Planning and Housing Policy Team  
Lancaster City Council  
BY EMAIL ONLY: planningpolicy@lancaster.gov.uk

20 July 2018

Dear Sir/Madam

**Wray with Botton Neighbourhood Plan – Submission**

Thank you for the notification of the 11 June 2018 consulting The Coal Authority on the above NDP.

The Coal Authority is a non-departmental public body which works to protect the public and the environment in coal mining areas. Our statutory role in the planning system is to provide advice about new development in the coalfield areas and also protect coal resources from unnecessary sterilisation by encouraging their extraction, where practical, prior to the permanent surface development commencing.

According to the Coal Authority Development High Risk Area Plans, there are recorded risks from past coal mining activity within the Neighbourhood Plan area including; 31 mine entries and shallow coal mine workings.

It is noted that the Neighbourhood Plan allocates sites for future development; however, these are not located within the areas where mining legacy is noted as being present. On this basis the Coal Authority has no specific comments to make.
Please continue to consult The Coal Authority on planning matters using the email address of planningconsultation@coal.gov.uk.

Yours faithfully

Melanie Lindsley  BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPi
Development Team Leader
Dear Sir/Madam

WRAY WITH BOLTON NEIGHBOURHOOD PLAN SUBMISSION VERSION

Thank you for consulting us on the above document.

Environment Agency position
We have reviewed the submitted Neighbourhood Plan, and have no comments to make regarding this document.

Yours faithfully

Mrs Liz Locke
Sustainable Places Officer

e-mail clplanning@environment-agency.gov.uk
Dear Sir

Wray with Botton Neighbourhood Plan

Thank you for consulting Historic England about the above document.

Historic England is the Government’s statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Culture, Media and Sport (DCMS). We champion and protect England’s historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.

Your Neighbourhood Plan includes or may affect a number of heritage assets including as well as the Wray Conservation Area. It will be important that the strategy you put together for this area safeguards those elements which contribute to the importance of those historic assets. This will assist in ensuring they can be enjoyed by future generations of the area and make sure it is in line with national planning policy.

Historic England has produced further information and guidance on how heritage can be incorporated in to Neighbourhood Plans. It signposts Forums to documents which communities may find useful to identify what it is about their areas which makes them distinctive and how best ensure that the character of the area is retained. More information can be found at http://www.historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/.

Neighbourhood Plan

We have the following comments to make on the Neighbourhood Plan:

Section 3.1 Vision
The historic environment does not appear to be mentioned within the vision but is in the Objectives within Section 3 of the Plan. Section 2.3 outlines the details of the conservation area appraisal which is welcomed. Given it is specifically mentioned in some detail in the plan and to ensure consistency it should be included within the Vision.

Section 3.2 Objectives
To provide consistency with local and national policies, Objective (I) and (II) should be amended to replace the word *compatible* with *conserves and enhances* (objective (I)) and *sustaining and enhancing* (Objective (II)):

(i) Development is compatible with **conserves and enhances** the existing built environment and the landscape of the Forest of Bowland AONB in terms of its character, heritage and scale. 
(ii) Development is designed to a high standard and within the village of Wray compatible **sustaining and enhancing** with the conservation area at its core.

**Policy OS1: Development Strategy**

As outlined above, given there are a number of heritage assets in the area, and that neighbourhood plan policies and development proposals need to ensure that they conserve and enhance the historic environment, heritage assets and their setting in line with the Local Plan Policies and National Policy, this policy should be amended to include reference to this. Reference is only made to settlement character and cultural heritage (cultural heritage has been mentioned for the first time in this policy and does not appear as a term earlier on in the plan which sets out the context for the neighbourhood plan area). Therefore, it is important that the Plan ensures consistency on this matter and should be amended.

**Policy BE1-Design**

As the Plan area includes historic, cultural and architectural assets as well as features, the Plan should make reference to this and be amended to read:

“*Within the built environment…..historic, cultural and architectural assets and features*”

Paragraph 4.4.8 makes reference to the need for planning applications to have regard to the Wray Conservation Area Appraisal and the Landscape Appraisal, but this is not mentioned within the Policy – the policy would benefit from its inclusion, which would make it a requirement.

**Policy H1: Housing Development**

- Historic England is concerned that Policy H1 will not conserve and enhance the historic environment, heritage assets and their setting in line with the NPPF and the local plan for the following reasons:
  - The policy itself does not mention the need for development to not have an unacceptable impact on heritage assets and their setting.
  - The policy makes reference to the site assessment process. Where mitigation measures are identified within the site assessments, this needs to be tied into the Plan, either through direct reference within the policy or the policy referring to the site assessment document (Appendix 3) and its content. At the moment there does not appear to be any reference to this to support the allocation of the sites.

- **Site WR5 Hoskins Farm**: The site includes a Grade II heritage asset. The site assessment document (Appendix 3) assumes the asset is suitable for conversion and suggests that the most appropriate use would be for residential use. There does not appear to be any evidence to support this. Also, the report does not identify whether the site can accommodate 15 homes without causing harm to the setting of this heritage asset or the conservation area. Historic England therefore objects to the content of this assessment as it does not provide the evidence to support this allocation. The proposed development considerations are also therefore not appropriate.

- **WR9 Old Chapel Field**: The Site Assessment report (Appendix 3) identifies the site as being within the Wray Conservation area and close to other heritage assets, as well as it making a significant contribution to its character and appearance with important views across the field. The report does not make an assessment of the contribution this site makes to the setting of these assets and what harm the loss of this site to a housing development would have on it. The statement that it provides significant views needs further assessment work to determine whether the site is suitable for development and
also provide some appropriate mitigation measures which should be incorporated as part of the plan. Without this, the neighbourhood plan cannot demonstrate that the site can be developed without harm to the historic environment.

- **WR10 New Inn**: Whilst it is acknowledged that the site has planning permission for conversion into dwellings which has not been implemented. The site assessments need to provide a framework for any new applications for the site, which reflect the fact that the site is within the Wray Conservation Area and includes a Grade II heritage asset and therefore an assessment of the site should be made similar to that of the other sites. The proposed key development considerations are not appropriate as character and appearance of the listed buildings is incorrect (this relates to conservation areas). Without this, the neighbourhood plan cannot demonstrate that the site can be developed without harm to the historic environment.

- **WR11 New Inn Car Park**: There needs to be an assessment of the site to determine whether the site can be developed without harm to the conservation area and its heritage assets. The development considerations appear to suggest detailed proposals for development without any evidence to support it. Without this, the neighbourhood plan cannot demonstrate that the site can be developed without harm to the historic environment.

**Policy RE1: Economic Development**

- Whilst we support a policy which encourages proposals for economic development, the wording should be amended, as economic development proposals are not usually defined as being for the purpose (Para 1 of the policy) of the conservation or enhancement of heritage (bullet III), rather this should be one of the tests when assessing the impact of a proposal on the historic environment. So as drafted this policy would not accord with the requirements of the NPPF on this matter.

- Bullet III also refers to sites of heritage – heritage is not always defined by a site, for example conservation areas are much wider, so this should be amended.

**Policy NE3: Historic Environment**

- See comments above regarding wording on feature, sites and heritage etc.

