

CABINET

City Council response to Carnforth Neighbourhood Plan

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 Carnforth 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

- a. To endorse the content of the City Council's response to the Carnforth Neighbourhood Plan, as set out in Appendix A of this Report.
- b. 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 Carnforth is one of ten areas within the district which have been designated for the purposes of Neighbourhood Planning. This designation was proposed by Carnforth Town Council on 25th April 2018 and subsequently approved by Lancaster City Council (City Council) on 8th May 2018.
- 2.2 Since the point of designation, Carnforth Town Council (Town Council) have been working on the preparation of a Neighbourhood Plan for their area which seeks to tackle a range of planning issues. The Town 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 Carnforth, meetings and email/information exchanges have taken place since the area designation to assist with the preparation of the plan.
- 2.4 In September 2019 the Town 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 provided an informal response to the content and direction of the draft plan, giving further information and guidance on how to strengthen its content. This covered matters such as their approach towards housing development (including the allocation of land for development), economic development, the natural environment, flooding, local heritage assets and community facilities and aspirations within the neighbourhood plan area. The intention of the response was to provide the Town Council with the opportunity to address these concerns as they sought to finalise their Neighbourhood Plan.
- 2.6 The Town 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 4th February 2022 and will last for a 6 week period, concluding on Friday 18th March 2022. 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 and advice contained in guidance issued by the Secretary of State;
 - b. That the Plan contributes towards sustainable development;
 - c. That the Plan is in general conformity with the strategic policies contained within the district-wide local plan; and

- d. 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 Carnforth as a Market Town within the 'Settlement Hierarchy' contained in policy SP2 of the Strategic Policies and Land Allocations DPD.
- 3.2 The Neighbourhood Plan supports additional development on a small scale within Carnforth urban boundary subject to the other policies within the Neighbourhood Plan. There is however, concern that policies CNDP H1 and CNDP H2 will constrain the type of housing to small units which do not adequately reflect the district housing need policies in the local plan expect Carnforth to accommodate.
- 3.3 The Neighbourhood Plan area includes areas of international significance for the natural environment. The Neighbourhood Plan includes policies which seek to conserve or enhance these areas. Policies also address the design of future developments, having specific regard to historic 'character areas' identified through the Neighbourhood Plan. Policies also look to address local issues such as green spaces and community facilities.
- 3.4 As set out in the Council's detailed response (which can be seen in Appendix A) the Council has raised and described a series of matters which need to be addressed to ensure that greater clarity is provided and so that the Neighbourhood Plan can be used effectively by the City Council when determining planning applications within Carnforth Neighbourhood Plan area. As part of the detailed response (in Appendix A) the Council have recommended where modifications could be made.
- 3.5 The detailed response can be seen at Appendix A.

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 Carnforth 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 plans 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 and the Neighbourhood Planning (General) Regulations 2012 and Schedule 4B of the Town and Country Planning Act 1990.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the request to endorse the content of the City Council response to the Carnforth 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 151 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 to add

BACKGROUND PAPERS

Carnforth Neighbourhood Plan (Regulation 15)

City Council Response to the draft Carnforth Neighbourhood Plan (Regulation 16).

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