

Examination of the Lancaster District Local Plan (the Plan) Part One: Strategic Policies & Land Allocations Development Plan Document and Part Two: Development Management Development Plan Document, Submission Drafts

Post Hearing Advice – Main Modifications and Related Matters

Introduction

1. During the hearing sessions a number of potential main modifications were discussed. I understand that the Council has kept a running list of all of these and is currently working on a full draft. Consequently, this letter relates solely to potential main modifications that were discussed, but not confirmed, in those sessions and to the administrative arrangements relating to all potential main modifications. This is the position I outlined to the Council in the final hearing session on 21 May.
2. At this stage I am not inviting any comments about the contents of this letter or the Annex to it.

Main Modifications

3. Potential main modifications are those that were confirmed during the hearing sessions and additionally those that were discussed but not confirmed at the hearing sessions as set out in the **Annex** to this letter.

Process

4. The Council should now prepare a consolidated schedule of all the potential main modifications identified during the hearing sessions and as set out in the **Annex** to this letter. The Council should also consider the need for any consequential changes that might be required in connection with any potential main modifications.
5. I will need to see the draft schedule and may have comments on it. I will also need to agree the final version of the schedule before it is made available for public consultation.
6. The schedule should take the form of a numbered list of main modifications with changes shown by means of strikethrough to show deleted text and new text shown in bold or underlined (or both). It should also include a column that briefly explains the reasons for the main modifications to assist consultees. For clarity and to avoid an excessive number of main modifications, it is best to group all the changes to a single policy together as one main modification.
7. The main modifications should be expressed as changes from the *Submission Version* of the Plan dated May 2018.

8. The Council should also satisfy itself that it has met the requirements for sustainability appraisal by producing an addendum to the Sustainability Appraisal of the submitted plan in relation to the potential main modifications, as appropriate. I will need to see a draft of the addendum and may have comments on it. The addendum should be published as part of the public consultation.
9. As was made clear at the hearing sessions, the Council has also prepared a list of proposed additional minor modifications. While this is solely a matter for the Council, I should like to see a copy of this list. If the Council intends to publicise or consult on any additional modifications it should be made clear that such changes are not a matter for the Inspector.
10. Advice on main modifications and sustainability appraisal, including on consultation is provided in *Procedural Practice in the Examination of Local Plans* (June 2016 4th Edition v.1). Amongst other things this states that the scope and length of the consultation should reflect the consultation at the Regulation 19 stage (usually at least 6 weeks). It should be made clear that the consultation is only about the proposed main modifications and not about other aspects of the plan (except as outlined in para 12) and that the main modifications are put forward without prejudice to the Inspector's final conclusions.
11. The Procedural Practice also states that the general expectation is that issues raised on the consultation of the Main Modifications Schedule will be considered through the written representations process and further hearing sessions will only be scheduled exceptionally.

Other Related Matters

12. The Council should consider whether the potential main modifications necessitate any further Sustainability Appraisal and/or Habitat Regulations Assessment. Any updated versions of existing documents should be given suffix numbers and dated to clearly differentiate the updated versions.
13. The following should be made available as part of the consultation:
 - Sustainability Appraisal of the proposed main modifications
 - Any further Habitats Regulation Assessment
 - All changes to the submission Policies Map relating to main modifications
 - The tables showing the five year supply trajectory
14. The views I expressed in the hearing sessions and in this letter on potential main modifications and related policies map changes are based on the evidence before me, including the discussion that took place at the hearing sessions. However, my final conclusions on soundness and legal compliance will be provided in the report which I will produce after the consultation on the potential main modifications has been completed. In reaching my conclusions, I will take into account any representations made in response to the consultation.

Consequently, the views I expressed during the hearing sessions and in this letter about soundness and the potential main modifications which may be necessary to achieve a sound plan could alter following the consultation process.

Timetable

15. I would be grateful if the Council could now:
 - confirm the Council's position with regard to the housing and local green space sites, as set out in the attached **Annex**
 - confirm a timetable through to the publication of the main modifications for consultation, including any update to the housing supply/delivery figures arising from the above.
16. Thank you for your cooperation on this. If you need any clarification, please contact me through the Programme Officer.

Richard McCoy
Inspector
31 May 2019

Annex

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The following are in addition to the potential main modifications signalled as being necessary at the hearing sessions. The Council made it clear that while the confirmed main modifications to its strategic policies may enable it to achieve the identified objectively assessed housing need of around 650pa, the identified housing requirement under a stepped trajectory was 522pa. The Council should continue to meet this requirement and should consider the need for any consequential changes as a result of these potential main modifications to the supply/delivery of housing (including affordable housing) and any implications for Sustainability Appraisal and/or Habitats Regulation Assessment.

Housing allocation – Land South of Windermere Road South Carnforth (Policy SG12)

1. In my judgement, the available evidence indicates that under paragraphs 142 and 143 of the National Planning Policy Framework (2012) this site should be safeguarded in order that a known location of specific minerals resource of local and national importance is not needlessly sterilised by non-mineral development. This site should therefore be deleted as a housing allocation. See the comments above about quantifying the effects of this change on the housing land supply/delivery.

Land at Willow Lane, Lancaster (Policy DOS5), Local Green Spaces (Policy SC2)

2. In my judgement, the available evidence indicates that the area identified as SC2.1 of Policy SC2 and referred to in Policy DOS5 does not fulfil the criteria set out in paragraphs 76 and 77 of the National Planning Policy Framework (2012) for designation as a local green space. Accordingly, this site (SC2.1) should be deleted and the policies amended as necessary. See the comments above about quantifying the effects of this change on the housing land supply/delivery.