- **Paragraph 1**: The first half of this paragraph only seeks for development proposals to take into account those that are listed within the policy and not protect them. The second half of the policy seeks to protect or enhance other elements of the historic environment. Also, shouldn’t the intention of a proposal be to where possible, protect and enhance rather than one or the other? Therefore, this appears to be a two tiered policy that only provides protection for certain bits of the historic environment. It also appears to contradict other policies within the neighbourhood plan. See other comments in this letter.

- **Paragraph 2**: Any works to historic buildings or assets are part of planning permission I would assume. Any other works can be carried out without the need for prior approval. Therefore, the policy should be amended as it does not make it clear as to how this will be applied. Is this referring to non-listed heritage assets? The need to record historic interest etc. is usually applied when the loss of an asset has met the tests in the NPPF. Is this what this part of the policy is going to be applied to? This paragraph should be amended to reflect these comments and to ensure that it can be applied appropriately.

- **Paragraph 3**: A designated heritage asset is identified on the National Heritage List for England and not on a local list or HER so this paragraph is incorrect on this matter. Is it meant to be making reference to a non-designated heritage asset? This needs to be amended appropriately.

- **Bullet I**: This would benefit from reference to significance as not all assets are just defined for their special architectural and historic interest. For example, conservation areas.

- **Bullet III**: The character of an asset - should this be reference to the character and local distinctiveness of the plan area rather than an asset.

- The setting of an asset is separate to character.

- **Paragraph 4**: It is expected that proposals that cause unacceptable harm to a designated heritage asset or their setting will not be permitted. As drafted this is confusing as it states...
loss or fragmentation. This does not accord with the NPPF and local plan policy. Also how is this to be applied. Designated and non-designated heritage assets or one or the other? Should the second line of this paragraph be included in the bulleted list?

If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.

Yours sincerely,

Emily Hrycan
Historic Environment Planning Adviser (North West)
Historic England
Good morning.

Thank you for providing Lancashire Constabulary Designing Out Crime Officers with the opportunity to comment on the Wray with Botton Neighbourhood Plan 2011-2031 (Submission V4 April 2018).

When developing your Neighbourhood Plans, please could we ask that you consider and make links to Lancaster Council’s Core Strategy 2003-2021 (adopted July 2008) document in relation to building development and community safety/crime prevention issues;

**Policy SC 6: Crime and Community Safety**

*To build sustainable communities by using spatial planning to reduce crime and the fear of crime.*

4.63 & 4.64: Purpose: The Council will use spatial planning to enhance community safety by: *Throughout the District, encouraging high quality, pedestrian friendly designs and incorporating “Secure by Design” principles and attention to personal safety issues in all new development.*

Further details regarding Secured by Design can be found at [www.securedbydesign.com](http://www.securedbydesign.com)

Also, in relation to local car parks, please could you consider adopting Safer Parking Scheme principles and standards when designing and developing these facilities. The Park Mark® Safer Parking Scheme is a Police Crime Prevention Initiative and is aimed at reducing both crime and the fear of crime in parking facilities. Further information about the Safer Parking Scheme can be found at [www.parkmark.co.uk](http://www.parkmark.co.uk)

All planning consultations and changes to policy in relation to crime, community safety or security issues should be sent to alo@lancashire.pnn.police.uk

Kind regards
Davina

**Davina Helm**  
Designing Out Crime Officer – Lancashire Constabulary  
☎: 07971061340

*NB: Workdays; Tuesday to Friday*
Dear Sir/Madam

Thank you for inviting comments on the Wray with Botton neighbourhood plan.

My only comment is in relation to Policy NE2, specifically the designation Wray LG1 School Playing Field Wray as Local Green Space.

Lancashire County Council has previously objected to this and I would like to reiterate this.

I do not support the allocation of this site as local green space. School Field Wray is an operational school playing field under the ownership of Lancashire County Council. It is an integral and functional part of the school. I would like to reassure you that it is already afforded sufficient protection from inappropriate development by virtue of their status as school playing fields, under, amongst other things, Section 77 of the School Standards and Framework Act 1998.

The Council, as Education Authority, has a statutory obligation to ensure that every child living in Lancashire is able to access a mainstream school in Lancashire. Based on a five year forecast there is not a predicted shortfall of primary places within the wider Lunesdale planning area (which includes the area of Wray with Botton). However, should there be a future requirement to create additional spaces the school playing fields would form one of a number of options for locating these additional spaces; this would be in accordance with Section 77 of the School Standards and Framework Act 1998. A local green space designation would serve to compromise the Councils ability to meet this need.

A designation of Local Green Space is therefore felt to be inconsistent with both Paragraph 76 and 77 of the National Planning Policy Framework, as it could serve to prevent the provision of essential services (school places) necessary to meet the needs of the area and, therefore, contrary to the local planning for sustainable development.
In this instance, I feel it would be inappropriate to include School Field Wray for inclusion as local green space, for the reasons set out above.

Yours faithfully

Marcus Hudson
Planning Manager
Dear Lancaster City Council Planning Policy Team

Further to your reminder email of 16th July, our comments follow:

**Consultation Statement**

The omission from the statement of an option for consultation of The Wildlife Trust for Lancashire, Manchester & North Merseyside and other relevant NGOs is disappointing.

**Section 3 VISION AND OBJECTIVES**

3.1.3 The vision for the Wray with Botton Neighbourhood Plan ...

The vision disregards the natural environment. As a public body the parish council has a duty, under s41 of the Natural Environment & Rural Communities Act 2006, to have regard to the natural environment.

**4.5 HOUSING Policy**

**H1: Housing Development**

“...Development which would have an adverse impact on an international, national or locally designated site will not be permitted.”

This policy does not specify what category or categories of sites are intended to be covered by this policy. For reasons of certainty, we would welcome clarification that “designated site” in the policy includes international, national and local nature conservation sites.

**4.6 RURAL ECONOMY**

**RE1: Economic Development**

This policy does not specify what category or categories of sites are intended to be covered by this policy. For reasons of certainty, we would welcome clarification that “designated site” includes international, national and local nature conservation sites.

**4.7 NATURAL ENVIRONMENT**

**Policy NE1 Conservation and enhancement of the natural environment**

This policy is very welcome as far as it goes but, to build on the related policy already in the Lancaster City Local Plan and to be both effective and defensible if challenged, we feel that it would need to reference evidence-based extant functional ecological networks (we suggest for grassland, wetland, & woodland habitats) and weak links and gaps in those networks that might be required to be protected, maintained, restored, enhanced and created in association with permitted development. These would need to be identified on a map(s) to provide reasonable certainty for prospective applicants and regulators.

Rather than act in haste, it may be best for the Parish Council to develop such an approach to a parish “Nature Recovery Map” for the next review of this plan having sought pro bono support, funding and/or grant aid for professional advice that would make such related Neighbourhood Development Plan policies justifiable and defensible, if challenged. The following example, from Cheshire, is offered by way of an example:

https://docs.google.com/viewer?a=v&pid=sites&srcid=ZGVmYXVsdGRvbWFpbnx3ZWN0b25iYXNmb3
and the national context is here: https://www.wildlifetrusts.org/nature-recovery-network. The Lancashire Environment Record Network (http://www.lancashire.gov.uk/lern) should be able to advise on what services it is able to provide “pro bono” to parish councils in Lancaster City District and what additional services would need to be paid for.

We have no comment on those aspects of the policy relating primarily to historical landscape conservation and landscape aesthetics as those lie outside our core charitable remit.

