



Lancaster City Council
WRAY-WITH-BOTTON NEIGHBOURHOOD PLAN

Decision Statement: Wray-with-Botton 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 Wray-with-Botton Neighbourhood Development Plan (the 'Plan') submitted to them by Wray-with-Botton 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 Wray-with-Botton Neighbourhood Plan will proceed to a public referendum scheduled for Thursday 30th May 2019.
- 1.5 This Decision Statement, along with the independent examiners report and the plan documents can be inspected at: <https://www.lancaster.gov.uk/planning/planning-policy/community-rights/neighbourhood-planning>

2.0 Background

- 2.1 On 11th November 2014 Wray-with-Botton 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 6th March 2015.
- 2.2 The Parish Council subsequently prepared the Wennington Draft Neighbourhood Development Plan. The 6 week pre-submission consultation period ended on 15th October 2017.

2.3 The Submission version of the Neighbourhood Plan for Wennington was completed and submitted to Lancaster City Council on 3rd May 2018. Lancaster City Council held a 6 week consultation period on the submitted Plan from 11th June 2018 until 23rd July 2018, in accordance with regulation 16 of the NPR.

2.4 An Independent Examiner (Mrs Rosemary Kidd) was appointed in September 2018 to undertake the examination of the Submission version of the Wray-with-Botton Neighbourhood Plan and this was completed with the final examination report sent to both the Parish Council and District Council on 12th December 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 Wray-with-Botton to help it decide planning applications in the neighbourhood area?**" will be held on Thursday 30th May 2019.

Examiner's Recommended Changes

	Proposed Change	Council response
Recommendation 1	Revise the date of the Plan period to 2018 – 2031.	Accept the Change
Recommendation 2	<p>For the Plan to proceed, the LPA as the responsible body should correct the factual errors and omissions in the SEA Screening Report concerning the number of allocations and the significance of the heritage assets. Reference to the HIA and a summary of its conclusions should also be included. The HIA should be published as a separate background evidence report.</p> <p>For the Plan to proceed, the LPA as the responsible body should correct the HRA Screening Table 3 and the screening conclusion to make it explicit that the revisions are to improve the clarity of the policies and are not mitigation measures.</p> <p>The LPA should prepare an explanatory note summarising the corrections that have been made to the SEA and HRA Screening Reports that should be published alongside the corrected reports</p>	Accept the Change
Recommendation 3	Include the Proposals Maps in the Plan rather than an Appendix.	Accept the Change
Recommendation 4	<p>Revise section 1.3 to highlight the relevant key themes without quoting from the documents.</p> <p>Revise section 1.7 to set out the final position on the SEA / HRA screening reports.</p>	Accept the Change
Recommendation 5	<p>Delete the Vision statements from other Plans from page 24 of the WNP. Delete the following "Based on engagement with the community and the key issues identified" from the Vision box and add the text to paragraph 3.1.3.</p> <p>Revise Objective (I) to read: Development conserves and enhances the existing.... "</p> <p>Revise Objective (II) to read: ".....village of Wray to sustain and enhance the Conservation Area at its core."</p> <p>Revise Objective (III) to read: "The local housing needs are met".</p>	Accept the Change

	Revise Objective (VI) to read: “Development safeguards and enhances...”	
Recommendation 6	<p>Revise Policy OS1 as follows:</p> <p>Revise the title of the policy to “Delivering Sustainable Development”</p> <p>Delete “Development that harms this purpose or which would have an adverse impact on an international, national or locally designated site will not be permitted”.</p> <p>Delete “within the Parish” from the third paragraph.</p> <p>Add the following at the end of the third paragraph: “historic environment, heritage assets and their setting”.</p> <p>Revise criterion (I) by deleting “settlement” and replacing it with “historic environment, heritage assets and their setting”.</p> <p>Delete the section headed Major Development and the subsequent criteria. Delete the following from paragraph 4.3.10: “The policy sets out.....AONBs.”</p> <p>Delete the section headed Brownfield Land and paragraph 4.3.11. Add the following to the end of paragraph 4.3.12 “or historic environment, heritage assets and their setting”.</p>	Accept the Change
Recommendation 7	<p>Revise Policy OS2 as follows:</p> <p>Revise the second sentence to read “Proposals should not have an adverse impact on.....”</p> <p>Revise criterion (III) to read: “respect visual amenity, views within, into or out of the Neighbourhood Plan area (including but not limited to those shown on the Proposals Map),...</p> <p>Add the following to the justification to aid the interpretation of criterion (IV): “When considering the cumulative and incremental impacts of development, developers and decision makers should ask</p>	Accept the Change

