

WRAY WITH BOTTON NEIGHBOURHOOD PLAN

Submission Draft Version

**A report to Lancaster City Council
into the examination of the
Wray with Botton Neighbourhood Plan
by Independent Examiner, Rosemary Kidd**

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1.0 Summary

- 1.1 The Wray with Botton Neighbourhood Plan has been prepared to set out the community's wishes for this parish so that development can be managed in a way that meets the needs of the community allowing them to continue to live, work and enjoy a high quality of life in an area that creates a strong sense of place. The parish lies within the Forest of Bowland AONB and contains the village of Wray which is the main centre of population.
- 1.2 The Plan sets out comprehensive policies to deliver the future development needs and safeguard the high quality environment of the village and its surrounding area to support and complement those in the Local Plan. I have made a number of recommendations in this report in order to make the wording of the policies and their application clearer including improvements to the mapping of sites referred to in policies to ensure that the Plan meets the Basic Conditions. Section 6 of the report sets out a schedule of the recommended modifications.
- 1.3 The main recommendations concern:
- Revisions to the SEA and HRA Screening Reports;
 - The deletion of Policy BE2;
 - The inclusion of Key Considerations in Policy H1 to set out factors to be taken into account on the design and layout of the housing allocations;
 - Clarification of the wording of policies and the supporting text; and
 - Improvements to the mapping of policies.
- 1.4 Subject to the recommended modifications being made to the Neighbourhood Plan, I am able to confirm that I am satisfied that the Wray with Botton Neighbourhood Plan satisfies the Basic Conditions and that the Plan should proceed to referendum.

2.0 Introduction

Background Context

- 2.1 This report sets out the findings of the examination into the Wray with Botton Neighbourhood Plan (referred to as the WNP throughout this report).
- 2.2 Wray village lies about ten miles to the north east of Lancaster. All of the parish falls within the Forest of Bowland Area of Outstanding Natural Beauty (AONB) which contains extensive areas of sparsely populated upland used mainly for grazing. The parish lies within the boundary of Lancaster City Council
- 2.3 It has the historic village of Wray at its core containing a conservation area and several listed buildings. The Bowland Fells is a Special Protection Area of European Importance and covers a significant area of the parish. At 2011 there were 532 people living in Wray with Botton parish in 222 households.

Appointment of the Independent Examiner

- 2.4 I was appointed as an independent examiner to conduct the examination on the Wray with Botton Neighbourhood Plan by Lancaster City Council with the consent of Wray with Botton Parish Council in August 2018. I do not have any interest in any land that may be affected by the WNP nor do I have any professional commissions in the area currently and I possess appropriate qualifications and experience. I am a Member of the Royal Town Planning Institute with over 30 years' experience in local authorities preparing Local Plans and associated policies. My appointment was facilitated through the Neighbourhood Planning Independent Examiner Referral Service.

Role of the Independent Examiner

- 2.5 As an independent Examiner, I am required to determine, under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether the legislative requirements are met:
 - The Neighbourhood Plan has been prepared and submitted for examination by a qualifying body as defined in Section 61F of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
 - The Neighbourhood Plan has been prepared for an area that has been designated under Section 61G of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
 - The Neighbourhood Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provisions relating to 'excluded development', and must not relate to more than one Neighbourhood Area); and

- The policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of the Planning and Compulsory Purchase Act 2004 Section 38A.

2.6 An Independent Examiner must consider whether a neighbourhood plan meets the “Basic Conditions”. The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The Basic Conditions are:

1. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
2. the making of the neighbourhood plan contributes to the achievement of sustainable development;
3. the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
4. the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and
5. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. The following prescribed condition relates to neighbourhood plans:
 - Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) sets out a further Basic Condition in addition to those set out in the primary legislation. That the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects). (See Schedule 2 to the Neighbourhood Planning (General) Regulations 2012 (as amended)).

2.7 Under the terms of the neighbourhood planning legislation I am required to make one of three possible recommendations:

- That the plan should proceed to referendum on the basis that it meets all the legal requirements;
- That the plan should proceed to referendum if modified; or
- That the plan should not proceed to referendum on the basis that it does not meet all the legal requirements.

2.8 If recommending that the Neighbourhood Plan is submitted to referendum my report must also recommend whether the area for the referendum should

extend beyond the neighbourhood area to which the Neighbourhood Plan relates, and if to be extended, the nature of that extension.

- 2.9 The role of an Independent Examiner of a neighbourhood plan is defined. I am not examining the test of soundness provided for in respect of examination of Local Plans. It is not within my role to comment on how the plan could be improved but rather to focus on whether the submitted Neighbourhood Plan meets the Basic Conditions and Convention rights, and the other statutory requirements.
- 2.10 It is a requirement that my report must give reasons for each of its recommendations and contain a summary of its main findings. I have only recommended modifications to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the Basic Conditions and the other requirements.

The Examination Process

- 2.11 The presumption is that the neighbourhood plan will proceed by way of an examination of written evidence only. However the Examiner can ask for a public hearing in order to hear oral evidence on matters which he or she wishes to explore further or so that a person has a fair chance to put a case.
- 2.12 I have sought clarification on a number of factual matters from the qualifying body and/or the local planning authority in writing. I am satisfied that the responses received have enabled me to come to a conclusion on these matters without the need for a hearing.
- 2.13 I had before me background evidence to the plan which has assisted me in understanding the background to the matters raised in the Neighbourhood Plan. I have considered the documents set out in Section 5 of this report in addition to the Submission draft of the Wray with Botton Neighbourhood Plan 2011 – 2031 dated April 2018.
- 2.14 I have considered the Basic Conditions Statement and the Consultation Statement as well as the screening reports for the Habitats Regulation Assessment and the Strategic Environmental Assessment. In my assessment of each policy I have commented on how the policy has had regard to national policies and advice and whether the policy is in general conformity with relevant strategic policies, as appropriate.
- 2.15 I have undertaken an unaccompanied visit to the Plan area and viewed the sites referred to under the policies in the plan.

Legislative Requirements

Qualifying Body

- 2.16 The neighbourhood plan making process has been led by Wray with Botton Parish Council which is a “qualifying body” under the Neighbourhood

Planning legislation which entitles them to lead the plan making process. The Plan was prepared by the Neighbourhood Plan Steering Group.

- 2.17 I am satisfied that the requirements set out in the Localism Act (2011) and in Section 61F(1) and (2) of the Town and Country Planning Act (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act) have been met.

The Plan Area

- 2.18 The Neighbourhood Plan area is co-terminus with the parish of Wray with Botton. The area was designated by Lancaster City Council on 20 February 2015 as a Neighbourhood Area. The Basic Conditions Statement confirms that there are no other neighbourhood plans relating to that area.
- 2.19 This satisfies the requirements of preparing a Neighbourhood Development Plan under section 61G (1) (2) and (3) of the Town and Country Planning Act 1990 (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004) and regulations 5, 6 and 7 of the Neighbourhood Planning (General) Regulations 2012.

Plan Period

- 2.20 A neighbourhood plan must specify the period during which it is to have effect. The front cover and page 2 of the Plan state that the lifespan of the Neighbourhood Plan is 2011 – 2031. However I have concerns that the commencement date of the Plan is some time before the plan was prepared and it is recommended that it should be revised to the date it is “made”.

Recommendation 1: Revise the date of the Plan period to 2018 – 2031.

Excluded Development

- 2.21 The Basic Conditions Statement states that the Plan does not include provision for any excluded development: county matters (mineral extraction and waste development), nationally significant infrastructure or any matters set out in Section 61K of the Town and Country Planning Act 1990.
- 2.22 However, Policy RE1 includes “allocated mineral extraction or waste management”. I have recommended modifications to Policy RE1 to delete reference to excluded forms of development from the policy.

Development and use of land

- 2.23 The Neighbourhood Development Plan should only contain policies relating to development and use of land. Subject to the modifications proposed, the WNP would be compliant with this requirement of Section 38B of the Planning and Compulsory Purchase Act 2004 as amended.
- 2.24 I am satisfied therefore that the Wray with Botton Neighbourhood Plan satisfies all the legal requirements set out in paragraph 2.5 above.

The Basic Conditions

Basic Condition 1 – Has regard to National Policy

- 2.25 The first Basic Condition is for the neighbourhood plan “to have regard to national policies and advice contained in guidance issued by the Secretary of State”. The requirement to determine whether it is appropriate that the plan is made includes the words “having regard to”. This is not the same as compliance, nor is it the same as part of the test of soundness provided for in respect of examinations of Local Plans which requires plans to be “consistent with national policy”.
- 2.26 The Planning Practice Guidance assists in understanding “appropriate”. In answer to the question “What does having regard to national policy mean?” the Guidance states a neighbourhood plan “must not constrain the delivery of important national policy objectives.”
- 2.27 In considering the policies contained in the Plan, I have been mindful of the guidance in the Planning Practice Guide (PPG) that:
- “Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like.”*
- 2.28 In order to ensure that a neighbourhood plan can be an effective tool for the decision maker, the PPG advises that:
- “A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”*
- 2.29 The NPPF of 2012 is referred to in this examination. Paragraph 214 of Appendix 1 of the July 2018 NPPF states that the policies of the 2012 NPPF will apply for the purpose of examining plans where those plans are submitted on or before 24 January 2019. The footnote to this paragraph confirms that this applies to neighbourhood plans.
- 2.30 NPPF paragraph 183 states that parishes can use neighbourhood planning to set planning policies through neighbourhood plans to determine decisions on planning applications. The Planning Practice Guidance on Neighbourhood Plans states that neighbourhood plans should “*support the strategic development needs set out in the Local Plan*” and further states that “*the neighbourhood plan must address the development and use of land by setting*

out planning policies to be used in determining planning applications because once the plan is made it will become part of the statutory development plan”.