Yours sincerely

Dave

David Dunlop
Senior Conservation Officer (Policy & Advocacy)

Hash-tags: #30DaysWild #OurIrishSea

The Wildlife Trust for Lancashire, Manchester & North Merseyside
WRAY-WITH-BOTTON NEIGHBOURHOOD PLAN

LANCASTER CITY COUNCIL RESPONSE TO REGULATION 16 CONSULTATION

JULY 2018
1. INTRODUCTION

1.1 Lancaster City Council welcomes the submission of the Wray-with-Botton 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 Wray-with-Botton 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 extensive dialogue with the Neighbourhood Plan Group since the initial designation in 2015, 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 This response from the City Council incorporates comments from the Planning Policy (plan-making) and Development Management (decision-taking) teams. The comments relate to how the proposed neighbourhood plan relate to both national and local planning policy but also the practical implications in the application of these policies to development proposals. It also includes advice from the Council’s Legal team in relation to the validity / interpretation of relevant Section 106 agreements.

1.4 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) The making of the order constitutes to the achievement of sustainable development;

c) The making of the order is in general conformity with the strategic policies contained in the development plan for the authority (or any part of that area); and

d) The making of the order does not breach, and is otherwise compatible with, EU obligations.

National Planning Policy

2.2 The National Planning Policy Framework\(^1\) (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. 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

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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, which should be seen as a golden thread through both the plan-making and decision taking processes. 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 16 of the Framework further sets out that qualifying bodies preparing neighbourhood plans should develop plans that support strategic development needs 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 seeks 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. Neighbourhood plans should seek to proactively drive and support economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.

2.7 Given Wray-with-Botton’s position within the Forest of Bowland Area of Outstanding Natural Beauty (AONB) it is important in providing for future development needs it is done in the context of this nationally designated landscape. For the purposes of plan-making, paragraph 14 of the Framework states that plans should meet objectively assessed needs with sufficient flexibility to adapt to rapid change unless specific policies in the Framework indicate development should be restricted. One such reason for development to be restricted in this manner are for designations such as Areas of Outstanding Natural Beauty.

2.8 It is the view of the City Council that the content of the Wray-with-Botton Neighbourhood Plan should seek to strike an appropriate balance between these two, sometimes conflicting, expectations of the Framework. To proactively drive opportunities for sustainable growth to meet development needs whilst also recognising that such opportunities should be restricted where it is clear that there are evidenced impacts on the AONB designation.

**Emerging National Planning Policy Framework**

2.9 In March 2018, the Government issued a new draft National Planning Policy Framework for consultation, with the expectation that a final version to be published later in the year. It is the view of the Council that given the Plan has been prepared in the context of the current Framework it is that Framework which the Plan should be examined on.

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3. LANCASTER DISTRICT LOCAL PLAN POSITION

Adopted Planning Position

3.1 The adopted planning position for the district remains within the Lancaster District Core Strategy (adopted in 2008) which continues to set out the strategic planning basis for the district and is supplemented (and in parts superseded) by the 2014 Development Management DPD in relation to matters of decision-making and is used to determine planning applications. The Development Management DPD is applicable across the district and applies to a wide range of development proposals. Land allocations for development were last determined as part of the 2004 Lancaster District Local Plan.

3.2 It is important to note that the village of Wray is defined as a sustainable settlement in the 2004 Lancaster District Local Plan (Policy H7), the 2008 Lancaster District Core Strategy (Policy SC3), the 2014 Development Management DPD (Policy DM42) and via emerging Policy SP2 of the Strategic Policies & Land Allocations DPD (which is discussed in more detail in paragraph 3.4).

3.3 Both adopted and emerging policy set a principle that new development in these locations will be supported in principle subject to other relevant considerations within national and local planning policy. The Council consider these policies, which provide direction on settlement hierarchy and the distribution of development throughout the district, to be strategic in nature for the purposes of neighbourhood planning.

Emerging Local Plan Position

3.4 The Council are now at an advanced stage of preparing a new Local Plan for the district which includes a Strategic Policies & Land Allocations DPD and a reviewed Development Management DPD. These DPDs were formally published for an eight-week representation period between February and April 2018 and have now been formally submitted to the Secretary of State on 15th May 2018. Examinations into the Local Plan documents are anticipated for October 2018.

3.5 It should be noted that Wray-with-Botton Parish Council have submitted representations to the Local Plan suggesting the plan is not sound and not legally compliant. In particular these representations relate to Policy SP2 and Wray’s position as a sustainable settlement. Representations on the Local Plan can be read in full via the Council’s Website or can be provided to the Examiner at their request.

Arnside & Silverdale Area of Outstanding Natural Beauty DPD

3.6 To supplement the preparation of the district-wide Local Plan, Lancaster City Council have been working jointly with South Lakeland District Council to prepare a specific DPD for the Arnside & Silverdale AONB. This DPD does not seek to provide a comprehensive planning framework for the area (deferring in many cases to the respective district-wide plans for their areas) but seeking to tackle a number of specific issues of significance to that area which includes housing delivery and matters such as tourism, drainage and caravan development.

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3 http://www.lancaster.gov.uk/planning/planning-policy/core-strategy
4 http://www.lancaster.gov.uk/planning/planning-policy/development-management-dpd
5 http://www.lancaster.gov.uk/planning/planning-policy/lancaster-district-local-plan
6 http://www.lancaster.gov.uk/planning/planning-policy/submission-stage
3.7 Significant elements of the Wray-with-Botton Neighbourhood Plan seek to incorporate the approaches and principles set out in the Arnside & Silverdale AONB DPD. The Council understand and support the reasoning why such an approach has been used as a starting point in the preparation of a Neighbourhood Plan for Wray-with-Botton.

3.8 Notwithstanding this, it should be acknowledged that every AONB is different in its scale, character and the types of pressures which it faces, consequently it should be recognised that there is not a ‘one size fits all’ approach to plan-making within AONBs. Furthermore, the Public Examination for the Arnside & Silverdale AONB DPD took place in June and is currently awaiting the findings of the Inspector on its soundness and legal compliance. The outcomes of the Public Examination into the AONB DPD, if available, should be given due consideration by the Examiner in considering whether this Plan meets the basic conditions.

3.9 It should be noted that the City Council have given consideration to a similar approach in preparing a DPD for the Forest of Bowland AONB, and exploratory meetings have taken place in the past on this matter with all planning authorities within the AONB designation. However, due to the geographical scale of the AONB, the number of authorities which would have to be involved in preparing a DPD (and their differing stages of plan preparation) and the different character and scale of the AONB it has been concluded by all parties that the preparation of a DPD would not be expedient nor practical and that issues in the Forest of Bowland AONB can be more effectively addressed through the Local Plan process.

4. WRAY-WITH-BOTTON NEIGHBOURHOOD PLAN

4.1 This section sets out the outstanding comments which the City Council have on the Plan. The Council recognise and welcome some amendment which have been made to the Plan in light of responses made at the Regulation 14 stage.

4.2 However, the Council consider that the below matters should be addressed to ensure that the basic conditions are met, particularly in relation to conformity with both national and local planning policy, and ensure that there is sufficient clarity provided within the document to ensure it can be used effectively by the Council in the decision-taking process. Where it is appropriate to do so the Council have suggested where modifications could be made to ensure that the basic conditions can be met and where clarity can be provided.

