

Independent Examination of Lancaster City Council’s Submitted Climate Emergency Review of the Strategic Policies and Land Allocations Development Plan Document and Climate Emergency Review of the Review of Development Management Policies DPD

Reference LCC1

Inspector’s initial questions of 13 May 2022

With responses from Lancaster City Council on 27 May 2022

1. In advance of any further initial questions, I would appreciate clarity on the scope of the Examination in order to inform my assessment of the Plans. This should include a list of the policies and/or their supporting text in each Plan which are either new or amended as part of the Climate Emergency Review

Lancaster City Council response to Point 1

Please note: All documents referenced in this response can be found in the Document Library which was submitted to the Secretary of State 31 March 2022 and also found on the council’s examination webpage:
<https://www.lancaster.gov.uk/local-plan-examination>

Scope of the Climate Emergency Review of the Local Plan

The current Local Plan was adopted on 29th July 2020. Members had resolved to enter into an immediate, partial review of this focusing on whether policies could do more in terms of the climate change adaptation and mitigation. The scope focuses on 32 policies for amendment to address Climate Change matters. The tables below detail if the policy text has been amended or just the supporting text to the policy, or both.

Table 1.

Part One DPD – SPLA DPD Policy number:	Policy text amended?	Supporting text amended?
Strategic Objective SO2	N/A	N/A
SO3	N/A	N/A
SO4	N/A	N/A
SO5	N/A	N/A
Key Diagram	N/A	N/A
SP1	✓	✓
New Policy CC1	✓	✓
SP2	x	✓
SP4	✓	✓
SP8	✓	✓
SP9	✓	✓
SP10	✓	✓
SG1	✓	✓
SG2	✓	✓
SG3	✓	✓

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Part One DPD – SPLA DPD Policy number:	Policy text amended?	Supporting text amended?
SG4	√	√
SG5	x	√
SG7	√	X
SG8	√	X
SG9	√	X
SG11	√	X
SG12	√	X
SG13	√	X
EC3	√	X
H4	√	X
H6	√	X
SC4	√	√
SC5	√	√
T1	x	√
T2	√	√
T4	√	√
Appendix A	N/A	N/A
Appendix B	N/A	N/A
Appendix F	N/A	N/A

Table 2.

Part Two DPD – DM DPD Policy number:	Policy text amended?	Supporting text amended?
DM2	√	√
DM3	√	√
DM15	X	√
DM27	√	√
DM29	√	√
DM30 *Now split into new policies: DM30a DM30b DM30c	√	√
DM31	X	√
DM33	√	√
DM34	√	√
DM35	√	√
DM36	√	√
New Policy DMCCH1 New Policy DMHCC2	√	√

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Part Two DPD – DM DPD Policy number:	Policy text amended?	Supporting text amended?
DM43	✓	✓
DM45	✓	✓
DM53 *(inc. Wind Opportunity Area Map)	✓	✓
DM57	✓	✓
DM58	✓	✓
DM59	✓	✓
DM60	✓	X
DM61	✓	✓
DM62	✓	✓
DM63	✓	X
DM64	✓	✓
Appendix A	N/A	N/A
Appendix B	N/A	N/A
Appendix C	N/A	N/A
Appendix D	N/A	N/A
Appendix E	N/A	N/A

The amendment to DM3 has been included to address the requirements within the PPG in respect of First Homes.

For the purposes of clarity, policies have not been included in this table where small editorial amendments to the NPPF reference number have been made.

[List of policies NOT amended in the submission version of the CELPR is attached at Appendix A.](#)

3. I would appreciate written confirmation from the council regarding any advice it gave to representors in respect of the scope of the Climate Emergency Review and the parameters within which representations could be made. This should include directing me to any relevant parts of the document library, including page/paragraph numbers, where necessary. If representations were made to policies which were not subject to the Climate Emergency Review, were these representations accepted by the council as being duly made?

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Lancaster City Council response to Point 3

In September 2020, the council ran an 8-week scoping stage consultation (25th September – 20th November 2020) to help determine the extent of the scope of the Climate Emergency Local Plan Review (CELPR). As part of this consultation, the council produced a list of policies that they considered could potentially be amended or re-visited as part of the CELPR. The document which set these policies out (including a description of each and how it related to climate change mitigation and/ or adaptation): **P_25: Policies considered for an update for the adopted DPDs.**

To provide clarity for respondents, a series of topic-based videos were produced to explain why the review was being undertaken and making clear that the scope of the review was specifically about mitigating and adapting to climate change. The written scripts were published on the website.

The videos and scripts covered the topics of

- **SC010:** [Launch of the Local Plan Video](#) (overall scope)
- **SC014a:** [Heritage and Climate Change Video](#)
 - **SC014b:** *Script – Heritage & Climate Change*
- **SC015a:** [Energy efficiency in New Housing Video](#)
 - **SC015b:** *Script - Energy Efficiency in New Housing*
- **SC016a:** [Blue-Green Infrastructure \(the natural Environment\) Video](#)
 - **SC016b:** *Script - Blue-Green Infrastructure (the natural environment)*
- **SC017a:** [Sustainable Transport Video](#)
 - **SC017b:** *Script Sustainable Transport*
- **SC018a:** [Water Management Video](#)
 - **SC018b:** *Script Water Management*

The **SC010:** *Launch of the Local Plan Video* in particular, made clear that the review was not a whole review of the adopted Local Plan, nor a new plan. It made clear that it was a prompt, partial review to explore if the council could do more to reduce emissions and plan development and see if it can be more resilient to the continually worsening impacts of climate change.