- 2.31 Paragraph 16 of the National Planning Policy Framework is clear that those producing neighbourhood plans should support the strategic development needs set out in local plans, including policies for housing and economic development. Qualifying bodies should plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan. PPG guidance under Rural Housing states that *“all settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless they can be supported by robust evidence”.*
- 2.32 The Basic Conditions Statement describes how the policies of the Plan are aligned with national policy and guidance. It demonstrates that the Plan has regard to the elements set out in the NPPF relevant to the Plan Area and to delivering sustainable development.
- 2.33 I consider the extent to which the policies of the plan meet this Basic Condition No 1 in Section 3 below.

Basic Condition 2 - Contributes to sustainable development

- 2.34 A qualifying body must demonstrate how a neighbourhood plan contributes to the achievement of sustainable development. The NPPF as a whole constitutes the Government’s view of what sustainable development means in practice for planning. The NPPF explains that there are three dimensions to sustainable development: economic, social and environmental.
- 2.35 There is no legal requirement for a formal Sustainability Appraisal to be carried out in respect of neighbourhood plans. However good practice suggests that where neighbourhood plans are allocating land for development an appraisal should be carried out.
- 2.36 The Basic Conditions Statement considers how each policy in the WNP contributes to the delivery of sustainable development with regards to economic, social and environmental aspects. The Plan includes Policy OS1 which is entitled “Development Strategy” and summarises the Plan’s overall approach to promoting sustainable development. I will comment further on this policy later in my report.

Basic Condition 3 – is in general conformity with strategic policies in the development plan

- 2.37 The third Basic Condition is for the neighbourhood plan to be in general conformity with the strategic policies contained in the Development Plan for the area. The adopted strategic policies covering the Neighbourhood Plan area are contained in the Lancaster District Local Plan. This includes the Core Strategy (adopted in 2008) and the Development Management Policies

(2014). A new Local Plan is well advanced with consultation on the Publication stage of the Strategic Policies and Land Allocations DPD and the Development Management DPD undertaken in February to April 2018.

- 2.38 The Basic Conditions Statement comments on how the policies of the Plan are in conformity with adopted and emerging Local Plan policies. I consider in further detail in Section 3 below the matter of general conformity with the strategic policies of the plan.

Basic Condition 4 – Compatible with EU obligations and human rights requirements

- 2.39 A neighbourhood plan must be compatible with European Union obligations as incorporated into UK law, in order to be legally compliant. Key directives relate to the Strategic Environmental Assessment Directive and the Habitats and Wild Birds Directives. A neighbourhood plan should also take account of the requirements to consider human rights.
- 2.40 Regulation 15 of the Neighbourhood Planning Regulations as amended in 2015 requires either that a Strategic Environmental Assessment is submitted with a Neighbourhood Plan proposal or a determination from the responsible authority (Lancaster City Council) that the plan is not likely to have “significant effects.”
- 2.41 A SEA Screening Report was prepared by Lancaster City Council. This concluded in paragraph 4.1 that *“Initial internal screening of the Neighbourhood Plan concludes that it is unlikely that the Neighbourhood Plan would result in a significant environmental effect. It is however recognised that the Neighbourhood Plan is being brought forward in advance of the Land Allocations document and as such does not benefit from higher level appraisal. That said the strong focus of the Neighbourhood Plan on the protection of the environment, its AONB focus and lack of allocations, albeit one allocation within a previously developed site in the centre of the village, make it unlikely to result in significant effects.”*
- 2.42 I have concerns about the adequacy of this screening in the light of advice in the PPG on SEA in Paragraph: 046 Reference ID: 11-046-20150209. This states that

“Whether a neighbourhood plan proposal requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed. A strategic environmental assessment may be required, for example, where:

- *a neighbourhood plan allocates sites for development*
- *the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan*
- *the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.”*

- 2.43 The SEA screening includes contradictory statements saying that there are no allocations in the plan in Table 1 line 4 and in Table 2 second line a). Elsewhere in Table 1 line 8 and in Table 2 second line b) reference is made to the Hoskins Farm site but not the other sites set out in Policy H1. The conclusion is also contradictory referring to a “lack of allocations, albeit one allocation within a previously developed site in the centre of the village”.
- 2.44 Whilst the screening considers the impact on the AONB, the impact of the allocations on other environmental designations including the listed buildings and conservation area in the village has not been considered. Historic England do not appear to have commented on the screening report, although they have lodged objections to the assessment of four site allocations under Policy H1 in the site assessment report (Appendix 3 of the Plan). The Sites Assessment Report refers to a number of environmental considerations which should have informed the SEA screening.
- 2.45 The statutory environmental bodies: Historic England, Natural England and the Environment Agency were consulted on the SEA and HRA Screening Reports in May 2017.
- 2.46 I have raised my concerns with the Lancaster City Council. In response, the Council’s Conservation Officer has undertaken a Heritage Impact Assessment (HIA) of three sites WR5 – Hoskins Farm, WR9 – Old Chapel Field and WR11 – New Inn Car Park. Historic England have been consulted on the HIA and they have agreed that provided that the HIA is included as evidence to support the WNP that a SEA would not be required. Natural England and the Environment Agency have been re-consulted and have raised no issues with the content and outcome of the SEA Screening Report.
- 2.47 I recommend therefore that for the WNP to proceed, the LPA as the responsible body corrects the factual errors and omissions in the SEA Screening Report concerning the number of allocations and the significance of the heritage assets. Reference to the HIA and a summary of its conclusions should also be included. The HIA should be published as a separate background evidence report to the Plan.
- 2.48 I have taken account of the recent judgement of Case 323/1/Court of Justice of the European Union “People over Wind and Peter Sweetman v Coillte”. The Court of Justice of the European Union (CJEU) ruled that Article 6(3) of the Habitats Directive must be interpreted as meaning that mitigation measures (referred to in the judgement as measures which are intended to avoid or reduce effects) should be assessed within the framework of an appropriate assessment (AA) and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan or project on a European site at the screening stage.
- 2.49 The HRA screening report for the Wray NP contains recommendations for additional wording to be added to policies to ensure protection of the European Sites.

- 2.50 I have asked the LPA to review the recent CJEU ruling and consider whether an Appropriate Assessment should be undertaken of the Wray NP in the light of this judgement.
- 2.51 LCC has responded to say “*The initial screening report concluded in table 3 that, in the absence of mitigation measures, no likely significant effects on the designated sites as a result of the implementation of the policy. Whilst additional wording was suggested to improve the policy this was made following the above conclusion and was suggested to improve the wording of the policy and add clarity and not as mitigation. In this respect the council do not believe that the initial screening report is affected by the above ruling. It is recognised that paragraph 6.3 of the report implies the need for this wording to be included within the policy to avoid significant effects. This was not the intention of table 3 and as such if required the paragraph could be amended to make this clear.*”
- 2.52 I agree with the comments made by LCC that the HRA screening should be amended to improve its clarity.
- 2.53 The Basic Conditions statement includes a section on Human Rights and states in section 4.4 that “*The Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human rights and complies with the Human Rights Act 1998*”.
- 2.54 However no assessment has been provided of how the plan has had regard to Human Rights. From the evidence provided in the Consultation Statement, I am satisfied that adequate efforts were made to consult the community and to take appropriate account of the views expressed. I am not aware of any matters that would lead me to believe that Human Rights have not be given due account.
- 2.55 I am not aware of any other European Directives which apply to this particular Neighbourhood Plan and no representations at pre or post-submission stage have drawn any others to my attention. Subject to the recommended modifications and taking all of the above into account, I am satisfied that the WNP is compatible with EU obligations and therefore with Basic Conditions Nos 4 and 5.

Recommendation 2: For the Plan to proceed, the LPA as the responsible body should correct the factual errors and omissions in the SEA Screening Report concerning the number of allocations and the significance of the heritage assets. Reference to the HIA and a summary of its conclusions should also be included. The HIA should be published as a separate background evidence report.

For the Plan to proceed, the LPA as the responsible body should correct the HRA Screening Table 3 and the screening conclusion to make it explicit that the revisions are to improve the clarity of the policies and are not mitigation measures.

The LPA should prepare an explanatory note summarising the corrections that have been made to the SEA and HRA Screening Reports that should be published alongside the corrected reports.

Consultation on the Neighbourhood Plan

- 2.56 I am required under The Localism Act 2011 to check the consultation process that has led to the production of the Plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.
- 2.57 The Consultation Statement sets out an overview of the various stages of consultation that have been carried out during the preparation of the Wray with Botton Neighbourhood Plan. It highlights the aims of the consultation and summarises the consultation process undertaken during the preparation of the plan. Feedback from each stage of the consultation is recorded in the Appendices of the evidence report.
- 2.58 The preparation of the Neighbourhood Plan commenced in September 2014 with a public meeting. This was followed by:
- Parish wide opinion surveys (individual and local organisations) in 2015
 - Housing Needs Survey
 - Local business survey
 - Visitor survey
 - Landowner consultation
 - Village 'Open Day' (July 2015 and March 2017)
 - Discussions with local groups including school and youth group
 - Regular articles in the village newsletter 'The Wrayly Mail'
 - Consultations with external bodies/organisations (national bodies and organisations/neighbouring Parish and local councils etc.)
 - The Regulation 14 pre-submission consultation ran from 30 September until 10 November 2017.
- 2.59 Publicity for the consultation events was undertaken through:
- A Neighbourhood Plan page on the Parish Council website;
 - Regular articles in the Wrayly Mail;
 - Publicity leaflets on noticeboards and distributed to all households;
 - By publishing minutes of Steering Group meetings on the Parish Council website; and
 - Documents were made available at the Village Institute.
- 2.60 The Regulation 16 consultation on the Submission Draft Plan was undertaken by Lancaster City Council between 11 June until 23 July 2018. Eleven representations were received, some making several comments. In addition, six responses were received from organisations that offered no comments on the plan. I have taken into account the points made in the representations in preparing my report.

- 2.61 I am satisfied that the consultation and publicity on the draft Plan has met the requirements of Regulations 14, 15 and 16 in the Neighbourhood Planning (General) Regulations 2012.
- 2.62 This report is the outcome of my examination of the Submission Draft Version of the Wray with Botton Neighbourhood Plan 2011 - 2031. I am required to give reasons for each of my recommendations and also provide a summary of my main conclusions. My report makes recommendations based on my findings on whether the Plan meets the Basic Conditions and provided the Plan is modified as recommended, I am satisfied that it is appropriate for the Neighbourhood Plan to be made. If the plan receives the support of over 50% of those voting, then the Plan will be made following approval by Lancaster City Council.