General Context

4.3 Wray-with-Botton is positioned within the Forest of Bowland AONB, which is protected nationally for its landscape importance. It is clear through the primary purposes of the AONB designation, as set out in Section 82 of the Countryside and Rights of Way Act 2000 that the primary purpose of such a designation is to conserve and enhance natural beauty. The Act goes on to say that in pursuing this primary purpose that account should be taken of the needs of agriculture, forestry and other rural industries and the economic and social needs of local communities.

4.4 In both adopted and emerging planning policy, Wray is considered to be a sustainable settlement by the City Council. For a rural settlement it has a wide range of services and has good connectivity to other settlements in the locality including Hornby and Low Bentham. Wray has been an established sustainable settlement for some time, identified under Policy H7 of the 2004 Lancaster District Local

4.5 As a result the settlement of Wray is considered by the Council to be a location which, given its sustainability is, in principle, a suitable location for future growth in the rural area and a focus for growth over other, less sustainable, locations within the vicinity. Whilst growth is supported in this area, the Council recognise that growth must be achieved in the context of the surrounding landscape designation and in the context of national planning policy.

4.6 It is the Council’s view that the Plan needs to consider its positioning within the AONB whilst seeking to be positive and proactive about how the settlement can contribute to meeting future development needs, given its status as a sustainable settlement. The Council support the Plan’s direction in using a landscape capacity-led approach to development which is consistent with the work which have been undertaken in relation to the emerging Arnside & Silverdale AONB DPD.

4.7 Notwithstanding this, the Council remain concerned that the Plan has not been sufficiently proactive and positive on the consideration of development opportunities in their area. As a consequence it is felt that sites may have been discounted prematurely and that opportunities for potential housing delivery have been missed. These concerns were initially raised prior to and through consultation at the Regulation 14 Stage but in the Council’s view not been sufficiently addressed.

Site Assessment Work

4.8 The Council acknowledge that the site assessment work undertaken for the Plan has been extensive. The Council support the scope of the sites which have been included within the assessment process, however there are concerns over the conclusions which have been drawn for some of the sites and, in particular, how perceived constraints have been applied to discount sites from future development.

4.9 The first example of such a misapplication relates to the S106 agreement which is referred to in paragraphs 2.4.2 and 2.4.3 of the Plan and which is considered to act as a constraint to further growth to the east of the village. It is the Council’s view that this agreement is not a constraint to growth. The S106 agreement sets a legal requirement that no further development should be undertaken during the plan-period at the time of the agreement (this agreement dates from 1997). This constraint is not considered to apply in perpetuity and is not an issue which should have been used to discount land as part of this neighbourhood plan process. Clarification on this matter has been sought from the Council’s solicitor, with correspondence attached to this response.

4.10 The second example relates to matters of landscaping. The Plan has been informed by the preparation of a specific landscape assessment prepared for the Neighbourhood Plan Group by Alison Farmer Associates. This assessment was produced separately from the district wide assessments which have been prepared for the local planning authority by Arcadis. It is also important to note that the Council had no input or involvement in the preparation of the landscape assessment from its methodology through to its conclusions.

4.11 There are a number of inconsistencies in the findings between the landscape assessments prepared by Alison Farmer Associates and Arcadis. However, notwithstanding these inconsistencies both assessments do conclude that in some areas that there is capacity in the landscape, particularly to the east of the village, to accommodate some new development, this is referred to in paragraph
The inconsistencies described above shed doubt on the robustness of the conclusions of the site assessment work and, as a consequence raises questions over whether the Plan is sufficiently positive enough in relation to pursuing opportunities to meet future development needs in accordance with the Framework.

Given the neighbourhood plan designation, it is not for the City Council to suggest specific sites for development. However, given Wray’s status as a sustainable settlement within both the adopted and emerging settlement hierarchy (which to re-iterate are considered to be strategic local policies by the planning authority) it is important that sites are considered in a sufficiently proactive manner to meet future development needs in rural areas, whether this be for the needs of the village, needs of the wider AONB or the wider strategic needs of the district (which are evidenced to be significant).

As a result, the Council are concerned that the general direction of the Plan is not in conformity with national planning policy (it is not sufficiently positive over meeting future development needs) and is not in general conformity with strategic planning policy at a local level (it does not reflect the sustainable settlement status set out in both adopted and emerging planning policy).

As described later in this section, given the absence of allocations for growth in the locality it will be important that if the Plan is to be effective in fulfilling national planning requirements and is not subject to future challenge from third parties that it provides a positive and flexible framework towards new development proposals coming through the planning application process. This will involve providing a criteria based policy which allows future applications to be assessed positively in the context of the AONB designation, ensuring that a landscape capacity-led approach is a key element of the consideration.

**Vision and Objectives**

The City Council support the overall aims and objectives of the Plan other than for point (iii) which seeks to restrict housing delivery to meet parish needs only. In light of Wray’s position as a sustainable settlement within both the adopted and emerging Local Plan and the need to ensure that wider housing needs can be achieved, the Council consider this to be too restrictive and not in accordance with either national or local planning policy. The Council recommend the following modification to ensure consistency with national and local planning policy:

(iii) The housing needs of the Parish are met by providing homes of the right type, size and tenure in the most suitable places.

Another suitable alternative form of words would be to replace the term of the Parish’ to ‘of the wider AONB’.

**Policy OS1: Development Strategy**

The Development Strategy set out in Policy OS1 is generally reflective of the strategy which is set out in the Arnside & Silverdale AONB DPD. The Council is supportive of the general approach to OS1 and the use of the work undertaken on the Arnside & Silverdale AONB DPD however are mindful that
there may be amendments necessary following the outcomes of the Public Examination into the DPD.

4.19 Notwithstanding this, the Council do have some concern over specific elements of Policy OS1 which go over and above that which is described in the Arnside & Silverdale AONB DPD and are considered not to be in conformity with national or local planning policy.

4.20 Reference is made to ‘Development that harms this purpose [the primary purpose of the AONB] or which will have an adverse impact on an international, national or locally designated site will not be permitted.’ The Council feel that issues around the primary purposes are adequately described elsewhere in Policy OS1 and seeks to impose requirements on development which cannot be evidenced or justified, particularly with regard to definition of local designated sites which are not clearly defined within the Plan. Furthermore, there is a lack of clarity over what is meant by ‘designation’ – a site may be designated for a range of purposes and not merely for landscaping matters. For the reasons described it is recommended that this sentence is deleted from the Plan.

4.21 As with the Vision and Objectives, the Council have concern over the narrow scope the draft plan has for meeting housing needs, which states that support is only given to parish needs. It is felt that such an approach is not consistent with national and local planning policy and should be modified to read:

‘...within the village of Wray where it closely reflects identified local needs within the Parish and conserves and enhances...’

4.22 Another suitable alternative form of words would be to replace the term ‘within the Parish’ to ‘within the wider AONB’.

Policy OS2: Landscape

4.23 The Council support the content of Policy OS1 which is generally reflective of the approach taken in the Arnside & Silverdale AONB DPD. It should be noted that the approach taken in the AONB DPD has yet to be tested at Public Examination.

4.24 It is important to note that no two Areas of Outstanding Natural Beauty are the same, either in their scale, character and their capacity to accommodate development. Therefore whilst it is right to ensure that the special character of these nationally important areas are protected it is equally right to acknowledge that their special character can be very different and differs from area to area.

Policy BE1: Design

4.25 The Council support the inclusion of a policy which provides local guidance on matters of design. However, the policy as currently written is confusing and repetitive. There are multiple references across the policy in relation to matters such as heritage and trees and the policy requirements do not follow any discernible pattern.