	<p>themselves: ‘Can the impacts of this development proposal (in the context set out in the policy) on the landscape character and visual amenity be mitigated?’ If yes, proceed with drawing up proposal/considering proposal in principle (i.e. subject to all other considerations). If no, modify or refuse permission.”</p>	
Recommendation 8	<p>Revise Policy BE1 as follows:</p> <p>“For development proposals in the Neighbourhood Plan area the highest standards of design and construction will be required to conserve and enhance the landscape, built environment, distinctive settlement character and historic, cultural and architectural features. “In addition to design requirements set out in the Local Plan, the design of developments in the Neighbourhood Plan area should be informed by the Wray with Botton Landscape Appraisal (2017) and, where appropriate, the Wray Conservation Area Appraisal (2009) and should:</p> <p>I. Respond to the character of the landscape and local built environment including buildings, boundary treatments, open spaces, trees, roofscapes, village layout and have particular regard to the local vernacular, building to plot / green space ratios and to the quality, integrity, character and settings of natural, built and historic features;</p> <p>II. Reinforce what is special and locally distinctive about design in the Plan area through the careful consideration of visual amenity, layout, views, scale, height, solid form and massing, proportions, alignment, detailing, lighting, materials used, colours, finishes and the nature of development;</p> <p>III. Provide well designed landscape schemes that retain distinctive trees and include new structural planting that contributes to the character and amenity value of the area;</p> <p>IV. Ensure that boundary treatments, screening and entranceways reflect local character and context including retention (or appropriate replacement where necessary) of existing features of value such hedgerows, trees, verges and traditional stone walls through careful consideration of materials and heights for gates, gateposts and fencing and the use of appropriate species for planting; and</p> <p>V. Avoid using development that is harmful to landscape and settlement character to inform the design of new development or proximity to it as justification for further poor quality or harmful development.</p>	Accept the Change
Recommendation 9	<p>Delete Policy BE2. Include it in a new section of the Plan on Community Actions noting that this is an aspiration of the Parish Council and not a land use planning policy.</p>	

<p>Recommendation 10</p>	<p>Revise Policy H1 as follows: Add the following at the beginning of the second paragraph: “Subject to the assessment of viability, new housing development”</p> <p>Delete the second sentence of paragraph 3 of the policy “The delivery of affordable housing shall be phased...at any one time.”</p> <p>Delete the final paragraph of the policy “Development whichwill not be permitted.”</p> <p>Include a new paragraph in Policy H1: “Housing developments shall take account of the Key Considerations set out in Appendix 3 on Site Selection and Assessment and the recommendations in Appendix X on Heritage Impact Assessment.” Include the Key Considerations within Policy H1 for the site allocations WR5, WR9 and WR11.</p> <p>On the Proposals Map, show site WR9, differentiate between housing commitments and allocations and delete the phasing periods.</p> <p>Delete paragraph 4.5.6 and the subsequent table. Revise paragraph 4.5.7 to read “...would therefore be about 28...representing an increase of 13%”</p>	<p>Accept the Change</p>
<p>Recommendation 11</p>	<p>Revise Policy H2 as follows: Revise the first sentence of Policy H2 to read: “...proposals for new housing development should deliver affordable housing in accordance with the adopted Local Plan policy on affordable housing, taking into account the assessment of viability of the development.”</p> <p>Delete paragraph 2, the second sentence of paragraph 3 and criterion (I).</p> <p>Place the fourth paragraph in the justification and delete “phased”.</p> <p>Delete “or restrict occupancy to sole/main residence” from criterion (II) and delete the last sentence from paragraph 4.5.9.</p>	<p>Accept the Change</p>