3.0 Neighbourhood Plan – As a whole

- 3.1 The Neighbourhood Plan is considered against the Basic Conditions in this section of the Report following the structure and headings in the Plan. Given the findings in Section 2 above that the plan as a whole is compliant with Basic Conditions No 4 (EU obligations) and other prescribed conditions, this section largely focuses on Basic Conditions No 1 (Having regard to National Policy), No 2 (Contributing to the achievement of Sustainable Development) and No 3 (General conformity with strategic policies of the Development Plan).
- 3.2 Where modifications are recommended, they are presented and clearly marked as such and highlighted in bold print, with any proposed new wording in italics.
- 3.3 Basic Condition 1 requires that the examiner considers whether the plan as a whole has had regard to national policies and advice contained in guidance issued by the Secretary of State. Before considering the policies individually, I have considered whether the plan as a whole has had regard to national planning policies and supports the delivery of sustainable development.
- 3.4 The Plan is well presented with policies relating to sustainable development, the built environment, housing, the rural economy, the natural environment community and transport and infrastructure. Many of the policies in the Plan have been adapted from those in the emerging Arnside and Silverdale AONB DPD which is currently undergoing Public Examination. The WNP areas lies within the Forest of Bowland AONB which has its own distinctive character and care is therefore needed to ensure that the policies in the WNP are relevant to and reflect its characteristics and special qualities. I have carefully considered each policy to ensure that it is applicable to the WNP area and provides land use planning policy; that it is clearly worded and is capable of being applied consistently by decision makers.
- 3.5 Lancaster City Council has commented that the WNP needs to strike a balance in making provision for the needs of the local area against safeguarding the important designations such as the AONB. I have also been mindful that Plan area contains part of the Bowland Fells SPA and Wray village contains a conservation area and several listed buildings and other heritage assets.
- 3.6 Historic England has made a number of comments about the need to strengthen the plan to better consider the impact of development on the historic environment, historic assets and their settings. I have commented on these under the relevant policies and recommended revisions where appropriate.
- 3.7 Six sites are proposed for allocation for housing development and a further three are identified as having potential to come forward for housing during the plan period. I have commented on these under Policy H1.

- 3.8 Three maps are included in the Plan showing the boundary of the plan area, the townscape appraisal of the conservation area and the village character analysis. Appendix 1 includes two maps entitled Proposals Maps, firstly of the whole parish showing boundaries of the AONB and the Bowland Fells Special Protection Area and secondly an inset map of the village showing the housing allocations and other sites referred to in policies of the WNP. The relevant Policy number is identified against some sites but not all. The Proposals Maps are legible and the keys are clear. It is recommended that the key links all site designations to the relevant policy. I have made recommendations under Policies H1 and COM1 to improve the mapping of sites. For ease of use the Proposals Maps should be included in the NP document rather than an Appendix.
- 3.9 Nineteen site options have been assessed for their potential for housing development. These are assessed in the Site Selection and Assessment Report (Appendix 3 to the WNP). The Report describes each site and considers their suitability, availability and achievability. Where it is concluded that the site is suitable for housing development key development considerations are set out should development be proposed on the site.
- 3.10 A Landscape Appraisal of the Plan area was undertaken by independent consultants which sought to identify the special qualities of Wray and its setting. The Appraisal included a description of the various landscape character types in the plan area; an assessment of the special qualities of the conservation area including comments from the conservation area appraisal on the views into and out of the village; and the description of Local Character Areas in and around the village. The report gives a detailed assessment of the potential housing site options considering the potential impact of the development of each site on the landscape, the village, the conservation area and its setting.
- 3.11 Several policies include the statement that “development will not be permitted” in specified circumstances. It is considered that this does not have regard to national policy. NPPF paragraph 2 states that “*Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise*”. A Neighbourhood Plan policy will be taken into account by decision makers but it cannot tie the hands of decision makers in determining planning applications. I have made recommendations under relevant policies to delete this wording.
- 3.12 LCC has suggested that the policy numbers should be different from those in the Local Plan to avoid any confusion by decision makers. I make no comment on the suggestion other than to note that other neighbourhood plans use the initial letters from the plan name.

Recommendation 3: Include the Proposals Maps in the Plan rather than an Appendix.

The Neighbourhood Plan - Policies

Introduction

- 3.13 The introduction sets out the context for the Plan and includes lengthy quotes from the NPPF and the Forest of Bowland Management Plan. In order to make the WNP more succinct it is recommended that this section should include references to the relevant key themes but avoid lengthy quotes as these will become out of date over time and the documents are revised.
- 3.14 I have raised concerns about the adequacy of the SEA and HRA screening reports. As a consequence Section 1.7 should be rewritten to reflect the action taken.

Recommendation 4: Revise section 1.3 to highlight the relevant key themes without quoting from the documents.

Revise section 1.7 to set out the final position on the SEA / HRA screening reports.

Vision and Objectives

- 3.15 The Plan's vision has been developed through discussion with the local community. Reference to this should be included in paragraph 3.1.3 rather than being in the Vision box itself. The Vision statements of the AONB Management Plan and the Local Plan are quoted in the introductory section. In order to provide a clearer focus on the Plan's Vision, it is recommended that the Vision statements set out on page 24 from other sources are deleted.
- 3.16 Eight objectives have been set out. The justification sets out how they have been delivered through the Plan. Historic England has made a representation that proposes revisions to objectives (I) and (II) to ensure that they are consistent with local and national policies by deleting the words "compatible with" and replacing it with more appropriate wording. I also recommend that "compatible with" in objective (VI) should be replaced. These revisions would improve the wording of the objectives and ensure that they are consistent with national and local policies.
- 3.17 LCC considers that Objective (III) which refers to "meeting the housing needs of the Parish" is too restrictive. They argue that the village is a sustainable settlement and there is a need for the Plan to ensure that the housing needs of the wider rural area are achieved. Whilst the Housing Needs Survey has ascertained the housing needs of the parish, the village is considered to be capable of helping to deliver housing to meet the housing needs of a wider rural area.
- 3.18 I agree with the sentiments expressed, however it is not possible for the WNP to determine and plan for the housing needs arising from outside the plan area. This requires guidance to be set out in the Local Plan. To ensure that

the Objective is not unduly restrictive, it is recommended that “of the Parish” is deleted.

Recommendation 5: Delete the Vision statements from other Plans from page 24 of the WNP. Delete the following “Based on engagement with the community and the key issues identified” from the Vision box and add the text to paragraph 3.1.3.

Revise Objective (I) to read: Development *conserves and enhances* the existing.... “.

Revise Objective (II) to read: “.....village of Wray to *sustain and enhance* the Conservation Area at its core.”

Revise Objective (III) to read: “The housing needs are met”.

Revise Objective (VI) to read: “Development *safeguards and enhances*....”

Policy OS1 Development Strategy

- 3.19 Although the policy is entitled “Development Strategy” its focus is on delivering sustainable development and this may be a more appropriate title.
- 3.20 The second paragraph states that “*Development that harms this purpose or which would have an adverse impact on an international, national or locally designated site will not be permitted*”. It is considered that this ties the hand of decision makers and does not have regard to NPPF paragraph 2 as there may be other policies or material considerations that should be taken into account. Development Management DPD Policy DM27 sets out the approach to considering development proposals on internationally and nationally designated biodiversity sites in accordance with NPPF paragraph 113. Distinctions are made between the hierarchy of international, national and local sites so that protection is commensurate with their status. LCC has commented that the WNP does not clearly define locally designated sites. It is therefore recommended that the sentence is deleted.
- 3.21 Historic England has commented to say that the policy should include reference to the conservation and enhancement of the historic environment, heritage assets and their setting in line with national and local policies. I agree that the policy has not given adequate weight to heritage matters and propose revisions to ensure that it better reflect national and local policies.
- 3.22 LCC has confirmed that Wray has been defined as a sustainable settlement in the Local Plans since 2004. The status has been carried forward into the emerging Strategic Policies & Land Allocations DPD. It is noted that Wray with Botton PC has lodged representations to Wray’s position as a sustainable settlement.

- 3.23 LCC has expressed concern about the narrow focus of the WNP in only meeting the housing needs of the Parish. I agree that growth and investment should not be restricted to the needs of the Parish only as the settlement may have the potential to provide for the community needs of residents of the surrounding more remote rural areas. It is recommended that this limitation is deleted from the third paragraph of the policy.
- 3.24 LCC has expressed concern that the Plan has not been sufficiently proactive and positive in the consideration of development opportunities in the area. They consider that sites have been discounted prematurely and opportunities for potential housing delivery have been missed.
- 3.25 In the light of these inconsistencies, LCC has doubts about the robustness of the conclusions of the site assessment work and as a consequence whether the Plan is positive enough in pursuing opportunities to meet future development needs.
- 3.26 The Council cites the misapplication of the S106 agreement referred to in paragraphs 2.4.2 and 2.4.3 of the Plan which is considered to act as a restraint on development to the east of the village. The Parish Council and LCC have provided me with legal opinions about the S106 agreement. The agreement prohibits the development of the land and is binding on the successors in title. There is, however, legal provision for LCC to revoke the S106 should they wish to remove the restriction on all or part of the site so that it may be allocated for development.
- 3.27 The second example refers to inconsistencies between the findings of the Parish Council's landscape assessment and that prepared by LCC. It is clear that the report prepared by Alison Farmer for the Parish Council is a more detailed report and has considered the findings of the Arcadis report prepared for the District as a whole as part of its assessment of the landscape of the Plan area. The report does conclude in paragraph 7.2.10 that "*there is some capacity for housing in the southern part of site WR1*". LCC is concerned that the findings have been discounted without any clear or robust justifications.
- 3.28 I am satisfied that the Site Assessment Report has been a comprehensive appraisal of the sites around the village and has taken account of, amongst other things, the findings of the City Council's SHLAA, the landscape assessment and the importance of the sites for use during the scarecrow festival as well as the S106 agreement. The selected sites have been considered through consultations.
- 3.29 It is suggested that should additional sites be required for housing development when the Plan is reviewed in the future, the revocation of the S106 agreement should be considered and it should not be viewed as an insurmountable constraint.
- 3.30 Under the heading of "Major Development" the policy includes a number of statements that are either quoted from or interpret the NPPF guidance in paragraph 116 on major development in AONBs. The sections add no locally

specific guidance on the matter and it is therefore recommended that they should be deleted from the policy. The explanatory text in the justification should be retained and paragraph 4.3.10 amended to delete reference to the policy setting out the approach to considering major development and replacing it with reference to the NPPF.

