



## Lancaster City Council WENNINGTON NEIGHBOURHOOD PLAN

### Decision Statement: Wennington Neighbourhood Plan Proceeding to Referendum

#### **1.0 Summary**

- 1.1** In line with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (NPR) Lancaster City Council have produced this 'Decision Statement' in relation to the Wennington Neighbourhood Development Plan (the 'Plan') submitted to them by Wennington Parish Council.
- 1.2** The Plan sets out a vision for the Parish and establishes the type of development needed to help sustain the community. If made, it will become part of the development plan for land use and development proposals within the Parish until 2031.
- 1.3** Following an independent examination of written representations, Lancaster City Council now confirms that the Plan will proceed to a neighbourhood planning referendum subject to the modifications set out in the table below.
- 1.4** In accordance with the examiner's recommendation, the Wennington Neighbourhood Plan will proceed to a public referendum scheduled for Thursday 14<sup>th</sup> February 2019.
- 1.5** The decision statement and examiners report are posted on the District Council's website [www.lancaster.gov.uk/neighbourwest-lindsey.gov.uk/neighbourhoodplans](http://www.lancaster.gov.uk/neighbourwest-lindsey.gov.uk/neighbourhoodplans) This Decision Statement, along with the independent examiners report and the plan documents can be inspected:
- 1.6** <https://www.lancaster.gov.uk/planning/planning-policy/community-rights/neighbourhood-planning>

#### **2.0 Background**

- 2.1** On 13<sup>th</sup> September 2016 Wennington Parish Council submitted an application to Lancaster City Council for the designation of the Parish as a Neighbourhood Area. The approval of the Neighbourhood Area Designation, for the Wennington Neighbourhood Plan, was made on the 24<sup>th</sup> November 2016.
- 2.2** The Parish Council subsequently prepared the Wennington Draft Neighbourhood Development Plan. The 6 week pre-submission consultation period ended on 25<sup>th</sup> May 2018.

**2.3** The Submission version of the Neighbourhood Plan for Wennington was completed and submitted to Lancaster City Council on 22<sup>nd</sup> June 2018. Lancaster City Council held a 6 week consultation period on the submitted Plan from 20<sup>th</sup> July 2018 until 31<sup>st</sup> August 2018, in accordance with regulation 16 of the NPR.

**2.4** An Independent Examiner (Mr. Peter Biggers) was appointed in September 2017 to undertake the examination of the Submission version of the Wennington Neighbourhood Plan and this was completed with the final examination report sent to both the Parish Council and District Council on 22<sup>nd</sup> October 2018.

### **3.0 Decisions and Reasons**

**3.1** The Examiner has concluded that, with certain modifications, the Plan meets the Basic Conditions and other relevant legal requirements. The Council's Cabinet concurs with this view and has determined that the modifications set out in the table attached to this Statement are in accordance with the examiner's recommendations.

**3.2** The local authority must consider each of the recommendations made in the Examiner's report and decide what action to take in response. The table attached to this statement sets out the examiner's recommended modifications and the Council's decisions in respect of each of them.

**3.3** Lancaster City Council is therefore satisfied that, subject to the modifications being made, the Draft Neighbourhood Plan meets the legal requirements and basic conditions as set out in legislation; thus the plan can proceed to referendum.

**3.4** Therefore, to meet the requirements of the Localism Act 2011, a referendum which poses the question **"Do you want Lancaster City Council to use the Neighbourhood Plan for Wennington to help it decide planning applications in the neighbourhood area?"** will be held in the Parish of Wennington on Thursday 14<sup>th</sup> February 2019.