4.26 To ensure that these matters are addressed in a clear and concise manner so that they can be effectively used in the determination of planning applications the policy should be simplified and clarified. A starting point to providing this clarification could be to use Policy AS08 of the Arnside & Silverdale AONB DPD as a basis which deals with many of the issues described in Policy BE1 but in a more clear and concise manner.
**Policy BE2: Local Design Panels**

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

**Policy H1: Housing Development**

4.28 Policy H1 of the Plan sets out specific allocations for housing within the Wray area. It is noted by the Plan that a number of the sites identified already have the benefit of planning permission (or have secured planning permission in the recent past) which leaves only three new sites identified, two of which would only contribute a total of 3 new houses to the future supply.

4.29 The largest allocation is made for 15 dwellings at Hoskins Farm, currently an operational agricultural holding occupying a site at the centre of the village. Should the site become vacant in the future, the principles of re-using brownfield / Previously Developed sites to meet future development needs are supported by the Council and are in accordance with local and national planning policy. However, at this point in time the farm remains operational.

4.30 The Council have a number of concerns over the allocation of the Hoskins Farm site for development which have been raised consistently by the Council throughout the process both prior to, and as part of, the Regulation 14 process.

4.31 Whilst it is noted that the site may become available at some point during the period of the Plan, the deliverability of the site remains un-evidenced and highly questionable. As highlighted in paragraph 4.5.4 of the Plan, the development of this site may require the creation of a new farmstead outside of the village to offset the loss of the current enterprise. At this point in time it is not clear whether the development of a new farm, within the open countryside of an Area of Outstanding Natural Beauty, would be either viable or achievable or whether the creation of a new farmstead in the open countryside would be appropriate in terms of the Framework, Local Plan or indeed the wider requirements of the Neighbourhood Plan itself.

4.32 Given the reliance of the Plan on this site to deliver housing it is critical that these issues are addressed, at least in principle, particularly given the preclusive nature of the Plan on alternative sites within the locality in meeting future development needs.

4.33 The Council conclude that at this point in time, there is not sufficient evidence to demonstrate this site is genuinely deliverable and as a result should not be included as a formal allocation within the Plan. It is recommended that Hoskins Farm is considered as a windfall site, which may or may not be delivered via the planning application in due course but should not be relied on as an allocation which proactively seeks to meet local development needs as part of the plan-making process.

4.34 Beyond matters of deliverability, the Plan recognises that development in this location is not likely to come forward for between 5 to 10 years. As a result it is not clear that Plan is being sufficiently proactive in addressing short-term housing needs in the local area, whether that be to meet parish needs, wider AONB needs or district-wide needs.

4.35 The Council consider that Wray represents a sustainable settlement which should be given the opportunity to evolve through the plan period in the context of the wider AONB. At this point in time the Council believe that the Plan’s approach to housing delivery has failed to sufficiently recognise the economic and social needs of communities within AONB which forms part of the designation’s primary purpose. It is important that to maintain thriving and sustainable communities within the
AONB that the Plan is sufficiently proactive in either identifying land where future development needs can be met, or providing a sufficiently flexible framework to allow future proposals to be assessed.

4.36 In the absence of realistic allocations within the Plan, it is critical that it includes a sufficiently positive framework to assess future planning applications. This could be achieved by falling back to the general approach to housing development in the Forest of Bowland AONB which is emerging within the 2018 Development Management (Policy DM6) or creating a more positively worded Policy H2 which permits opportunities for small-scale housing development in a positive and proactive manner to take place subject to other policy requirements.

4.37 With regard to the specific wording of Policy H1. Paragraph 2 relates to the delivery of affordable housing. Whilst the Council supports the delivery of affordable housing to meet identified needs, it is not clear how the principles of this aspiration will be achieved in Wray given the low levels of growth proposed by the Plan.

4.38 In relation to paragraph 3, the Council would support development which seeks to best utilise land and densities (although this matter would be better described within Policy BE1 relating to design). However, again given the scale of growth which is being proposed in the Plan it is not considered reasonable or justifiable to ‘phase’ development in the context of national planning policy. Even on the largest site identified (Hoskins Farm at 15 dwellings) the Council would suggest that phasing would not be practical – particularly given the requirements necessary to deliver housing at Hoskins Farm. It is recommended that referencing to phasing in this policy is removed.

4.39 Paragraph 4 is not considered to be reflective of the Framework and it is not clear what is meant by the term ‘designation’, does this merely relate to matters of landscape or does it also include wider matters such as flood risk, open space etc? Should this paragraph be retained this matter should be clarified.

4.40 With regard to the supplementary text, there is concern that some of the text provided is highly contradictory in nature, for example in paragraph 4.5.6 which states ‘A further 3 sites have been identified which are considered suitable for housing and are listed in the table below. However, the landowners do not have a positive intention to bring these sites forward in the present financial climate. They are therefore not available and cannot be allocated. Nevertheless, they demonstrate the availability of land for small developments which would contribute to incremental growth through the plan period.’ This is clearly contradictory, if sites ‘are not available and cannot be allocated’ then they simply cannot ‘demonstrate the availability of land’. This element should be removed from the policy.

4.41 A further note of clarity is that the district-wide Local Plan (the Strategic Policies & Land Allocations DPD) includes Policies H1-H6 which also deal with matters relating to housing. To avoid unnecessary duplication and confusion to readers of the Local Plan it is recommended the policy prefixes for both Policies H1 and H2 of this Plan are amended. A suitable prefix could include RES (Residential).
Policy H2:

4.42 The Council support the delivery of affordable housing to meet evidenced needs. The most up-to-date evidence on district-wide housing needs (Strategic Housing Market Assessment Part II – Arc4 2018) show that affordable housing needs are significant and opportunities to address this need in the right locations are welcomed. Policy H2 seeks to impose an affordable housing requirement of 50% which is reflective of both the Arnside & Silverdale AONB DPD and Policy DM6 of the emerging 2018 Development Management DPD. However, it should be noted that in both instances that these requirements have been challenged by the development industry in terms of their wider impacts on development viability and that they threat the delivery of development. At this point in time these requirements (and the challenges made to them) have not been considered at Public Examination.

4.43 Whilst the Plan is correct to recognise that the Upper Lune Valley has been considered to be a high value area in terms of economic viability it is important to note that the Council are still investigating the robustness of the 50% requirement which will be completed in time for Public Examination into the district-wide Plan later this year. However, at this point in time the 50% requirement set out in both the Neighbourhood Plan and the emerging Development Management DPD is not sufficiently justified and it cannot be currently demonstrated that such a requirement would not overburden development.

4.44 It is therefore recommended that the reference to 50% affordable housing is removed from Policy H2 and that the Plan defers to Policy DM6 of the emerging Development Management DPD which will ultimately establish a robust and deliverable affordable housing requirement for the wider Forest of Bowland AONB that will be based on viability evidence and tested at Public Examination. It is therefore recommended that the first paragraph of Policy H2 is amended to read:

‘Within the Neighbourhood Plan area, subject to satisfying other relevant policy requirements and in order to ensure that new development in the AONB meets local needs, proposals for new housing development will be supported where they meet the requirements set out in Policy DM6 of the Development Management DPD deliver at least 50% affordable housing. Only where this is demonstrably unachievable through available mechanisms will a lower percentage be acceptable.’