- 3.31 Under the heading of “Brownfield Land” the text is a reminder that the impact of a development on brownfield land should be given full and careful consideration on the AONB. The section adds no locally specific guidance on the matter and it is therefore recommended that it should be deleted from the policy. The explanatory text in paragraph 4.3.12 of the justification provides general guidance on how development on brownfield sites should be considered although it is recommended that it be strengthened to include reference to the “historic environment, heritage assets and their setting”.

Recommendation 6: Revise Policy OS1 as follows:

Revise the title of the policy to “Delivering Sustainable Development”

Delete “*Development that harms this purpose or which would have an adverse impact on an international, national or locally designated site will not be permitted*”.

Delete “within the Parish” from the third paragraph.

Add the following at the end of the third paragraph: “historic environment, heritage assets and their setting”.

Revise criterion (I) by deleting “settlement” and replacing it with “historic environment, heritage assets and their setting”.

Delete the section headed Major Development and the subsequent criteria. Delete the following from paragraph 4.3.10: “The policy sets out.....AONBs.”

Delete the section headed Brownfield Land and paragraph 4.3.11. Add the following to the end of paragraph 4.3.12 “or historic environment, heritage assets and their setting”.

Policy OS2 Landscape

- 3.32 The policy requires development proposals to demonstrate how they will conserve and enhance the landscape and natural beauty of the area. The second sentence sets out the circumstances where “proposals will not be permitted”. As stated previously this form of wording does not have regard to national guidance. It is recommended that it be revised to read “Proposals should not....”
- 3.33 Criterion (III) refers to proposals respecting views (including those into and out from the AONB). A number of viewpoints in Wray village are shown on

Proposals Map 2 and it is recommended that these should be cross referenced to this policy and it should refer to the Plan area rather than the AONB. The QB has commented that the criterion is not limited to these viewpoints. A recommendation is made to improve the clarity of the criterion.

- 3.34 I have asked the QB and LCC how it is intended that criterion (IV) is to be applied in considering development proposals. LCC has suggested that it is for developers and decision makers to ask themselves: “Can the impacts of this development proposal (in the context set out in the policy) on the landscape character and visual amenity be mitigated?” If yes, proceed with drawing up proposal/considering proposal in principle (i.e. subject to all other considerations). If no, modify or refuse permission. It is recommended that this explanation should be added to the justification to aid the interpretation of the criterion for developers and decision makers.

Recommendation 7: Revise Policy OS2 as follows:

Revise the second sentence to read “Proposals *should not have an adverse impact on.....*”

Revise criterion (III) to read: “respect visual amenity, *views within, into or out of the Neighbourhood Plan area (including but not limited to those shown on the Proposals Map),.....*”

Add the following to the justification to aid the interpretation of criterion (IV): “*When considering the cumulative and incremental impacts of development, developers and decision makers should ask themselves: ‘Can the impacts of this development proposal (in the context set out in the policy) on the landscape character and visual amenity be mitigated?’ If yes, proceed with drawing up proposal/considering proposal in principle (i.e. subject to all other considerations). If no, modify or refuse permission.*”

Built Environment

Policy BE1 Design

- 3.35 The policy sets out a number of matters that are to be taken into account in considering the design of development. LCC has commented that the policy is confusing and repetitive. I have asked the QB and LCC to consider and agree revisions to the policy to simplify and clarify it. The recommendation reflects the wording that has been agreed subject to an amendment in criterion (II) to replace “AONB” with “Plan area”.

Recommendation 8: revise Policy BE1 as follows:

“For development proposals in the Neighbourhood Plan area the highest standards of design and construction will be required to

conserve and enhance the landscape, built environment, distinctive settlement character and historic, cultural and architectural features.

“In addition to design requirements set out in the Local Plan, the design of developments in the Neighbourhood Plan area should be informed by the Wray with Botton Landscape Appraisal (2017) and, where appropriate, the Wray Conservation Area Appraisal (2009) and should:

- I. Respond to the character of the landscape and local built environment including buildings, boundary treatments, open spaces, trees, roofscapes, village layout and have particular regard to the local vernacular, building to plot / green space ratios and to the quality, integrity, character and settings of natural, built and historic features;**
- II. Reinforce what is special and locally distinctive about design in the Plan area through the careful consideration of visual amenity, layout, views, scale, height, solid form and massing, proportions, alignment, detailing, lighting, materials used, colours, finishes and the nature of development;**
- III. Provide well designed landscape schemes that retain distinctive trees and include new structural planting that contributes to the character and amenity value of the area;**
- IV. Ensure that boundary treatments, screening and entranceways reflect local character and context including retention (or appropriate replacement where necessary) of existing features of value such hedgerows, trees, verges and traditional stone walls through careful consideration of materials and heights for gates, gateposts and fencing and the use of appropriate species for planting; and**
- V. Avoid using development that is harmful to landscape and settlement character to inform the design of new development or proximity to it as justification for further poor quality or harmful development.**

Policy BE2 Local Design Panels

- 3.36 This policy proposes that members of the Parish Council and representatives of the Forest of Bowland AONB Joint Advisory Committee should be included in Local Design Panels.
- 3.37 This is a procedural matter and not a land use planning policy. It is recommended that it is deleted. The policy may be included in the Plan as Community Action.

Recommendation 9: Delete Policy BE2. Include it in a new section of the Plan on Community Actions noting that this is an aspiration of the Parish Council and not a land use planning policy.

Housing

Policy H1 Housing Development

- 3.38 Core Strategy Policy SC3 and the Development Management DPD Policy DM42 identify Wray as a sustainable community. Policy SC3 states that an allowance of 10% of new homes is made to accommodate development to meet local needs in villages.
- 3.39 As part of its preparation for the emerging Local Plan LCC has prepared its objectively assessed housing needs. However, no apportionment has been set out of the amount of housing growth for each village. In accordance with NPPF paragraph 54, as the sustainable village is one that has a minimum level of 5 services, it is expected to help to meet the housing needs of more remote or isolated rural communities.
- 3.40 The WNP has been prepared on the basis of meeting the priority for identified affordable and other local housing needs within the capacity of the landscape. A Housing Needs Survey has been undertaken of households in the parish. With a response rate of 58.6% this identified a need for 9 affordable dwellings of varying types and sizes by 2020 in addition to other housing needs that would be met through the open market. No indication has been provided of the likely scale of housing need in other nearby parishes.
- 3.41 Development Management DPD Policy DM41 sets targets for affordable housing in a rural area of 20% on sites of between 5 and 9 dwellings and of 30% of sites of 10 or more dwellings. Policy DM42 sets out provisions for rural exceptions sites.
- 3.42 Policy H1 gives support to housing development where the maximum number of affordable homes is to be delivered. To improve the clarity of the policy, it is recommended that reference to the need to test the viability of development proposals is included. I give further consideration to the provision of affordable housing under Policy H2 which sets a target of at least 50% affordable housing.
- 3.43 The figures in the Plan demonstrate that 28 new dwellings are proposed as either commitments or allocations and this amounts to a 13% increase in the number of households in the parish.
- 3.44 The only current strategic guidance on the level of growth is that in Policy SC3 which proposes an allowance of 10% of the overall housing requirements of the Lancaster District Core Strategy. Both the LPA and QB have highlighted that the 10% figure is a generic figure for the rural area of the district as a whole and the ability to deliver such growth will be determined by development opportunities or physical constraints.
- 3.45 LCC is seeking to provide indicative housing growth figures for neighbourhood plan areas, including Wray-with-Botton, in the new Local Plan. However, these figures will only be robustly tested at Examination in early 2019 and cannot therefore be given weight in the WNP Examination.

- 3.46 In the absence of strategic guidance on how the parish should accommodate housing needs from the surrounding remote rural areas, I have to conclude that the Plan is supporting the delivery of new homes for the parish that will contribute to the current rural areas allowance of 10% of the overall housing requirements of the Lancaster District Core Strategy. It is suggested that once robust figures have been agreed through the new Local Plan, the housing provision in the WNP area should be reviewed.
- 3.47 The third paragraph states that affordable housing is to be delivered in accordance with demand. However, the Proposals Map includes phasing for the Hoskins Farm site of between 6-10 years with the other sites of between years 1-5. Paragraph 4.5.3 explains the expected date the Hoskins Farm site will be released. In view of the small scale of the sites and low level of development that is proposed in the plan area, it is considered unnecessary to phase the sites. In any case it may be difficult to enforce phasing should the circumstances around the timing of the release of any of the sites change.
- 3.48 The final paragraph of the policy refers to development proposals affecting international, national or locally designated sites not being permitted. It is unclear what is meant by “designated sites”. Development Management DPD Policy DM27 sets out the approach to considering development proposals on internationally and nationally designated biodiversity sites in accordance with NPPF paragraph 113 which states that distinctions should be made between the hierarchy of international, national and local sites so that protection is commensurate with their status. It is therefore recommended that this paragraph should be deleted although the footnote referring to Policy DM27 may be retained in the justification for information.
- 3.49 Six sites are set out in a box beneath the policy and headed “Allocated Sites”. Three of these sites already have planning permission and should therefore be identified as commitments in the justification. The sites to be allocated should be included in the box for Policy H1. It is noted that site WR9 Old Chapel Field has been omitted from Proposals Map in error.
- 3.50 Paragraph 4.5.6 and the subsequent table identify three sites as suitable sites with potential to come forward for housing in the plan period. However the landowners have not given a positive confirmation that the sites are available. As these are not allocations, I am therefore recommending that paragraph 4.5.6 and the subsequent table be deleted. Paragraph 4.5.7 should be revised to delete the higher figure of 40 and 18%. The suitability and deliverability of the sites should be reviewed as and when the WNP is updated.
- 3.51 The Housing Sites Selection and Assessment report includes Key Development Considerations for the development of each site. Historic England has suggested that they should be referred to in the policy. I agree that these important considerations should be included in the policy to provide guidance for plan users on the nature of the development and the environmental safeguards required.