<p>Recommendation 12</p>	<p>Revise Policy RE1 as follows:</p> <p>Revise the title of the Policy to “Policy RE1: Sustainable Economic Development”.</p> <p>Delete “allocated mineral extraction or waste management” from criterion (I).</p> <p>Delete criterion (III).</p> <p>Revise criterion (IV) to read: “House extensions or extensions to outbuildings for economic (non-residential) purposes that are ancillary to the existing dwelling and are sympathetic to the character of the original building and its setting;”</p> <p>Revise criterion (V) to read: “Subject to satisfying the requirements of Local Plan Policy DM9 or its successor policy in the emerging Local Plan, sensitive conversions...”</p> <p>Revise the second paragraph to read “Subject to satisfying the requirements of Local Plan Policies DM8 or DM9 or its successor policy in the emerging Local Plan, the re-use of rural buildings or agricultural buildings to support tourism and the visitor economy will be supported.”</p> <p>Delete the third paragraph: “Development which would...will not be permitted.”</p> <p>Delete the final paragraph of the policy and paragraph 4.6.6.</p> <p>Delete paragraphs 4.6.3 and 4.6.4.</p> <p>Delete the last two sentences from paragraph 4.6.8 “However, one site (C1)...commercial development) and site C1 from the Inset Map for Wray Village.</p> <p>Add an explanation in the justification of the term micro-growth points: “These are very small scale developments that support the growth or diversification of new or existing businesses which may include but is not restricted to live-work units.”</p>	<p>Accept the Change</p>
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<p>Recommendation 13</p>	<p>Delete the first three paragraphs of Policy NE1.</p> <p>Revise the title of Policy NE1 to “Protection and enhancement of Trees, Woodland and Hedgerows.” Add the following at the beginning of the fourth paragraph of Policy NE1 to read: “New development should protect and enhance existing trees, woodland and hedgerows unless there are clear and demonstrable reasons why their removal would aid delivery of a better development overall, and should positively incorporate new trees, woodland and hedgerows where possible.”</p> <p>Revise the last sentence of the fourth paragraph of the policy to read: “The conservation of those hedgerows.....habitat connectivity as well as for their contribution toWray Conservation Area.”</p> <p>Revise paragraph 4.7.1 to read: “Development proposals that affect the natural environmental assets and sites of biodiversity importance will also be considered against Development Management DPD Policies DM27, DM28 and DM 29 or their successor policies.”</p> <p>Delete the third sentence from paragraph 4.7.2: “The Parish Council felt that....would be useful. Therefore”.</p> <p>Revise paragraph 4.7.3 to reflect the revisions to the policy wording to emphasise the protection and enhancement of trees, woodland and hedgerows.</p> <p>Add a new paragraph to describe the biodiversity assets shown on the environmental constraints map in Appendix 4 as follows:</p> <p>“The Neighbourhood Plan Area includes a number of areas which have been designated for their environmental importance at an International, National and Local level. The area includes the Bowland Fells Special Protection Area (SPA) which is an extensive upland area providing important habitats for protected plant and bird species. The area also includes Roeburndale Woods and Clear Beck Meadows Sites of Special Scientific Importance (SSSI) and a number of more locally designated Biological Heritages sites. Such local designations include Middle Wood, Neddy Park Wood, Quarry Wood (including Hoskins Wood, Mill Wood and Spout Brow Wood), Bank Wood and Hunt’s Gill Wood, Powley Wood (including Beck Gill Wood, Scroggy Wood, Audland Close Wood, Stubb Wood and Tenter Hill Wood), the Stables Bank Wray Bridge, Alcocks Farm Grasslands, Over Close Wood and Proctor Wood, Well Beck Wood (including Helks Home Wood and Middlefield Wood) and Fall Wood Coppice.”</p>	<p>Accept the Change</p>
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<p>Recommendation 14</p>	<p>Revise Policy NE2 as follows:</p> <p>Revise the first sentence of the first paragraph to read: “The areas listed below are designated as Local Green Space.”</p> <p>Delete the second sentence of the first paragraph: “These LGS have been put forward.....importance.”</p> <p>Delete the penultimate and final paragraphs of the policy.</p>	
<p>Recommendation 15</p>	<p>Revise Policy NE3 as follows:</p> <p>“To supplement the relevant policies in the Local Plan which relate to the historic environment, all development in the Neighbourhood Plan area should seek to protect and enhance the unique heritage features and the wider historic character of its location. This should include built, natural and cultural heritage features and historic landscape character.”</p> <p>“Where proposals lead to the loss of a designated or non-designated heritage asset, in accordance with national planning policy, surveys should be undertaken to record their historical interest and build the heritage evidence of the Forest of Bowland AONB.”</p> <p>“Development proposals affecting designated or non-designated heritage assets, the latter of which may either be identified on the Council’s Local List, the Historic Environment Record or that are discovered during the application proposals, will be supported provided that:</p> <p>“(I) They conserve and enhance the significance of the asset. This may include schemes that specifically aim to (or include measures to) protect, restore or enhance historic assets or features;</p> <p>“(II) They conserve and enhance the character and local distinctiveness of the area through design, scale and materials used; and</p> <p>“(III) They promote the enjoyment, understanding and interpretation of the assets as a means of maximising wider public benefits which reinforce the character of the village of Wray and sense of place within the Forest of Bowland AONB.</p> <p>“Proposals which affect historic field patterns in the locality should seek to reinforce and reflect those patterns. The loss and fragmentation of these assets will be discouraged.”</p>	<p>Accept the Change</p>