4.45 As previously discussed, given the lack of sites which have been identified through the site assessment process, and the concerns over the robustness of some of the conclusions made through the site assessment process. It is important that Policy H2 provides a sufficiently flexible approach to housing delivery where it represents sustainable development in the context of the wider landscape designation.

Policy RE1: Economic Development

4.46 Council support the principle of Policy RE1 in that is seeks to promote economic growth however there is no reference for the need for this to be sustainable economic growth. To ensure the sustainability of new development it is recommended that the title of Policy RE1 of amended to ‘Sustainable Economic Development’.

4.47 With regard to bullet point (VI) greater definition over the term ‘micro-growth points’ should be provided. The Arnside & Silverdale AONB DPD makes reference to live work units but it is not clear that the same is applicable within this plan. The second paragraph should provide greater

8 http://www.lancaster.gov.uk/planning/planning-policy/housing-reports-local-plan
clarification over the re-use of what will be supported for tourism and visitor economy, does this relate to all types of structure or specific types of building? Clarification on these matters would greatly aid the determination of planning applications.

4.48 For the reasons described in paragraph 4.33 it is recommended that the penultimate paragraph is deleted.

4.49 The Council have concern over the final paragraph of Policy RE1 which seeks to protect against the loss of agricultural land. As recognised by the Plan (Paragraph 4.6.6) no land within the neighbourhood plan area falls within the nationally defined category of ‘best and most versatile agricultural land’.

4.50 Whilst the Council acknowledge the argument put forward by the draft plan that in the context of the wider AONB this represents good quality agricultural land, its continued protection cannot be justified or defended by the LPA in the context of national planning policy, furthermore the requirement to direct development away from low-lying areas will, as a consequence, suggest support will be given to development proposals on higher ground which may actually have greater impacts on the wider landscape. It is recommended that the final paragraph of Policy RE1 is deleted.

**Policy NE1: Conservation and Enhancement of the Natural Environment**

4.51 The Council recognises the desire of the Plan to conserve and enhance the natural environment, and support the principles of achieving this. However, the Council would wish to put forward a number of recommendations to provide clarity to the purpose and wording of Policy NE1 and its supporting text. For example, to make paragraph 2 of the policy more concise it should be replaced with the following wording:

‘To protect and enhance the robustness, function, value and integrity of the natural environment development proposals should protect and contribute to the appropriate enhancement of the natural environment, minimising both direct and indirect impacts and delivering schemes that deliver net enhancements of biodiversity / geodiversity assets, wherever possible.’

4.52 It is unclear as to why the Wray Conservation Area Appraisal has been referenced within the natural environment policy, as it relates to the historic environment and so it is more appropriate that this is referenced in the context of Policy NE3 which relates to this matter. Similarly, reference is also made to the Forest of Bowland AONB Landscape Character Assessment which would more appropriately referenced in Policy OS2 relating to landscape. The reference of documents which are more applicable to other policy areas adds confusion to the decision making process. It is recommended that paragraph 3 of the policy is deleted.

4.53 In relation to paragraph 4 which relates to trees, woodland and hedgerows, the policy provides no specific reference to their retention and protection. This is only referred to in the justifying text of the policy. The opening sentence of paragraph 4 begins with the premise of removing trees which provides the impression that this is acceptable so long as they are replaced and ‘conserve and enhance the special character of the area’ with no specific reference to biodiversity. It would seem that this point is being made more to preserve landscape impact (character and visual) and historic field patterns rather than addressing matters of biodiversity. Consideration should therefore be given to whether this paragraph would be better placed in Policy OS2 which relates to landscaping
matters or whether the paragraph should be clarified to more specifically refer to matters of biodiversity.

4.54 To ensure consistency with the wording of the district-wide Local Plan it is recommended that the title of the policy should be amended to ‘Protection and Enhancement of the Natural Environment’ as this would help reinforce the priority in the first instance to protect the natural environment and where possible enhance it.

4.55 In previous responses to earlier iterations of the plan, the Council have raised concerns over the absence of a bespoke approach to this issue and, although specific references have been included to Wray, this is not within the context of biodiversity issues. It is not clear how this approach adds to adopted / emerging approaches found in the district-wide local plan in relation to matters of biodiversity, in particular Policy DM27 of the adopted Development Management DPD and Policy DM43 of the emerging DPD.

4.56 As noted, the same concerns arise in relation to the supporting text, with a particular focus upon landscape matters and historic field patterns. Paragraph 4.7.3 makes some important points about biodiversity within the locality but these are not specifically mentioned within the policy itself. In paragraph 4.7.4 additional research is referred to which found that ‘nearly all the trees, hedgerows and woodland in the Parish contribute to the visual amenity and/or environmental value of Wray.’ Again this seems to relate to matters of landscape and the source of the evidence is not stated, so it is unclear how these conclusions are supported.

Policy NE2: Local Green Space

4.57 The Council supports the inclusion of Policy NE2 which seeks to designate two sites within the Neighbourhood Plan area as Local Green Space. These are sites which have been nominated by the local community because they are considered to be demonstrably special to them, either through their historic significance, recreational value, wildlife value, beauty and/or tranquillity.

4.58 A robust methodology has been prepared by Lancaster City Council and has been subject to a period of consultation before being finalised. Following which a ‘Call for Sites’ exercise was opened up to members of the community to suggest sites, supplemented by evidence, for consideration for Local Green Space designation. Four sites were nominated within the Wray-with-Botton Neighbourhood Plan Area, and were assessed by the Local Green Spaces Working Group.

4.59 In this context the working group concluded that Wray School Field had been clearly shown to be demonstrably special to the local community, providing a range of functions for the residents and forming a central component of the character and setting of the village. The Flood Gardens were also nominated, however the Local Green Spaces Working Group concluded that it would be beneficial to submit additional evidence to support the application because the site showed potential to be considered demonstrably special to the local community. As detailed in Appendix 5 of the Plan, there is further evidence provided to support the designation of this site. On this basis the Council support the decision to include this as a Local Green Space.

4.60 The two other sites which were submitted; Kiln Lane Strip Fields and River Roeburn Bank Land were not put forward for allocation as Local Green Space by the Local Green Spaces Working Group, and the Neighbourhood Plan Group have chosen to adopt this decision also, which the Council supports.
4.61 With regards to the wording of the actual policy itself, consideration should be given the recent draft NPPF and the implications this may have, as the paragraphing and wording has changed slightly in relation to Local Green Spaces. Also, in accordance with the terminology used to assess these sites, it may be more appropriate to use say “due to their demonstrably special, local importance”.

Policy NE3: Historic Environment

4.62 The Council support the direction and thrust of Policy NE3, however would recommend a number of amendments which would provide greater clarity and consistency with both national and local planning policy.

4.63 It is considered that paragraph 1 as currently written is too prescriptive and should relate to development which is clearly related to the historic environment. It is therefore the following wording is amended:

‘...in the emerging Local Plan, development proposals all development in the plan area should take into account...’

4.64 Paragraph 2 makes a requirement for all works to historic buildings to require a survey. In some cases this may be necessary but this should be considered more on a case-by-case basis where in some cases the provision of a heritage statement a heritage statement, particularly for smaller scale development.

4.65 Paragraph 3 of the policy should seek to provide more emphasis on the presumption in favour of preserving the asset, particularly in regards to designated heritage assets as defined by Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 199 to add greater weight on preserving the historic character of the asset. Therefore it is recommended that the wording is amended to:

‘...during the application process, will only be supported provided that they:’

4.66 There is some concern over the content of bullet point (i) of the policy in that it is particularly onerous and consideration should be given to whether this should be simplified to better accord with paragraph 128 of the NPPF.