- 3.52 Historic England has lodged a number of representations to the site assessment report for the following sites: Hoskins Farm, the Old Chapel Field, the New Inn and the New Inn Car Park, that insufficient consideration has been given to the significance of the heritage assets and the potential impact of the development of the sites on their settings and the conservation area.
- 3.53 I have asked the LPA to consider the points made and undertake a Heritage Impact Assessment of the sites. This has been undertaken by the Council's Conservation Officer and includes conclusions and recommendations for each development site. It is recommended that these should be included in an Appendix to the Plan and the key recommendations included in the Key Considerations for each site.

Recommendation 10: revise Policy H1 as follows:

Add the following at the beginning of the second paragraph: “*Subject to the assessment of viability, new housing development*”

Delete the second sentence of paragraph 3 of the policy “The delivery of affordable housing shall be phased...at any one time.”

Delete the final paragraph of the policy “Development whichwill not be permitted.”

Include a new paragraph in Policy H1: “*Housing developments shall take account of the Key Considerations set out in Appendix 3 on Site Selection and Assessment and the recommendations in Appendix X on Heritage Impact Assessment.*” Include the Key Considerations within Policy H1 for the site allocations WR5, WR9 and WR11.

On the Proposals Map, show site WR9, differentiate between housing commitments and allocations and delete the phasing periods.

Delete paragraph 4.5.6 and the subsequent table. Revise paragraph 4.5.7 to read “...would therefore be about 28...representing an increase of 13%”

Policy H2 Housing Provision

- 3.54 This policy seeks to set an affordable housing target of at least 50%, although it includes provision for a lower percentage where it can be demonstrated to be unachievable. LCC has commented that the robustness of the evidence for the 50% requirement which is set out in the relevant policy in the emerging DPD, is still being investigated. In the circumstances, the requirement should be deleted as it cannot be demonstrated to be deliverable.
- 3.55 I have asked the QB to supply me with the evidence to support their target of 50%. They have stated that they are relying on the evidence prepared for the

Publication Draft Local Plan which is promoting a 50% affordable housing requirement across the AONB areas and that there is no evidence that this requirement is any less deliverable on the Hoskins Farm site than on any other sites within either of the AONBs.

- 3.56 However, the Local Plan's 50% requirement has yet to be tested at examination, and so may change before adoption. In the circumstances, it is recommended that Policy H2 should be revised to refer to the Local Plan policy which sets the affordable requirement for the Local Plan area's AONBs (currently Policy DM6).
- 3.57 The Plan is not clear in how it will help to deliver sites needed to meet the current housing needs of the area, particularly for affordable housing. The Plan could have selected a rural exceptions site under Policy DM42. But this opportunity has not been pursued. Other than the Hoskins Farm site which is unlikely to be delivered for at least five years, sites for new housing are small and are unlikely to deliver any affordable housing to meet the currently identified need.
- 3.58 Much of Policy H2 repeats the wording in Policy H1. This is unnecessary and I recommend that the repetitious text should be deleted.
- 3.59 The fourth paragraph of the policy is an explanation of the need for a continuing supply of affordable housing and the need for close working with Registered Providers. This is not policy and should be placed in the justification. Reference to phasing should be deleted in accordance with my recommendation on Policy H1.
- 3.60 Part of criterion (II) supports proposals that restrict occupancy to sole/main residence. I have asked the QB for their evidence to support this policy restriction. They have replied that they do not have any specific local evidence. In view of the lack of robust evidence, it is recommended that reference to restricting occupancy to sole/main residence should be deleted from criterion (II) and the last sentence of paragraph 4.5.9.

Recommendation 11: revise Policy H2 as follows:

Revise the first sentence of Policy H2 to read: "...proposals for new housing development *should deliver affordable housing in accordance with the adopted Local Plan policy on affordable housing, taking into account the assessment of viability of the development.*"

Delete paragraph 2, the second sentence of paragraph 3 and criterion (I).

Place the fourth paragraph in the justification and delete "phased".

Delete "or restrict occupancy to sole/main residence" from criterion (II) and delete the last sentence from paragraph 4.5.9.

Rural Economy

Policy RE1 Economic Development

- 3.61 Policy RE1 sets out the type of development that will be supported in the AONB in order to bring economic and community benefits.
- 3.62 Criterion (I) includes “allocated mineral extraction or waste management” which are considered to be excluded development under section 61K of the Town and Country Planning Act 1990. It is recommended that the term be deleted.
- 3.63 Historic England has commented on criterion (III) which gives support to economic development for the purpose of conservation or enhancement of sites of heritage, biodiversity or geodiversity. These are factors taken into consideration in assessing the suitability of sites and buildings for development proposals rather than business uses. It is considered that this criterion is unclear and imprecise. The need to consider the assessment of these matters is adequately addressed in Local Plan policies and the criterion should be deleted.
- 3.64 Criterion (IV) supports residential extensions or extensions to outbuildings. The QB has confirmed that it is intended that they are to provide space for employment purposes. They have proposed a revision to the criterion which I recommend should be made.
- 3.65 Criterion (VI) refers to micro-growth points for business development. The QB has explained that this term means very small scale development that supports the growth or diversification of new or existing businesses which may include but is not restricted to live-work units. It would be helpful to plan users if this explanation were included in the justification to the policy.
- 3.66 Local Plan Policies DM8 and DM9 set out a number of criteria that are to be satisfied in the conversion or re-use of rural buildings and agricultural buildings. It is therefore recommended that Policy RE1 makes reference to both these policies as part of the requirements. A revision to paragraph two of the policy is recommended.
- 3.67 The third paragraph of the policy refers to development proposals affecting international, national or locally designated sites not being permitted. It is unclear what is meant by “designated sites”. Development Management DPD Policy DM27 sets out the approach to considering development proposals on internationally and nationally designated biodiversity sites in accordance with NPPF paragraph 113 which states that distinctions should be made between the hierarchy of international, national and local sites so that protection is commensurate with their status. It is therefore recommended that this paragraph should be deleted although the footnote reference to Policy DM27 may be retained in the justification for information.
- 3.68 The final paragraph of the policy seeks to safeguard land below the 50m AOD contour. Whilst I can appreciate the aspirations of the plan makers to

safeguard the areas of better quality land in the parish, national planning policy states that best and most versatile land refers to land classified as grades 1, 2 and 3a. Paragraph 4.6.6 of the WNP acknowledges that most of the land is Grade 3b. It is considered that this aspect of the policy has not had regard to national planning policy and a modification is recommended to delete the paragraph.

- 3.69 Paragraphs 4.6.3 to 4.6.5 describe various historic and environmental features of the plan area. To aid interpretation of the policy, it is recommended that these descriptive paragraphs should be deleted from the justification to this policy and may be included under the sections on the historic and natural environment as appropriate.
- 3.70 Paragraph 4.6.8 includes reference to a “site for potential commercial development” adjacent to Bridge House Tea Rooms. As the landowner has not indicated a willingness to bring the site forward it cannot be considered as deliverable as a proposal of the Plan and should be deleted from the Plan. It may be reconsidered as and when the Plan is reviewed.
- 3.71 LCC has commented that the policy should make it clear that it refers to “sustainable economic growth”. I agree that it would be helpful to make this explicit in the title to the policy.

Recommendation 12: Revise Policy RE1 as follows:

Revise the title of the Policy to “*Policy RE1: Sustainable Economic Development*”.

Delete “allocated mineral extraction or waste management” from criterion (I).

Delete criterion (III).

Revise criterion (IV) to read: “House extensions or extensions to outbuildings for economic (*non-residential*) purposes that are ancillary to the existing dwelling and are sympathetic to the character of the original building and its setting;”

Revise criterion (V) to read: “*Subject to satisfying the requirements of Local Plan Policy DM9 or its successor policy in the emerging Local Plan, sensitive conversions.....*”

Revise the second paragraph to read “*Subject to satisfying the requirements of Local Plan Policies DM8 or DM9 or its successor policy in the emerging Local Plan, the re-use of rural buildings or agricultural buildings to support tourism and the visitor economy will be supported.*”

Delete the third paragraph: “Development which would.....will not be permitted.”

Delete the final paragraph of the policy and paragraph 4.6.6.

Delete paragraphs 4.6.3 and 4.6.4.

Delete the last two sentences from paragraph 4.6.8 “However, one site (C1)....commercial development) and site C1 from the Inset Map for Wray Village.

Add an explanation in the justification of the term micro-growth points: “*These are very small scale developments that support the growth or diversification of new or existing businesses which may include but is not restricted to live-work units.*”

Natural Environment

Policy NE1 Conservation and Enhancement of the Natural Environment

- 3.72 The policy seeks to safeguard the natural environmental features of the AONB including those of biodiversity value, landscape and trees and hedgerows. Three policies in the Development Management DPD: DM27 on Protection and Enhancement of Biodiversity, DM28 on Development and Landscape Impact and DM29 on Protection of Trees, Hedgerows, and Woodland provide a clear framework for considering development proposals affecting the natural environment. The role of a policy in a neighbourhood plan should be to provide a more detailed policy approach based on an understanding of the local circumstances.
- 3.73 Policy NE1 is a wordy policy which is partly descriptive. However, it provides very little additional understanding of the biodiversity and natural assets of the plan area. There is a degree of overlap with Policy OS2 on Landscape. It refers to the Forest of Bowland AONB but makes no mention of the biodiversity sites including the SPA, Biological Heritage Site and SSSI that are shown on the Constraints Overview Map. It seeks the reinforcement of green corridors but does not identify them. It refers to the characteristics of the AONB including those that do not enjoy formally protected status. No explanation is given as to which these sites are.
- 3.74 The QB has supplied me with a paragraph for the justification that describes the biodiversity assets of the plan area including the significance of the Forest of Bowland SPA, the Biological Heritage Site and the SSSI shown on the Environmental Constraints map in Appendix 4. It is recommended that this text should be included in the justification.
- 3.75 It is considered that the first three paragraphs of the policy do not add a local dimension to that set out in the Development Management Policies. They are unclear and imprecise and would be difficult for decision makers to implement consistently. There is an overlap in the approach to landscape conservation and enhancement with Policy OS2. It is recommended therefore that the first

three paragraphs of the policy should be deleted and the title of the policy revised to reflect the revised policy.