	<p>Add the following to paragraph 4.7.13: “The green corridor and riverside walk along the western bank of the River Roeburn contribute to the character of the conservation area and the setting of the village.”</p> <p>Delete the Non Designated Heritage Assets from the Proposal Map. Include them on a map of Conservation Area Assets as “Proposed Non- Designated Heritage Assets”. Indicate the Green Corridor along the western bank of the River Roeburn on this map.</p>	
<p>Recommendation 16</p>	<p>Revise Policy COM1 as follows:</p> <p>Delete Community Asset sites 10 from the Proposals Map.</p> <p>Delete site 11 from the list of Community Assets on the Proposals Map. Include reference to the area in paragraph 4.7.13.</p> <p>List and number the assets in Policy COM1 and the key to the Proposals Map in the same order and shown the boundaries of the sites/buildings.</p>	<p>Accept the Change</p>
<p>Recommendation 17</p>	<p>Revise Policy TRA1 as follows:</p> <p>Replace the first and fourth paragraphs with “Where development proposals are shown through evidence to be required to contribute towards any of the following schemes, so as to make the development acceptable, appropriate financial contributions will be sought through a planning obligation. Developer contributions towards improved community infrastructure will be sought where it is shown that the obligation is necessary to make the scheme acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development.” List the schemes set out in the final three criteria of the policy (“Improvements to the local network of cycleways ...”</p> <p>Place the second paragraph in the justification.</p> <p>Reframe the third paragraph and following criteria as a Community Project along the lines of “The Parish Council will work with XXX to deliver the following projects through the use of S106, CIL, LIT etc.” Place the policy in a separate section of the Plan headed Community Projects and explain that it is not a land use planning policy. Move relevant paragraphs of the justification to the Community Project justification.</p>	<p>Accept the Change</p>

Recommendation 18	<p>Revise paragraph 5.5 to read: “...to deliver sustainable growth in new housing over the plan period to meet identified local needs.”</p> <p>Revise paragraph 5.9 c) to read: “c) The Parish Council will monitor the progress of implementing the Neighbourhood 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 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 Plan in full collaboration with Lancaster City Council. Evidence will also be reviewed and updated as required.”</p>	Accept the Change
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