## Examiner's Recommended Changes

| Location of Change | Page of Change | Proposed Change  | Commentary on examiner's view   | Officer Recommendation |
|--------------------|----------------|--|---|------------------------|
| General            | Numerous       | <b>1A</b> - Enlarge the detailed mapping included in the plan when producing the final version in particular Map 2, 3, 6 and 7.  | This change would improve clarity   | Accept the change      |
| General            | Numerous       | <b>1B</b> – Delete the policy references to the emerging Local Plan for Lancaster District 2011-31 Parts One and Two from each of the Lancaster Planning Policies Tables that follow each WNP policy.  | This is the right approach given the stage of the emerging Local Plan                           | Accept the change      |
| General            | New Appendix 1 | <b>1C</b> – Include a monitoring and implementation framework as an appendix to the plan indicating how the policies will be monitored and cross reference this from Section 9.0 'Next Steps' by amending line 1 of paragraph 9.2 to read:<br>"The WNP policies will be monitored as set out in the monitoring and implementation framework in Appendix 1 and the plan reviewed...." | This is required in order that the Neighbourhood Plan can be satisfactorily monitored once made | Accept the change      |
| Paragraph 1.4      | 5              | <b>2A</b> – Reword the third sentence lines 4/5 of paragraph 1.4 to read:<br>"The local strategic planning policies are set out in the Lancaster Local Development Framework Core Strategy 2003-21, A Local Plan for Lancaster District 2011-31 and Saved Policies from the Lancaster District Local Plan 2008."   | For factual correctness this change needs to be made  | Accept the change      |
| 1.4                | 5              | <b>2B</b> – Reword the 4th sentence of paragraph 1.4 to start:<br>"The NDP has also taken into account....."   | For factual correctness this change needs to be made  | Accept the change      |
| 1.5                | 5              | <b>2C</b> – Reword line 2 onwards of paragraph 1.5 to read:<br>....and other guidance), to contribute to achieving sustainable development and   | This change needs to be made in order that the Neighbourhood                                    | Accept the change      |

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|             |    | to comply with European Union obligations.”  | Plan meets the Basic Conditions  |                   |
| 1.8         | 6  | <b>2D</b> - Reword Line 3 of paragraph 1.8 to read :<br>“...is a majority ‘Yes’ vote (i.e. more than 50% of the turnout)....     | For clarity this change needs to be made   | Accept the change |
| 2.9-2.10    |    | <b>3</b> Delete the text in paragraphs 2.9 and 2.10 after first sentence.  | Agree that the consultation statement is where reference should be made to comments made during consultation.  | Accept the change |
| Policy WEN1 | 15 | <b>4</b> Remove the first and last clauses of policy WEN1 (i.e. the first line and the penultimate and last line of the policy). | Agree that the first line in the submitted version of the Neighbourhood Plan should not apply a blanket protection between designated and non designated wildlife sites. NPPF already outlines correct approach. Agree last clause is unnecessary. | Accept the change |
| WEN2        | 20 | <b>5A</b> Reword line 2 of policy to read:<br>“... locally appropriate materials, landscaping schemes and boundary treatments.”  | Agree the removal of ‘suitable’ before landscaping schemes, in order that alongside materials it refers to ‘locally appropriate’ improves the clarity of the policy  | Accept the change |
| WEN2        | 20 | <b>5B</b> Reword line 6 to read:<br>“...any new rural buildings should be located on sheltered sites below the skyline.”         | This change is needed as the policy currently reads that new rural buildings   | Accept the change |

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|  |    |  | should be located on the mid slopes of drumlins, this was run past the Qualifying Body and they have agreed   |   |
| WEN2                                   | 20 | <b>5C</b> Reword Line 10 to read: "...proposals should not impact on these....."   | Agree referring to impact rather than 'respect' improves clarity.   | Accept the change   |
| WEN2                                   | 21 | <b>5D</b> Reword Line 18 to read: "Renewable energy projects in the rural area of Wennington Parish will only be supported where there would be no adverse impact on the setting of the Forest of Bowland AONB and the local landscape character of Wennington Parish."  | It is agreed that this more closely reflects the intentions of the Qualifying Body in relation to how proposals concerning renewable energy development should be considered. | Accept the change   |
| Lancaster Planning Policies after WEN2 | 21 | <b>5E</b> Add policy DM17 of the DMDPD to the list of Lancaster Planning Policies following policy WEN2.   | This policy within the Lancaster local plan concerns landscape impact and is relevant to policy WEN2.   | Accept the change   |
| 4.2                                    | 11 | <b>5F</b> Add to the end of the 3rd sentence in paragraph 4.2: "...and areas of common land extend east and south of the village along the River Wenning."<br>Once Map 2 is enlarged as per Recommendation No 1 the common land along the River Wenning should be shown. | Amend, it is considered that this is better added to the second sentence rather than the third sentence.  | Add to second sentence rather than third sentence of Paragraph 4.2. |
| WEN3                                   | 28 | <b>6A</b> Reword Line 1 of policy WEN3 paragraph 1 to read: "Both designated and non-designated heritage assets will be preserved or enhanced in a manner appropriate....."  | This would better align with the NPPF.  | Accept the change.  |