- 3.76 The fourth paragraph of the policy refers to the removal or damage to trees, woodland and hedgerows. The conservation of the hedgerows marking historic field patterns is identified as important. This paragraph adds some localised policy matters to that set out in Policy DM29 and is therefore considered worthy of retention. The policy gives attention to the replacement of any trees lost through development but places limited emphasis on their retention. In response to my question, the QB has proposed revisions to the wording of the policy that strengthens the policy in this respect. I recommend that the policy and justification be revised accordingly.
- 3.77 Paragraph 4.7.1 should be revised to explain that development proposals that affect the natural environmental assets should be considered against the relevant Local Plan policies. Paragraph 4.7.2 should be revised to remove reference to the Parish Council's viewpoint.

Recommendation 13: Delete the first three paragraphs of Policy NE1.

Revise the title of Policy NE1 to "*Protection and enhancement of Trees, Woodland and Hedgerows.*"

Add the following at the beginning of the fourth paragraph of Policy NE1 to read: "*New development should protect and enhance existing trees, woodland and hedgerows unless there are clear and demonstrable reasons why their removal would aid delivery of a better development overall, and should positively incorporate new trees, woodland and hedgerows where possible.*"

Revise the last sentence of the fourth paragraph of the policy to read: "The conservation of those hedgerows.....habitat connectivity as well as for their contribution toWray Conservation Area."

Revise paragraph 4.7.1 to read: "*Development proposals that affect the natural environmental assets and sites of biodiversity importance will also be considered against Development Management DPD Policies DM27, DM28 and DM 29 or their successor policies.*"

Delete the third sentence from paragraph 4.7.2: "The Parish Council felt that....would be useful. Therefore".

Revise paragraph 4.7.3 to reflect the revisions to the policy wording to emphasise the protection and enhancement of trees, woodland and hedgerows.

Add a new paragraph to describe the biodiversity assets shown on the environmental constraints map in Appendix 4 as follows:

"The Neighbourhood Plan Area includes a number of areas which have been designated for their environmental importance at an International,

National and Local level. The area includes the Bowland Fells Special Protection Area (SPA) which is an extensive upland area providing important habitats for protected plant and bird species. The area also includes Roeburndale Woods and Clear Beck Meadows Sites of Special Scientific Importance (SSSI) and a number of more locally designated Biological Heritages sites. Such local designations include Middle Wood, Neddy Park Wood, Quarry Wood (including Hoskins Wood, Mill Wood and Spout Brow Wood), Bank Wood and Hunt's Gill Wood, Powley Wood (including Beck Gill Wood, Scroggy Wood, Audland Close Wood, Stubb Wood and Tenter Hill Wood), the Stables Bank Wray Bridge, Alcocks Farm Grasslands, Over Close Wood and Proctor Wood, Well Beck Wood (including Helks Home Wood and Middlefield Wood) and Fall Wood Coppice."

Policy NE2 Local Green Space

- 3.78 Two sites are proposed to be designated as Local Green Space following an assessment carried out in accordance with LCC's methodology. This is contained in Appendix 5 of the Plan. It is considered that both sites meet the criteria of NPPF paragraph 77.
- 3.79 Lancashire County Council has made a representation to the designation of the school playing field as the designation may prevent the necessary development of school facilities. However, Policy NE2 includes provisions for development that supports community services to be considered appropriate development and it is considered that this would be sufficient to enable provision to be made of any necessary development for additional school premises.
- 3.80 The first paragraph of the policy should make it clear that the sites are designated as "Local Green Space". The second sentence describing how the sites have been selected is unnecessary and it is recommended that it be deleted.
- 3.81 The penultimate paragraph refers to development being in accordance with paragraphs 89 and 90 of the NPPF. This is the 2012 NPPF which gives guidance on Green Belt policy. It is unnecessary and it is recommended that it be deleted.
- 3.82 The final paragraph states that regard should be given to any designation for another purpose, particularly one of higher level protection. It is not clear what this is referring to as the Local Green Space designation is of national importance. Where there is a conflict between the WNP and any future Local Plan policies, national guidance is that the latest policies should apply. It is recommended that the last paragraph should therefore be deleted.

Recommendation 14: Revise Policy NE2 as follows:

Revise the first sentence of the first paragraph to read: “The areas listed below are designated as Local Green Space.”

Delete the second sentence of the first paragraph: “These LGS have been put forward.....importance.”

Delete the penultimate and final paragraphs of the policy.

Policy NE3 Historic Environment

- 3.83 LCC and Historic England have made a number of comments on the wording of this policy. I have asked the QB and LCC to review the policy wording and agree revisions in response to the comments made in the representations. I consider that the revisions proposed add clarity to the policy and ensure that it is in conformity with national and local strategic policies on the historic environment.
- 3.84 The Proposals Map shows three non designated heritage assets. LCC has informed me that they are currently working on compiling a list of Local Heritage Assets. The three non designated heritage assets highlighted on the Proposals Map will be considered against the selection criteria for inclusion in the Council’s List.
- 3.85 As the non-designated heritage assets have not yet been included in the Council’s List of Non-Designated Heritage Assets, they should be deleted from the Proposal Map. They could be included in the WNP on a separate map as “Proposed Non-Designated Heritage Assets”.
- 3.86 I have recommended under Policy COM1 that the Green Corridor on the western bank of the River Roeburn should be recognised under Policy NE3 for its contribution to the character of the Conservation Area. Reference to the area should be included in paragraph 4.7.13.

Recommendation 15: revise Policy NE3 as follows:

“To supplement the relevant policies in the Local Plan which relate to the historic environment, all development in the Neighbourhood Plan area should seek to protect and enhance the unique heritage features and the wider historic character of its location. This should include built, natural and cultural heritage features and historic landscape character.

“Where proposals lead to the loss of a designated or non-designated heritage asset, in accordance with national planning policy, surveys should be undertaken to record their historical interest and build the heritage evidence of the Forest of Bowland AONB.

“Development proposals affecting designated or non-designated heritage assets, *the latter of which may either be identified on the*

Council's Local List, the Historic Environment Record or that are discovered during the application proposals, will be supported provided that:

- “(I) *They conserve and enhance the significance of the asset. This may include schemes that specifically aim to (or include measures to) protect, restore or enhance historic assets or features;*
- “(II) *They conserve and enhance the character and local distinctiveness of the area through design, scale and materials used; and*
- “(III) *They promote the enjoyment, understanding and interpretation of the assets as a means of maximising wider public benefits which reinforce the character of the village of Wray and sense of place within the Forest of Bowland AONB.*

“Proposals which affect historic field patterns in the locality should seek to reinforce and reflect those patterns. The loss and fragmentation of these assets will be discouraged.”

Add the following to paragraph 4.7.13: “The green corridor and riverside walk along the western bank of the River Roeburn contribute to the character of the conservation area and the setting of the village.”

Delete the Non Designated Heritage Assets from the Proposals Map. Include them on a map of Conservation Area Assets as “Proposed Non-Designated Heritage Assets”. Indicate the Green Corridor along the northern bank of the River Roeburn on this map.

Community

Policy COM1 Community Assets and Local Services

- 3.87 Policy COM1 lists a number of community assets which are to be safeguarded. Any proposals that would result in their loss are to be considered against the criteria set out in Local Plan Policy DM49.
- 3.88 The sites are shown on the Proposals Map as numbered stars. It is recommended that they are shown in a way that the boundaries of the sites / buildings can be determined so that the policy can be used consistently by decision makers. The sites should be numbered (instead of bullet points) in the policy consistent with that on the Proposals Map.
- 3.89 LCC has commented that the policy does not address proposals to provide new community assets. It is noted that this matter is addressed in Local Plan Policy DM49.

- 3.90 Site 5 on the Map is described as the “former” Friends Meeting House. The Qualifying Body has confirmed that the building is used by the community as the Methodist Chapel Sunday School. I consider that it is appropriate to identify this building as a community asset.
- 3.91 LCC has raised concerns about the inclusion of agricultural land used for the fairground and car parking for the Scarecrow Festival (site 10). The QB has explained this is a long standing community event and the area is the most suitable for this popular event. The QB has provided me with a map showing the area of agricultural land used for car parking which covers the three fields marked with a star no 10 on the Proposals Map and two additional fields to the north and west of the village which are not shown on the Proposals Map.
- 3.92 I have asked the QB about the planning and legal status of the use. It is undertaken through an agreement with the landowner and tenant. No evidence has been provided to show that planning permission has been granted for the use and I therefore presume that the use is undertaken as permitted development use of the land for a limited period of time.
- 3.93 This is an extensive area of agricultural land. Should the landowner no longer wish to offer the fields for the temporary car parking, planning permission would not be required to discontinue the use and Policy COM1 could not be applied. Policy COM1 would place an unnecessary restriction on the land and it is considered that it would be impractical to apply Policy DM49 to proposals for any other forms of development on part of the land. It is therefore recommended that the land used for car parking for the scarecrow festival should be deleted from the policy and Proposals Map.
- 3.94 The Policies Map includes an additional site (11) which is not included in the list in Policy COM1. The QB has explained that this site was omitted for the text of Policy COM1 in error. The site is an attractive area of land alongside the river crossed by the riverside walk; it is identified in the Conservation Area Report. The site had been proposed as a Local Green Space but was considered to be not sufficiently special to justify designation. As an informal open space, it is considered that it would be more appropriate to recognise its important contribution to the conservation area under Policy NE3 in paragraph 4.7.14. It is recommended that it should be deleted from the Proposals Map.