4.67 Bullet point (iii) of the policy should also be amended as it currently states that the character and setting of the asset should be conserved or enhanced, which may be impossible to achieve if, for example, a proposal involves an internal alteration to a Listed Building.

4.68 With regard to the final paragraph, there remains concern over the use of the term ‘fragmentation’ as this is difficult to interpret for the decision maker. This could mean, for example, that no barn conversions could occur as they fragment the barn from its historical agricultural association and/or ancillary buildings. In addition it cannot be that something ‘will not be permitted’ when there needs to be a consideration on the impact and provisions in place for how harm to a heritage asset may be dealt with. For example, is the loss outweighed or offset by greater public benefits?
Policy COM1: Community Assets & Local Services

4.69 The Council support the principles of identifying community assets and local services within the Neighbourhood Plan area. However, the policy fails to address potential proposals which seek to create new assets or services within the plan area, merely seeking to focus on protecting existing services. It is not clear from the plan whether new local services or community assets would be supported by the Plan.

4.70 The list provided in Policy COM1 highlights a range of services in the plan area which include facilities such as shops, church, public house, school and community institute. These all reflect the general definition of what is a local service or community asset. However, the Council have concern over the final bullet point which relates to the protection of agricultural land for the purposes of the Scarecrow Festival. It is not clear how the land in itself is a community asset or why car parking is specifically precluded from alternative locations in the village.

4.71 The inclusion of this land in Policy COM1 appears on the face of it to be arbitrary and without sufficient justification, with this argument potentially applicable to any agricultural land within the village which could be used for future car parking for the festival. It is therefore recommended that the bullet point referring to ‘Agricultural land used for the fairground and car parking during the annual Scarecrow Festival’ is removed from the policy.

Policy TRA1: Infrastructure for New Development

4.72 The first paragraph of the policy could be better clarified, it is clear that the primary purpose of the AONB is in relation to conserving and enhancing natural beauty.

Implementation and Monitoring

4.73 The Council support the need for the draft plan to be monitored and reviewed where necessary after the plan is formally ‘made’ by the Council. The Council support the key activities and actions identified in this section, however in line with previous comments made it is recommended that paragraph 5.5 is amended to read:

‘The Parish Council will work with local landowners, developers and Lancaster City Council to deliver modest incremental sustainable growth in new housing over the plan period to meet identified local needs in the Neighbourhood Plan area.’

SEA and HRA Assessment

4.74 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 Wray-with-Botton Neighbourhood Plan Area and recognise the significant effort which has been put into its preparation by the local community.
5.2 Notwithstanding this, the City Council consider that there are a number of outstanding issues in policy and supporting evidence which need to be revisited to ensure that they reflect the requirements of national planning policy, the adopted and emerging Local Plan and relevant guidance and in order to meet the basic conditions of neighbourhood planning.

5.3 In order to meet these requirements, the City Council has suggested a number of modifications to the Plan for the Examiner and Steering Group’s consideration. It is the view of the City Council that these modifications are necessary to ensure that the NP can be found consistent with the neighbourhood plan basic conditions and can be effectively used to make decisions by the Council’s Development Management team.

5.4 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.
Hi,

A friend of mine passed these comments on regarding the Wray with Botton Neighbourhood Plan. I hope they are helpful:

Re Wray Neighbourhood plans. My main concern is with the site Hoskins Farm. The farm buildings often flood and in Wray Flood the nearby stream burst its banks and flooded the farm yard over wellington boot level and went through the hay barn and burst the doors open onto the street spreading hay bales down the street.

Because of this any development here would need very careful flood planning and a suitable SUDS system put into place to ensure that new houses are not flooded and that excessive run off does not flood other residences in the village. Natural Flood management measures further up the stream to slow spread and sink the water will be essential to reduce such flooding in extreme weather conditions such as Wray Flood where rainfall higher up the valley was considered to be 115mm in 90 minutes.

Best Wishes

Lune Valley Flood Forum

CPRE North Lancs.

The Friends of Denny Beck
Consultations.MMO@marinemanagement.org.uk

Thank you for including the MMO in your recent consultation submission. The MMO will review your document and respond to you directly should a bespoke response be required. If you do not receive a bespoke response from us within your deadline, please consider the following information as the MMO’s formal response.

Kind regards,

The Marine Management Organisation

**Response to your consultation**

The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of England’s marine area on behalf of the UK government. The MMO’s delivery functions are; marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants.

**Marine Licensing**

Activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009. Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence. You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in England and parts of Wales. The MMO is also the authority responsible for processing and determining harbour orders in England, and for some ports in Wales, and for granting consent under various local Acts and orders regarding harbours. A wildlife licence is also required for activities that that would affect a UK or European protected marine species.

**Marine Planning**

As the marine planning authority for England the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark. Marine plans will inform and guide decision makers on development in marine and coastal areas. On 2 April 2014 the East Inshore and Offshore marine plans were published, becoming a material consideration for public authorities with decision making functions. The East Inshore and East Offshore Marine Plans cover the coast and seas from Flamborough Head to Felixstowe. For further information on how to apply the East Inshore and Offshore Plans please visit our Marine Information System. The MMO is currently in the process of developing marine plans for the South Inshore and Offshore Plan Areas and has a requirement to develop plans for the remaining 7 marine plan areas by 2021.

Planning documents for areas with a coastal influence may wish to make reference to the MMO’s licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. For marine and coastal areas where a marine plan is not currently in place, we advise local authorities to refer to the Marine Policy Statement for guidance on any planning activity that includes a section of coastline.
or tidal river. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act and the UK Marine Policy Statement unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our online guidance and the Planning Advisory Service soundness self-assessment checklist.

**Minerals and waste plans and local aggregate assessments**

If you are consulting on a mineral/waste plan or local aggregate assessment, the MMO recommend reference to marine aggregates is included and reference to be made to the documents below:

- The Marine Policy Statement (MPS), section 3.5 which highlights the importance of marine aggregates and its supply to England’s (and the UK) construction industry.
- The National Planning Policy Framework (NPPF) which sets out policies for national (England) construction minerals supply.
- The Managed Aggregate Supply System (MASS) which includes specific references to the role of marine aggregates in the wider portfolio of supply.
- The National and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period including marine supply.

The NPPF informed MASS guidance requires local mineral planning authorities to prepare Local Aggregate Assessments, these assessments have to consider the opportunities and constraints of all mineral supplies into their planning regions – including marine. This means that even land-locked counties, may have to consider the role that marine sourced supplies (delivered by rail or river) play – particularly where land based resources are becoming increasingly constrained.

If you wish to contact the MMO regarding our response please email us at consultations@marinemanagement.org.uk or telephone us on 0300 123 1032.
20 June 2018

Dear Sir / Madam

Wray with Botton Neighbourhood Plan Consultation
SUBMISSION ON BEHALF OF NATIONAL GRID

National Grid has appointed Wood to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.

About National Grid

National Grid owns and operates the high voltage electricity transmission system in England and Wales and operate the Scottish high voltage transmission system. National Grid also owns and operates the gas transmission system. In the UK, gas leaves the transmission system and enters the distribution networks at high pressure. It is then transported through a number of reducing pressure tiers until it is finally delivered to our customers. National Grid own four of the UK’s gas distribution networks and transport gas to 11 million homes, schools and businesses through 81,000 miles of gas pipelines within North West, East of England, West Midlands and North London.

