

CABINET

Individual Cabinet Member Decision (Councillor Dowding)

Report of Director for Economic Growth & Regeneration

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

RECOMMENDATION OF THE DIRECTOR OF ECONOMIC GROWTH & REGENERATION

- (1) To endorse the content of the City Council's response to the Aldcliffe with Stodday Neighbourhood Plan, as set out in Appendix A of this Report.
- (2) Submit the response to the plan in order to inform the independent examination into the content of the plan, which is expected to place over the coming months

1.0 INTRODUCTION

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

2.0 BACKGROUND

- 2.1 Aldcliffe with Stodday is one of ten areas within the district which have been designated for the purposes of Neighbourhood Planning. This designation was proposed by the Parish Council in August 2018 and subsequently approved by Lancaster City Council (City Council) in December 2018.
- 2.2 Since the point of designation Aldcliffe with Stodday Parish Council (Parish Council) have been working on the preparation of a Neighbourhood Plan for their area which seeks to tackle a range of planning issues. The Parish Council have been assisted by an external planning consultations that have provided planning support and advice in the preparation of their Neighbourhood Plan.
- 2.3 The Council, as part of the Neighbourhood Plan Protocol, offers assistance and support to Neighbourhood Plan groups. In relation to Aldcliffe with Stodday, meetings and email/information exchanges have taken place since the area designation to assist with the preparation of the plan.
- 2.4 In January 2021 the Parish Council published a draft neighbourhood plan for consultation in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012.
- 2.5 The City Council prepared an informal response to the draft plan which set the need for clarification with regard to sustainable building requirements and concerns with regard to the consideration of the impact on viability. The intention of the response was to provide the Parish Council with the opportunity to address these concerns as they sought to finalise their Neighbourhood Plan.
- 2.6 The Parish Council has now finalised their neighbourhood plan and have submitted their completed plan to the City Council in accordance with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012. Now, under Regulation 16, the City Council is required to formally consult on the content of the neighbourhood plan with all interested parties and stakeholders.
- 2.7 Consultation began on the neighbourhood plan on Friday 15 October 2021 and will last for a 6 week period, concluding on Friday 26 November 2021. As part of the consultation process the City Council will provide a response in relation to how the Neighbourhood Plan addresses the basic conditions for neighbourhood planning. The basic conditions include:
 - a. Have regard to national planning policy;
 - b. Have regard to preserving listed buildings or their settings;
 - c. Have regard to preserving and enhancing conservation areas;
 - d. That the Plan contributes towards sustainable development;
 - e. That the Plan is in general conformity with the strategic policies contained within the district-wide local plan; and
 - f. That the plan does not breach EU Obligations.

3.0 SUMMARY OF THE RESPONSE

- 3.1 The Neighbourhood Plan is considered to provide a robust and appropriate response to planning matters in accordance with national and local plan policies. The Neighbourhood Plan policies build upon those within the Local Plan and reflect the designation of the settlements within the Parish, as rural villages in the 'Settlement Hierarchy' contained in policy SP2 of the Strategic Policies and Land Allocations DPD. The Neighbourhood Plan supports small scale development where this will enhance the vitality of and meets the needs of the community thus contributing to sustainable development and conforming with the strategic policies within the Local Plan.
- 3.2 The Parish includes areas of international significance for the natural environment. The Neighbourhood Plan includes policies which seek to conserve and enhance these areas in conformity with national and local policies. Policies also address the historic environment.
- 3.3 Policies support walking and cycling, encourage the use of sustainable design, community energy schemes construction to promote sustainable development. The policy is neither prescriptive nor onerous therefore will not adversely affect viability. It is however recommended that policy AS7 is re-phased to ensure that the policy does not compromise further sustainable design requirements in the proposed Climate Emergency Local Plan Review.

4.0 OPTIONS AND OPTIONS ANALYSIS (including Risk Assessment)

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

5. CONCLUSIONS

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

RELATIONSHIP TO POLICY FRAMEWORK

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

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

CONCLUSION OF IMPACT ASSESSMENT

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

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

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

LEGAL IMPLICATIONS

The Council's Legal duties are set out within the body of this Report and within the relevant sections of the Localism Act 2011.

FINANCIAL IMPLICATIONS

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

OTHER RESOURCE IMPLICATIONS**Human Resources:**

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

Information Services:

None.

Property:

None.

Open Spaces:

None.

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and has no comments to add

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

City Council Response to the draft Aldcliffe with Stodday Neighbourhood Plan (Regulation 15).

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