Recommendation 16: Revise Policy COM1 as follows:

Delete Community Asset sites 10 from the Proposals Map.

Delete site 11 from the list of Community Assets on the Proposals Map. Include reference to the area in paragraph 4.7.13.

List and number the assets in Policy COM1 and the key to the Proposals Map in the same order and shown the boundaries of the sites/buildings.

Transport and Infrastructure

Policy TRA1 Infrastructure for New Development

- 3.95 The first paragraph seeks contributions from new development towards new or improved infrastructure. The last paragraph and final three criteria list improvements to transport that may be sought from development proposals.
- 3.96 However, these paragraphs do not make it clear that contributions can only be sought from those development proposals which, if it can be shown through appropriate Transport Assessments, require contributions to be made to infrastructure improvements. The policy should reflect the legal tests for planning obligations.
- 3.97 A neighbourhood plan policy cannot dictate spending priorities. It can only provide guidance as to how planning applications are to be determined. Therefore, a policy can only deal with developer contributions which are made under the planning obligation. Not only are these required to meet the test of paragraph 201 of the 2012 NPPF but also, only five pooled contributions can be made towards any one project. That is a requirement laid down by Regulation 122 of the Community Infrastructure Levy Regulations 2010. Contributions therefore can only be collected towards any of the schemes set out in the policy, if there is a direct relationship to that development.
- 3.98 I therefore do not consider that it is appropriate to list all projects in the policy, but these projects can however be set out in the Community Projects section of the Plan which could be included in an Appendix. It should be made clear that it is not to be taken as development plan policy. I will be recommending changes to the first part of the policy.
- 3.99 The second paragraph of the Policy requires compliance with relevant Local Plan policies and refers to issues raised in the Highways and Transport Master Plan. It is considered that reference to Local Plan policies and other documents would be appropriately included in the justification to the policy.
- 3.100 The third paragraph of the policy and three criteria following set out spending priorities for contributions from S106 agreements and CIL.
- 3.101 A neighbourhood plan policy must be a policy “related to the use and development of land”. A neighbourhood plan sets out planning policies that will be used to determine planning applications (PPG para 002 reference ID 41–0 02–20140306). It goes on to recognise that “*neighbourhood planning can inspire local people and businesses to consider other ways to improve the neighbourhood than through the development and use of land. They may identify specific actions or policies to deliver these improvements. Wider community aspirations than those related to the use and development of land can be included in the neighbourhood plan but actions dealing with non land use matters should be clearly identified.*”
- 3.102 I consider that this policy as written does not relate to development proposals. In fact, the policy lists the type of proposals the Parish Council will be seeking

to improve: off street parking, improvements to footpaths and the local environment. As such it is a Community Aspiration or Project not a land use planning policy. It is recommended that it be included in a separate section of the Plan as a Community Project.

Recommendation 17: Revise Policy TRA1 as follows:

Replace the first and fourth paragraphs with “*Where development proposals are shown through evidence to be required to contribute towards any of the following schemes, so as to make the development acceptable, appropriate financial contributions will be sought through a planning obligation. Developer contributions towards improved community infrastructure will be sought where it is shown that the obligation is necessary to make the scheme acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development.*” List the schemes set out in the final three criteria of the policy (“Improvements to the local network of cycleways ...”

Place the second paragraph in the justification.

Reframe the third paragraph and following criteria as a Community Project along the lines of “*The Parish Council will work with XXX to deliver the following projects through the use of S106, CIL, LIT etc.*” Place the policy in a separate section of the Plan headed Community Projects and explain that it is not a land use planning policy. Move relevant paragraphs of the justification to the Community Project justification.

Implementation and Monitoring

3.103 LCC has proposed a revision to paragraph 5.5 of this section of the Plan to read “...to deliver *sustainable* growth in new housing over the plan period to meet identified local needs.” I agree that this would better reflect the revisions recommended elsewhere in my report.

3.104 Paragraph 5.9 c) states that the Parish Council will undertake a strategic review of the Neighbourhood Plan every three years. It would be clearer to say that the PC will monitor the progress of implementing the NP and that any changes required to the policies will be undertaken through a review of the NP.

Recommendation 18: revise paragraph 5.5 to read: “...to deliver *sustainable* growth in new housing over the plan period to meet identified local needs.”

Revise paragraph 5.9 c) to read: “c) The Parish Council will *monitor the progress of implementing* the Neighbourhood Plan every 3 years. The focus of the *monitoring* will be to ensure that the policies made are

effectively contributing to the realisation of the vision and objectives set out in the Neighbourhood Plan. Any resulting proposals to correct and improve policies to meet the vision and objectives will require to be undertaken *through a review of the Neighbourhood Plan* in full collaboration with Lancaster City Council. Evidence will also be reviewed and updated as required.”

4.0 Referendum

- 4.1 The Wray with Botton Neighbourhood Plan reflects the views held by the community as demonstrated through the consultations and, subject to the modifications proposed, sets out a realistic and achievable vision to support the future improvement of the community.
- 4.2 I am satisfied that the Neighbourhood Plan meets all the statutory requirements, in particular those set out in paragraph 8(1) of schedule 4B of the Town and Country Planning Act 1990 and, subject to the modifications I have identified, meets the Basic Conditions namely:
- has regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contributes to the achievement of sustainable development;
 - is in general conformity with the strategic policies contained in the Development Plan for the area;
 - does not breach, and is otherwise compatible with, EU obligations and human rights requirements
- 4.3 **I am pleased to recommend to Lancaster City Council that the Wray with Botton Neighbourhood Plan should, subject to the modifications I have put forward, proceed to referendum.**
- 4.4 I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. In all the matters I have considered I have not seen anything that suggests the referendum area should be extended beyond the boundaries of the plan area as they are currently defined. I recommend that the Neighbourhood Plan should proceed to a referendum based on the neighbourhood area designated by the Lancaster City Council on 20 February 2015.

5.0 Background Documents

5.1 In undertaking this examination, I have considered the following documents

- Wray with Botton Neighbourhood Plan Submission Draft Version 2011 – 2031 and Appendices dated April 2018;
- Wray with Botton Neighbourhood Plan Basic Conditions Statement;
- Wray with Botton Neighbourhood Plan SEA Screening May 2017;
- Wray with Botton Neighbourhood Plan HRA Screening Report May 2017;
- Wray with Botton Neighbourhood Plan Consultation Statement May 2018;
- Wray with Botton Neighbourhood Plan Landscape Appraisal April 2017
- Wray with Botton Neighbourhood Plan Historic Impact Assessments November 2018
- National Planning Policy Framework March 2012 and July 2018;
- Planning Practice Guidance March 2014 (as amended);
- The Town and Country Planning Act 1990 (as amended);
- The Localism Act 2011;
- The Neighbourhood Planning (General) Regulations 2012;
- Lancaster City Local Development Framework Core Strategy (2003-2021) 2008;
- Lancaster City Local Plan Development Management DPD (2011 – 2031) 2014

6.0 Summary of Recommendations

Recommendation 1: Revise the date of the Plan period to 2018 – 2031.

Recommendation 2: For the Plan to proceed, the LPA as the responsible body should correct the factual errors and omissions in the SEA Screening Report concerning the number of allocations and the significance of the heritage assets. Reference to the HIA and a summary of its conclusions should also be included. The HIA should be published as a separate background evidence report.

For the Plan to proceed, the LPA as the responsible body should correct the HRA Screening Table 3 and the screening conclusion to make it explicit that the revisions are to improve the clarity of the policies and are not mitigation measures.

The LPA should prepare an explanatory note summarising the corrections that have been made to the SEA and HRA Screening Reports that should be published alongside the corrected reports.

Recommendation 3: Include the Proposals Maps in the Plan rather than an Appendix.

Recommendation 4: Revise section 1.3 to highlight the relevant key themes without quoting from the documents.

Revise section 1.7 to set out the final position on the SEA / HRA screening reports.

Recommendation 5: Delete the Vision statements from other Plans from page 24 of the WNP. Delete the following “Based on engagement with the community and the key issues identified” from the Vision box and add the text to paragraph 3.1.3.

Revise Objective (I) to read: Development *conserves and enhances* the existing.... “.

Revise Objective (II) to read: “.....village of Wray *to sustain and enhance* the Conservation Area at its core.”

Revise Objective (III) to read: “The local housing needs are met”.

Revise Objective (VI) to read: “Development safeguards and enhances....”

Recommendation 6: Revise Policy OS1 as follows:

Revise the title of the policy to “Delivering Sustainable Development”

Delete *“Development that harms this purpose or which would have an adverse impact on an international, national or locally designated site will not be permitted”*.

Delete “within the Parish” from the third paragraph.

Add the following at the end of the third paragraph: “historic environment, heritage assets and their setting”.

Revise criterion (I) by deleting “settlement” and replacing it with “historic environment, heritage assets and their setting”.

Delete the section headed Major Development and the subsequent criteria. Delete the following from paragraph 4.3.10: “The policy sets out.....AONBs.”

Delete the section headed Brownfield Land and paragraph 4.3.11. Add the following to the end of paragraph 4.3.12 “or historic environment, heritage assets and their setting”.

Recommendation 7: Revise Policy OS2 as follows:

Revise the second sentence to read “Proposals *should not have an adverse impact on.....*”

Revise criterion (III) to read: “respect visual amenity, *views within, into or out of the Neighbourhood Plan area (including but not limited to those shown on the Proposals Map),.....*”

Add the following to the justification to aid the interpretation of criterion (IV): “*When considering the cumulative and incremental impacts of development, developers and decision makers should ask themselves: ‘Can the impacts of this development proposal (in the context set out in the policy) on the landscape character and visual amenity be mitigated?’ If yes, proceed with drawing up proposal/considering proposal in principle (i.e. subject to all other considerations). If no, modify or refuse permission.*”

Recommendation 8: revise Policy BE1 as follows:

“For development proposals in the Neighbourhood Plan area the highest standards of design and construction will be required to conserve and enhance the landscape, built environment, distinctive settlement character and historic, cultural and architectural features.

