

ALDCLIFFE WITH STODDAY NEIGHBOURHOOD PLAN

LANCASTER CITY COUNCIL RESPONSE TO REGULATION 16 CONSULTATION

SEPTEMBER 2021

1. INTRODUCTION

- 1.1 Lancaster City Council welcomes the submission of the Aldcliffe with Stodday Neighbourhood Plan and recognise the significant amount of time, effort and work which have been undertaken by the local community in its production to date. The City Council have been fully supportive of Aldcliffe with Stodday Parish Council's decision to prepare a neighbourhood plan for their area and have provided as much resource and support as possible to aid the group's preparation of the plan.
- 1.2 Through dialogue with the Neighbourhood Plan Group since the initial designation in 2018, the City Council have been aware of the wide variety of consultation events that have been held with the community to identify issues which are important in the locality, gain consensus and draw conclusions to how such matters can be addressed. It is in this context that the Council seeks to provide constructive comment on how the plan should be refined further to ensure that the basic conditions of neighbourhood planning can be achieved.
- 1.3 For ease of reference, the comments set out in Section 4 of this response are according to the relevant sections of the draft Neighbourhood Plan (referred to as 'the Plan' from this point forward). Some comments which are made, particularly where they relate to a contextual nature, may cover more than one topic or section and should be seen in this context.

2. LEGAL REQUIREMENTS AND NATIONAL POLICY

Legal Requirements

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

National Planning Policy

- 2.2 The National Planning Policy Framework¹ (referred to as 'the Framework' from this point forward) sets out the Government's planning policies for England and how these are expected to be applied.

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

In doing so, it sets out the requirements for preparation of neighbourhood plans and provides communities with the power to develop a shared vision for their neighbourhood and deliver sustainable development that they need and to assist in the overall delivery of strategic housing needs.

- 2.3 At the heart of the Framework is the presumption in favour of sustainable development. For plan-making this means that the plan makers should positively seek opportunities to meet the development needs of their areas and that Local Plans should meet objectively assessed needs (OAN) for housing, with sufficient flexibility to adapt to rapid change. This requirement is also applicable to the preparation of neighbourhood plans.
- 2.4 Paragraph 13 of the Framework further sets out that neighbourhood plans should support strategic policies contained in local plans for housing and economic development and plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the district-wide Local Plan.
- 2.5 Within the overarching roles that the planning system ought to play, the Plan should also have regard to the core planning principles that underpin plan-making set out in paragraph 17 of the Framework.
- 2.6 The core planning principles seek to ensure that a neighbourhood plan sets out a clear and positive vision for the future of the area and policies contained within it should provide a practical policy framework within which decision on planning applications can be made with a high degree of predictability and efficiency by the local planning authority. Paragraph 29 of the Framework states, *'Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies'*.

3. LANCASTER DISTRICT LOCAL PLAN POSITION

Strategic Policies and Land Allocations DPD

- 3.1 The Strategic Policies and Land Allocations DPD was adopted at the end of July 2020. It provides the strategic basis for planning within the district.
- 3.2 It is important to note that Aldcliffe and Stodday have two small settlements, both of which are classed as rural villages by policy SP2: Lancaster District Settlement Hierarchy. Policy SP2 states that *'these settlements will accommodate development that meets evidenced local needs only'*.

Development Management DPD

- 3.3 The Development Management DPD was also adopted at the end of July 2020. It provides detailed planning policies to shape the delivery of development.
- 3.4 Policy DM4: Residential Development Outside Main Urban Areas states, *'Proposals for other settlements which have not been identified as sustainable settlement [this includes the settlements of Aldcliffe and Stodday] will only be supported if it can be demonstrated that the development will enhance the vitality of the local community and meet an identified and specific local housing need.'*

Draft Climate Emergency Local Plan Review

- 3.5 On 30th January 2019, the Council declared a climate emergency. Whilst the newly adopted Local Plan does seek to address climate change, it was too far advanced in the plan preparation process to incorporate some of the actions and directions of the climate emergency declaration. The CERLP has a specific remit to amend and add to policies which can influence the Council's response to climate change, such as energy efficiency, renewable energy, water management and sustainable transport. It does not reconsider site allocations, housing numbers or other principles within the adopted Local Plan.
- 3.6 The Draft Climate Emergency Local Plan Review has been through a Regulation 18 consultation. The responses are being considered and will be responded to, including further amendments to policies where necessary. It is anticipated that the Regulation 19 consultation will commence December 2021.

