied that through use of the term "proportionate to the scale and nature of the scheme" the policy avoids being overly prescriptive. The design principles included within Policy HA-9 are consistent with the approach and principles recommended in national policy.
- 143. The terms "will be expected to" in part 1 of the policy and "are encouraged" in part 5b of the policy do not provide a basis for the determination of development proposals. Part 3 of the policy is ambiguous. Part 4 of the policy without expansion represents a duplication of Local Plan policy which paragraph 16f of the Framework states should be avoided. I have recommended a modification in these respects so

that the policy has sufficient regard for national policy and "is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals" as required by paragraph 16d) of the Framework. I am satisfied the requirement in part 5 of the policy to address the stated criteria does not amount to the setting of standards which would be contrary to the Ministerial Written Statement to Parliament of the Secretary of State (CLG) on 25 March 2015.

- 144. The policy is in general conformity with the strategic policies of the Development Plan. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
- 145. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy as recommended to be modified is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 9:

In Policy HA-9

- in part 1 replace "will be expected to" with "should"
- in part 3 after "quality" delete "and"
- continue part 4 with the text of part 5 with the exception that in sub part b "are encouraged" is replaced by "will be supported"

Policy HA-10 Active Travel

- 146. This policy seeks to establish principles for development to promote active travel.
- 147. Paragraph 108 of the Framework states planning policies should provide for attractive and well-designed walking and cycling networks.
- 148. Broadband provision is not deliverable through a planning policy but provision for broadband is. Development may not necessarily be able to be located close to local facilities, employment uses, and bus stops. The requirements within parts 4 and 6 of the policy do not have sufficient regard for paragraph 57 of the Framework relating to planning obligations. It is not appropriate to refer to community aspirations and Parish Council actions within a statutory land use policy. I have recommended a modification in these respects so that the policy has sufficient regard for national policy and "is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals" as required by paragraph 16d) of the Framework.

- 149. The policy is in general conformity with the strategic policies of the Development Plan. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
- 150. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy, as recommended to be modified, is appropriate to be included in a 'made' neighbourhood plan. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 10: In Policy HA-10

- in part 1 replace "broadband provision" with "provision for broadband"
- replace parts 2 and 3 with "Be located with regard for access to local facilities, services, employment uses, and bus stops."
- replace part 4 with "Provide safe pedestrian and cycle site access.
 Where development contributions are available for locally determined expenditure, they may be utilised to enhance road safety within the village for example by contribution to pedestrian crossings at Low Road/High Street."
- delete part 6

Policy HA-11 Community Facilities

- 151. This policy seeks to ensure named community facilities are retained, and establish criteria for acceptance of their loss.
- 152. Paragraph 97 of the Framework states planning policies should plan positively for the provision of community facilities, guard against the unnecessary loss of valued facilities and services, and ensure established shops facilities and services are able to develop and modernise and are retained for the benefit of the community.
- 153. The policy is in general conformity with the strategic policies of the Development Plan. The policy serves a clear purpose by providing an additional level of detail or distinct local approach to that set out in the strategic policies.
- 154. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Having regard to the Framework and Guidance the policy is appropriate to be included in a 'made' neighbourhood plan. This policy meets the Basic Conditions.

Conclusion and Referendum

- 155. I have recommended 10 modifications to the Submission Version Plan. I recommend an additional modification in the Annex to my report. The definition of plans and programmes in Article 2(a) of EU Directive 2001/42 includes any modifications to them. I am satisfied that the Neighbourhood Plan is compatible with the Convention Rights, and would remain compatible if modified in accordance with my recommendations; and subject to the modifications I have recommended, meets all the Statutory Requirements set out in paragraph 8(1) of schedule 4B of the Town and Country Planning Act 1990, and meets the Basic Conditions:
- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- does not breach, and is otherwise compatible with, EU obligations; and
- the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

I recommend to Lancaster City Council that the Halton-with-Aughton Neighbourhood Development Plan for the plan period up to 2031 should, subject to the modifications I have put forward, be submitted to referendum.

156. I am required to consider whether the referendum area should extend beyond the Neighbourhood Plan area and if to be extended, the nature of that extension. I have seen nothing to suggest that the policies of the Plan will have "a substantial, direct and demonstrable impact beyond the neighbourhood area." I have seen nothing to suggest the referendum area should be extended for any other reason. I conclude the referendum area should not be extended beyond the designated Neighbourhood Area.

I recommend that the Neighbourhood Plan should proceed to a referendum based on the area that was designated by Lancaster City Council as a Neighbourhood Area on 27 October 2015.

Annex: Minor Corrections to the Neighbourhood Plan

- 157. I have only recommended modifications and corrections to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the Basic Conditions and the other requirements I have identified. If to any extent, a policy set out in the Neighbourhood Plan conflicts with any other statement or information in the plan, the conflict must be resolved in favour of the policy. Supporting text must be adjusted to achieve consistency with the modified policies.
- 158. The City Council has proposed the following minor modifications:
 - include a single policy map to provide clarity regarding the areas covered by designations.
 - clarify the monitoring framework for the Neighbourhood Plan.
 - delete the Housing Opportunity Sites section of the Neighbourhood Plan which is unnecessary.
 - whilst the Independent Examination has been undertaken in the context of the 2023 Framework the Neighbourhood Plan should be updated to refer to the 2024 Framework. This should include an update of paragraph 4.2 within the background text of the Neighbourhood Plan.
 - the Neighbourhood Plan should be updated to refer to the policies and references of the Local Plan (climate emergency review).

I recommend these minor modifications including updates and corrections are made.

Recommended modification 11:

Modify policy explanation sections, general text, figures, and images, and supporting documents to achieve consistency with the modified policies; to achieve updates and correct identified errors; to achieve necessary clarifications; and to ensure sufficient regard for national policy.

Chris Collison
Planning and Management Ltd
31 July 2025
REPORT END