“In addition to design requirements set out in the Local Plan, the design of developments in the Neighbourhood Plan area should be informed by the Wray with Botton Landscape Appraisal (2017) and, where appropriate, the Wray Conservation Area Appraisal (2009) and should:

- I. Respond to the character of the landscape and local built environment including buildings, boundary treatments, open spaces, trees, roofscapes, village layout and have particular to*

regard to the local vernacular, building to plot / green space ratios and to the quality, integrity, character and settings of natural, built and historic features;

- II.** *Reinforce what is special and locally distinctive about design in the Plan area through the careful consideration of visual amenity, layout, views, scale, height, solid form and massing, proportions, alignment, detailing, lighting, materials used, colours, finishes and the nature of development;*
- III.** *Provide well designed landscape schemes that retain distinctive trees and include new structural planting that contributes to the character and amenity value of the area;*
- IV.** *Ensure that boundary treatments, screening and entranceways reflect local character and context including retention (or appropriate replacement where necessary) of existing features of value such hedgerows, trees, verges and traditional stone walls through careful consideration of materials and heights for gates, gateposts and fencing and the use of appropriate species for planting; and*
- V.** *Avoid using development that is harmful to landscape and settlement character to inform the design of new development or proximity to it as justification for further poor quality or harmful development.*

Recommendation 9: Delete Policy BE2. Include it in a new section of the Plan on Community Actions noting that this is an aspiration of the Parish Council and not a land use planning policy.

Recommendation 10: revise Policy H1 as follows:

Add the following at the beginning of the second paragraph: “*Subject to the assessment of viability, new housing development*”

Delete the second sentence of paragraph 3 of the policy “The delivery of affordable housing shall be phased...at any one time.”

Delete the final paragraph of the policy “Development whichwill not be permitted.”

Include a new paragraph in Policy H1: “*Housing developments shall take account of the Key Considerations set out in Appendix 3 on Site Selection and Assessment and the recommendations in Appendix X on Heritage Impact Assessment.*” Include the Key Considerations within Policy H1 for the site allocations WR5, WR9 and WR11.

On the Proposals Map, show site WR9, differentiate between housing commitments and allocations and delete the phasing periods.

Delete paragraph 4.5.6 and the subsequent table. Revise paragraph 4.5.7 to read “...would therefore be about 28...representing an increase of 13%”

Recommendation 11: revise Policy H2 as follows:

Revise the first sentence of Policy H2 to read: “...proposals for new housing development *should deliver affordable housing in accordance with the adopted Local Plan policy on affordable housing, taking into account the assessment of viability of the development.*”

Delete paragraph 2, the second sentence of paragraph 3 and criterion (I).

Place the fourth paragraph in the justification and delete “phased”.

Delete “or restrict occupancy to sole/main residence” from criterion (II) and delete the last sentence from paragraph 4.5.9.

Recommendation 12: Revise Policy RE1 as follows:

Revise the title of the Policy to “*Policy RE1: Sustainable Economic Development*”.

Delete “allocated mineral extraction or waste management” from criterion (I).

Delete criterion (III).

Revise criterion (IV) to read: “House extensions or extensions to outbuildings *for economic (non-residential) purposes that are ancillary to the existing dwelling and are sympathetic to the character of the original building and its setting;*”

Revise criterion (V) to read: “*Subject to satisfying the requirements of Local Plan Policy DM9 or its successor policy in the emerging Local Plan, sensitive conversions.....*”

Revise the second paragraph to read “*Subject to satisfying the requirements of Local Plan Policies DM8 or DM9 or its successor policy in the emerging Local Plan, the re-use of rural buildings or agricultural buildings to support tourism and the visitor economy will be supported.*”

Delete the third paragraph: “Development which would.....will not be permitted.”

Delete the final paragraph of the policy and paragraph 4.6.6.

Delete paragraphs 4.6.3 and 4.6.4.

Delete the last two sentences from paragraph 4.6.8 “However, one site (C1)....commercial development) and site C1 from the Inset Map for Wray Village.

Add an explanation in the justification of the term micro-growth points: “*These are very small scale developments that support the growth or*

diversification of new or existing businesses which may include but is not restricted to live-work units.”

Recommendation 13: Delete the first three paragraphs of Policy NE1.

Revise the title of Policy NE1 to “*Protection and enhancement of Trees, Woodland and Hedgerows.*”

Add the following at the beginning of the fourth paragraph of Policy NE1 to read: “*New development should protect and enhance existing trees, woodland and hedgerows unless there are clear and demonstrable reasons why their removal would aid delivery of a better development overall, and should positively incorporate new trees, woodland and hedgerows where possible.*”

Revise the last sentence of the fourth paragraph of the policy to read: “*The conservation of those hedgerows.....habitat connectivity as well as for their contribution toWray Conservation Area.*”

Revise paragraph 4.7.1 to read: “*Development proposals that affect the natural environmental assets and sites of biodiversity importance will also be considered against Development Management DPD Policies DM27, DM28 and DM 29 or their successor policies.*”

Delete the third sentence from paragraph 4.7.2: “*The Parish Council felt that....would be useful. Therefore*”.

Revise paragraph 4.7.3 to reflect the revisions to the policy wording to emphasise the protection and enhancement of trees, woodland and hedgerows.

Add a new paragraph to describe the biodiversity assets shown on the environmental constraints map in Appendix 4 as follows:

“The Neighbourhood Plan Area includes a number of areas which have been designated for their environmental importance at an International, National and Local level. The area includes the Bowland Fells Special Protection Area (SPA) which is an extensive upland area providing important habitats for protected plant and bird species. The area also includes Roeburndale Woods and Clear Beck Meadows Sites of Special Scientific Importance (SSSI) and a number of more locally designated Biological Heritages sites. Such local designations include Middle Wood, Neddy Park Wood, Quarry Wood (including Hoskins Wood, Mill Wood and Spout Brow Wood), Bank Wood and Hunt’s Gill Wood, Powley Wood (including Beck Gill Wood, Scroggy Wood, Audland Close Wood, Stubb Wood and Tenter Hill Wood), the Stables Bank Wray Bridge, Alcocks Farm Grasslands, Over Close Wood and Proctor Wood, Well Beck Wood (including Helks Home Wood and Middlefield Wood) and Fall Wood Coppice.”

Recommendation 14: Revise Policy NE2 as follows:

Revise the first sentence of the first paragraph to read: “The areas listed below are designated as Local Green Space.”

Delete the second sentence of the first paragraph: “These LGS have been put forward.....importance.”

Delete the penultimate and final paragraphs of the policy.

Recommendation 15: revise Policy NE3 as follows:

“To supplement the relevant policies in the Local Plan which relate to the historic environment, all development in the Neighbourhood Plan area should seek to protect and enhance the unique heritage features and the wider historic character of its location. This should include built, natural and cultural heritage features and historic landscape character.

“Where proposals lead to the loss of a designated or non-designated heritage asset, in accordance with national planning policy, surveys should be undertaken to record their historical interest and build the heritage evidence of the Forest of Bowland AONB.

“Development proposals affecting designated or non-designated heritage assets, *the latter of which may* either be identified on the Council’s Local List, the Historic Environment Record or that are discovered during the application proposals, will be supported provided that:

“(I) *They conserve and enhance the significance* of the asset. This may include schemes that specifically aim to (or include measures to) protect, restore or enhance historic assets or features;

“(II) *They conserve and enhance the character and local distinctiveness of the area* through design, scale and materials used; and

“(III) *They promote the enjoyment, understanding and interpretation of the assets as a means of maximising wider public benefits which reinforce the character of the village of Wray and sense of place within the Forest of Bowland AONB.*

“Proposals which affect historic field patterns *in the locality* should seek to reinforce and reflect *those patterns. The loss and fragmentation of these assets will be discouraged.*”

Add the following to paragraph 4.7.13: “The green corridor and riverside walk along the western bank of the River Roeburn contribute to the character of the conservation area and the setting of the village.”

Delete the Non Designated Heritage Assets from the Proposal Map. Include them on a map of Conservation Area Assets as “*Proposed Non-Designated Heritage Assets*”. Indicate the Green Corridor along the western bank of the River Roeburn on this map.

Recommendation 16: Revise Policy COM1 as follows:

Delete Community Asset sites 10 from the Proposals Map.

Delete site 11 from the list of Community Assets on the Proposals Map. Include reference to the area in paragraph 4.7.13.

List and number the assets in Policy COM1 and the key to the Proposals Map in the same order and shown the boundaries of the sites/buildings.

Recommendation 17: Revise Policy TRA1 as follows:

Replace the first and fourth paragraphs with “*Where development proposals are shown through evidence to be required to contribute towards any of the following schemes, so as to make the development acceptable, appropriate financial contributions will be sought through a planning obligation. Developer contributions towards improved community infrastructure will be sought where it is shown that the obligation is necessary to make the scheme acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development.*” List the schemes set out in the final three criteria of the policy (“Improvements to the local network of cycleways ...”

Place the second paragraph in the justification.

Reframe the third paragraph and following criteria as a Community Project along the lines of “*The Parish Council will work with XXX to deliver the following projects through the use of S106, CIL, LIT etc.*” Place the policy in a separate section of the Plan headed Community Projects and explain that it is not a land use planning policy. Move relevant paragraphs of the justification to the Community Project justification.

Recommendation 18: revise paragraph 5.5 to read: “...to deliver *sustainable* growth in new housing over the plan period to meet identified local needs.”

Revise paragraph 5.9 c) to read: “c) The Parish Council will *monitor the progress of implementing* the Neighbourhood Plan every 3 years. The focus of the *monitoring* will be to ensure that the policies made are effectively contributing to the realisation of the vision and objectives set out in the Neighbourhood Plan. Any resulting proposals to correct and improve policies to meet the vision and objectives will require to be undertaken *through a review of the Neighbourhood Plan* in full

collaboration with Lancaster City Council. Evidence will also be reviewed and updated as required.”