Lancaster South Area Action Plan

- 3.7 The Strategic Policies and Land Allocation DPD contains strategic growth areas including the designation of a 'Broad Location for Growth' in South Lancaster, this includes the expectations for a new Garden Village development (Bailrigg Garden Village). The Broad Location of Growth includes land within Aldcliffe and Stodday Parish.
- 3.8 The Area Action Plan DPD will build on key growth principles set out in policy SG1 of the Strategic Policies and Land Allocations DPD. It will allocate land for development within the Broad Location for Growth and set out policies to ensure that development is of a high-quality sustainable design, including a detailed masterplan and design code. The Area Action Plan DPD will also seek to address the critical issues around infrastructure delivery, management of the local environment and community stewardship to ensure that development contributes to sustainable modes of travel, sustainable drainage and biodiversity.
- 3.9 The Area Action Plan DPD will provide a policy framework for all land located within the 'Broad Location for Growth' identified under Policy SG1. Depending on the consistency between the Area Action Plan and the Neighbourhood Plan, the policy framework provided may supersede the content and direction of the Neighbourhood Plan. It is important to note that the preparation of the Area Action Plan will be done with the full opportunity for key stakeholders (such as the Neighbourhood Plan Group) to participate and shape the content of the document.

4. ALDCLIFFE WITH STODDAY NEIGHBOURHOOD PLAN

- 4.1 This section sets out the comments which the City Council have on the Plan. The Council recognise and welcome some amendments which have been made to the Plan in light of responses made at previous stages.
- 4.2 The Plan sets out a positive approach to development within the Parish given its context as a rural village where development is expected to meet an identified local need and its proximity to areas of ecological importance.

Vision and Objectives

- 4.3 The City Council supports the objectives of the Plan which are consistent with the spatial strategy for the district. The objectives support development to meet local need, promote the enhancement of facilities and infrastructure for the community and sustainable design and energy conservation and the protection of areas of wildlife and local landscape significance.

Balancing Conservation and Accessibility

- 4.4 Policy AS1 acknowledges and addresses the importance of international and nationally important areas of wildlife within the Parish, seeking to ensure conservation and enhancement in accordance with national and local policies.
- 4.5 The sustainable transport measures included in Policy AS2 are compatible with the Local Plan, particularly the aims to promote active travel and are supported.
- 4.6 The City Council has no further comments to make.

Landscape and Built Character

- 4.7 Policies AS3 and AS4 positively respond to the local character of the built environment and is supported.
- 4.8 The City Council has no further comments to make.

Housing and Community Infrastructure

- 4.9 The Council support the inclusion of a policy which provides local guidance on matters of design. The scale of development envisaged responds to the position of the settlements within the Settlement Hierarchy in the Local Plan. The housing types promoted within policy AS5 are supported by a recent Parish needs survey and will contribute to meeting an identified local need in accordance with policies SP2 and DM4 of the Local Plan.
- 4.10 The City Council has no further comments to make.

Climate Change and Sustainability

- 4.11 The Council supports the inclusion of a policy which seeks to support community energy schemes and enhance the sustain design. The Climate Emergency Local Plan Review aims to include specific policies addressing sustainable design which may diverge from the governments approach. It is therefore recommended that to ensure conformity with any future local plan bullet point 1. Is amended as follows:

'Insulation, minimising thermal bridges in construction, glazing and sealing of openings should minimise heat loss and wherever possible and viable developers should seek to incorporate the highest recognised government standards at the time or any other standards required by the Local Plan. Passivhaus standards will be encouraged wherever possible;'
(suggested addition underlined)

- 4.12 The Council have no further comments to make on this element of the Plan.

SEA and HRA Assessment

- 4.13 The Council prepared an SEA and HRA Screening Report for the Regulation 14 version of the draft plan which, following consultation with the key statutory stakeholders, concluded that there would be no significant effects arising from the draft plan. Whilst minor amendments have been made to

the draft plan between Regulation 14 and 16 stages it is not considered these are significant and would not change the outcomes of the original Screening Opinion.

5. CONCLUSION

- 5.1 The City Council recognise the role of neighbourhood plans as a tool for local people to shape the development of their local community. The City Council have welcomed the opportunity to discuss the evolution of the plan with regard to the Aldcliffe with Stodday Neighbourhood Plan Area and recognise the significant effort which has been put into its preparation by the local community.
- 5.2 The City Council supports the policies within the Neighbourhood Plan and consider that they are in conformity with national planning policy, the adopted Local Plan and emerging Climate Emergency Local Plan Review.
- 5.3 Should the examiner require further information, evidence or discussion on any of the matters raised in this response the City Council will be happy to assist in this matter.