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| WEN3        | 28 | <b>6B</b> Reword Line 7 of WEN3 paragraph 3 to read:<br>“...materials and detailing to the character and appearance of the Conservation Area.”  | This change is needed in order to give due consideration to the Conservation Area.  | Accept the change. |
| WEN3        | 28 | <b>6C</b> Reword Clause 2 of the section of policy WEN3 on New Buildings to read:<br>“Building lines should reflect adjacent development and either come up to...”  | This change will ensure that buildings respect the surrounding context as required.   | Accept the change  |
| 5.16        | 28 | <b>6D</b> Delete the second sentence of paragraph 5.16 of the supporting text to policy WEN3.   | Agree that this is not required and currently confuses the reader.  | Accept the change  |
| Policy WEN4 | 31 | <b>7A</b> Reword Line1 of paragraph 3 to policy WEN 4 to read:<br>“In respect of newbuild housing preference will be given to.....”   | Agree better reflects Planning Practice Guidance  | Accept the change  |
| 5.18        | 31 | <b>7B</b> Reword Lines 2/3 of paragraph 5.18 of the supporting text to WEN4 to read:<br>“.....Wennington is identified as a Rural Village in the Lancaster District Settlement Hierarchy. The emerging local plan sets out that.....” | Agree that this change helps ensure that Wennington’s status in the settlement hierarchy is reflective of adopted and emerging local plan policies. | Accept the change  |
| Policy WEN5 | 34 | <b>8A</b> Reword line 2 of policy WEN5 to read:<br>“...demonstrated for such accommodation, small scale development in association with a local business and facilities linked to the visitor economy....”                            | Agree this change removes the ambiguity of the policy which currently reads ‘small scale facilities,’   | Accept the change  |
| Policy WEN5 | 34 | <b>8B</b> – Reword clause 3 of policy WEN5 to read:<br>“Proposals include the re-use or conversion of existing buildings or well-designed new buildings.”   | Agree that this needs to be amended in order that the policy is reflective of the NPPF  | Accept the change  |
| Policy WEN6 | 40 | <b>9A</b> Remove the first sentence of policy WEN6 and reword the second sentence to read:  | Agree that the safeguarding of Wennington   | Accept the change  |

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|             |    | “Sustainable development proposals within the parish which support and enhance the potential of Wennington Station.....”  | Station cannot be fully ensured given that it lies outside of the parish boundary and therefore the Neighbourhood Plan designation area. |                    |
| 7.17        | 39 | <b>9B</b> Reword the first sentence of paragraph 7.17 of the supporting text to read:<br>“ Wennington station and the rail/bus interchange is not within.....village and its role and function as a rural transport hub will be encouraged.”  | The rewording of this sentence better reflects changes to policy WEN6.   | Accept the change  |
| Policy WEN6 | 41 | <b>9C</b> Reword the 4th paragraph of policy WEN6 to read:<br>“Proposals for new development will be required to demonstrate that any potential adverse impacts on local highways from additional traffic can be resolved or suitable mitigation measures put in place appropriate to the rural road network. | Rewording of this clause provides the certainty needed for a decision maker on any future relevant planning applicaiton.                 | Accept the change  |
| 7.18        | 40 | <b>9D</b> Line 5 of paragraph 7.18 – change ‘5 trains’ to ‘7 trains’.   | This reflects the current frequency of service.  | Accept the change. |
| Policy WEN7 | 46 | <b>10A</b> Reword line 1 of policy WEN7 to read:<br>“In areas where surface water flood risk is a known issue, as identified on Map 6, development proposals.....”  | This provides needed clarity.  | Accept the change  |
| Policy WEN7 | 46 | <b>10B</b> Reword line 2 to read:<br>“.....can be provided which does not exacerbate surface water flooding beyond the site and wherever possible...”   | The amendment here from ‘does not exacerbate run off elsewhere’ provides needed clarity.   | Accept the change  |
| 8.2         | 42 | <b>10C</b> Reword line 1 paragraph 8.2 of supporting text to policy WEN7 to read:   | This is needed in accordance with the Environment  | Accept the change. |

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|         |          | “The Environment Agency flood risk assessment mapping provides information about areas at risk of flooding from different sources – see Maps 6 and 7 below.”  | Agency’s requirements.  |                            |
| General | Numerous | <b>11</b> – Make typographical and formatting corrections as set out in Appendix 2 at the end of this report.   | All of these typographical changes are needed.  | Accept the change.         |
| General | N/A      | <b>12</b> - I recommend to Lancaster City Council that the Wennington Neighbourhood Plan, modified as specified above, should proceed to a Referendum based on the Wennington Neighbourhood Area as approved by the City Council on 24 November 2016. | This forms the basis of the Cabinet Report which seeks approval of the Neighbourhood Plan to proceed to referendum. | Does not require a change. |