To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets.

Specific Comments

An assessment has been carried out with respect to National Grid’s electricity and gas transmission apparatus which includes high voltage electricity assets and high pressure gas pipelines, and also National Grid Gas Distribution’s Intermediate and High Pressure apparatus.

National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.

Key resources / contacts

National Grid has provided information in relation to electricity and transmission assets via the following internet link:
http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/

The electricity distribution operator in Lancaster City Council is Electricity Northwest. Information regarding the transmission and distribution network can be found at: www.energynetworks.org.uk

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database:
I hope the above information is useful. If you require any further information please do not hesitate to contact me.

Yours faithfully

[via email]

Hannah Lorna Bevins  
Consultant Town Planner

cc. Spencer Jefferies, National Grid
Dear Sir/Madam

Wray with Botton Neighbourhood Plan Submission

Thank you for your consultation regarding the Wray with Botton Neighbourhood Plan dated 11th June 2018.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals.

We have reviewed the attached plan however Natural England does not have any specific comments on this draft neighbourhood plan.

If the Neighbourhood Plan changes and there is the potential for environmental impacts, Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening exercises may need to be undertaken.

Yours faithfully

Jacqui Salt
Natural England
Consultation Service
Hornbeam House
Crewe Business Park
Electra Way,
Crewe
Cheshire, CW1 6GJ

Enquiries line: 0300 060 3900
Email: consultations@naturalengland.org.uk
www.gov.uk/natural-england

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England’s traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

Natural England offers two chargeable services - the Discretionary Advice Service, which provides pre-application and post-consent advice on planning/licensing proposals to developers and consultants, and the Pre-submission Screening Service for European Protected Species mitigation licence applications. These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.
For further information on the Discretionary Advice Service see [here](#).
For further information on the Pre-submission Screening Service see [here](#).
Network Rail have no comments to make on the neighbourhood plan.

Regards

Diane Clarke AssocRTPI
Town Planning Technician LNW
Network Rail
I wish to support the submission put forward by Wray Neighborhood Plan Group. I believe it will provide the village with a sustainable rate of growth while protecting the historic legacy, the natural environment and the amazingly supportive and 'can do' attitude of this active community.

I urge you to accept and support the plan.

Wennington Rd
Wray
LA2 8QH
Wray with Botton Neighbourhood Plan - consultation response

Apologies, I was interrupted yesterday when I was drawing up my earlier message and accidentally sent it before I added the following observations:

1. Wray boasts a vibrant community, achieved and maintained partly by its annual Scarecrow Festival and Fair. Certain areas of land are needed for the festival to run and be successful, residential development on these would be detrimental to the life of the village.

2. In my opinion, the obvious locations for housing development are sites WR5 and WR14; linking these two would enable vehicular access to the latter from Main Street and pedestrian/cycle access to the school for parents and children, reducing them away from the narrow junction of School Lane and Main Street.

3. The village is recognised as an historic area, with most properties down Main Street either listed or noted as of architectural merit. This is reflected in the County Council's decision in 1973 to designate the majority of the settlement's properties within a Conservation Area and the City Council's proposal (December 2009 report) to extend this to include properties along Harterbeck. I believe any residential development must comply with the ambitions of the Conservation Area and not detract from the historic merits of the village.

4. Given the above point and taking into account the very poor (and most likely further reductions) to local public transport and other facilities, narrow streets and minimal off street parking opportunities, the village is not suited for medium residential developments. The best option I feel is to focus on infill housing; the Plan identifies where this would be possible.

I can confirm I would like to be kept informed of future decisions relating to the plan.

I've read the above submission and support the findings/conclusions in what I consider to be a very thorough and professionally produced report.

I would like to be kept informed of future decisions relating to the plan.

Thanks you
Dear Sirs

I write in response to the current consultation on the Wray with Botton Neighbourhood Plan. We have previously written to you confirming our intention to vacate Hoskins Farm, Main Street, Wray in the next 5 to 10 years.

To this end we have recently been in touch with Lancaster City Council and paid for “Pre-Planning Advice” with the intention of applying for outline planning permission to convert Hoskins Farm to a residential development. We have also commissioned a Bat & Owl Survey, Basic Topographical Survey and an Access Survey.

The Pre Planning Advice was favourable which has encouraged us to move forward with the plans.

This is further evidence of our commitment to seeking planning permission on the Hoskins Farm site.

Regards
For the attention of the planning officer

I would like to note my full support for Wray with Botton Neighbourhood Plan. I am aware of the extraordinary level of work, local consultation and careful revision which has been carried out to bring it to completion. The area is very special indeed and the landscape capacity-led approach to development seems entirely appropriate.

I would be grateful if you kept me informed about future decisions.

Sincerely

Jonathan Ingram
Wray with Botton Neighbourhood Plan : Submission

Thank you for your email and links to the draft neighbourhood plan.

United Utilities works closely with Lancaster Council to understand future development sites and impact on our infrastructure.

It is important that we highlight that as the water and sewerage company for Lancaster Council, we have statutory obligations which include:

- The right to connect domestic wastewater flows to the public sewer. This includes foul and surface water; and
- A domestic supply duty in respect of public water supply.

United Utilities seeks to work with Lancaster Council to ensure all surface water from new development is drained in the most sustainable manner, in line with the surface water hierarchy (see specific comments for more detail).

We wish to highlight our free pre-application service for applicants to discuss and agree drainage strategies and water supply requirements. We cannot stress highly enough the importance of contacting us as early as possible. Enquiries are encouraged by contacting:

Developer Services - Wastewater
Tel: 03456 723 723
Email: WastewaterDeveloperServices@uuplc.co.uk
Website: http://www.unitedutilities.com/builder-developer-planning.aspx

Developer Services – Water
Tel: 0345 072 6067
Email: DeveloperServicesWater@uuplc.co.uk
Website: http://www.unitedutilities.com/newwatersupply.aspx

It is important that United Utilities is kept aware of any further development proposed within your neighbourhood plan over and above the Council’s allocations.

Specific Comments

We have noticed that in ‘Policy H1: Housing Development’ and ‘Policy RE1: Economic Development’ of the neighbourhood plan, additional sites have been allocated for housing and commercial development. United Utilities wishes to highlight that it owns assets in the area. All UU assets will need to be afforded due regard in the masterplanning process and you should be aware that complications could arise as the infrastructure may impact the future layout proposal or reduce the developable area.

United Utilities recommends additional wording with respect to Surface Water Management. We recommend the following is included in the plan, as a separate policy.

“New development should be designed to maximise the retention of surface water on the development site and to minimise runoff. The approach to surface water drainage should be considered in liaison with the LLFA, the public sewerage undertaker and where appropriate the Environment Agency”.

Surface water should be discharged in the following order of priority:
- An adequate soakaway or some other form of infiltration system.
- An attenuated discharge to watercourse or other water body.
- An attenuated discharge to public surface water sewer.
- An attenuated discharge to public combined sewer.

**Summary**

Moving forward, we respectfully request that Lancaster Council continue to consult with United Utilities on all future planning documents. We are keen to continue working in partnership with you to ensure that all new growth can be delivered sustainably.

In the meantime, if you have any queries or would like to discuss this representation, please do not hesitate to contact me.

Kind Regards,

Ellie

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