Throughout the preparation of the partial plan, it has repeatedly been made clear through the online videos and material on the website that the council would not be revising the Local Plan development requirements or the Land Allocations.

The process of undertaking the CELPR was formally commenced by a decision of the Councils' Cabinet on 15th September 2020.

Document **P_25**, discussed above, defined the narrow scope from the outset of the CELPR.

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[The scope narrowed down the policies proposed for review to the following](#)

[Table 3.](#)

Part One Policies of the Strategic Policies and Land Allocations Development Plan Document
SP4 – Priorities for sustainable economic prosperity
SP8 – Protecting the natural environment
SP9 – Maintaining strong and vibrant communities
SP10 – Improving transport connectivity
SG4 – Lancaster City Centre.
SG12 – Port of Heysham and future expansion opportunities
SG13 – Heysham Gateway, South Heysham
EN9 – Air Quality Management Areas
SC4 – Green and blue corridors and chains
SC5 – Recreation opportunity areas
T1 – Lancaster Park and Ride
T2 – Developing the cycling and walking network
T4 – Public transport corridors

[Table 4.](#)

Part Two Policies of the Development Management Development Plan Document
DM2 – Space and accessibility standards
DM3 – The delivery of affordable housing
DM27 – Open Space, sports and recreational facilities
DM29 – Key design principles
DM30 – Sustainable Design
DM31 – Air quality management and pollution
DM33 – Development and flood risk
DM34 – Surface water run-off and sustainable drainage
DM35 – water supply and waste water
DM36 – Protecting water resources, water quality and infrastructure
DM43 – Green and blue infrastructure
DM45 – protection of trees, hedgerows and woodland
DM53 – Renewable and low carbon energy generation
DM57 – Health and well-being
DM58 – infrastructure delivery and funding
DM59 – Telecommunications and broadband improvements
DM60 – Enhancing accessibility and transport linkages
DM61 – prioritising walking and cycling
DM63 – Transport efficiency and travel plans
DM64 – Lancaster district highways and transport masterplan

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The council sought views on this list and the extent of the scope during this 8-week public consultation using the following methods:

Consultation Online Response Form (Questions) [SC002a], (which was also made available in hard copy).

Question 5 of this form in particular sets out a list of policies in the adopted Local Plan that we intended to revisit as part of this climate change review and asked which policies were considered to be most effective in tackling climate change.

The questionnaire was also accompanied by a *Guidance Note [SC003]* as well as a *Consultation Booklet [SC001]* giving detailed background to the proposed review process.

This was also published extensively **[SC004, 5, 6, 7, 11, 13, 20 to 24]**

A *CELPR launch event [SC001b]* included a duty-to-co-operate partner engagement session which was held on 1st October 2020, where again Officers set out the clearly defined scope of the review that it intended to follow.

Whilst the tables above present a list of policies that the council considered at the scoping consultation, the table below sets out the policies that have been amended, based on representations made at Regulation 18 consultations, (as can be seen in the submission version of the CELPR (Reg. 22)) **[SD_01.1 & SD_01.2]**.

Therefore, the policies that have been amended as the plan preparation process has advanced that were not set out in the initial scoping stage list of possibilities are as follows:

Table 4.

Part One DPD – SPLA DPD Policy number:	Policy text amended?	Supporting text amended?
Strategic Objective SO2	N/A	N/A
SO3	N/A	N/A
SO4	N/A	N/A
SO5	N/A	N/A
Key Diagram	N/A	N/A
SP1	✓	✓
New Policy added Policy CC1	✓	✓
SP2	x	✓
SG1	✓	✓
SG2	✓	✓

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Part One DPD – SPLA DPD Policy number:	Policy text amended?	Supporting text amended?
SG3	√	√
SG5	x	√
SG7	√	X
SG8	√	X
SG9	√	X
SG11	√	X
EC3	√	X
H4	√	X
H6	√	X
Appendix A	N/A	N/A
Appendix B	N/A	N/A
Appendix F	N/A	N/A

Part Two DPD – DM DPD Policy number:	Policy text amended?	Supporting text amended?
DM3	√	√
DM15	X	√
New Policies added Policy DMCCH1 and Policy DMHCC2	√	√
DM62	√	√
Appendix A	N/A	N/A
Appendix B	N/A	N/A
Appendix C	N/A	N/A
Appendix D	N/A	N/A
Appendix E	N/A	N/A

Parameters within which representations could be made on the CELPR

- Scoping Consultation & Engagement – September to November 2020

As set out above the council sought views on the scope of the CELPR in that it would relate only to policies where climate change impacts could be mitigated or adapted to. The [storyboard / webpage \[SC001b\]](#) set out that the council were welcoming comments and participation as to the scope of the reviewed plan and provided an explanation on why consultation is taking place. In addition, the following information was also provided to explain the scope of the CELPR:

- [Consultation Booklet \[SC001\]](#),
- [Online Response Form \(Questions\) \[SC002a\]](#), and [Guidance Note \[SC003\]](#)
- [List of policies that we intend to review \[SC002b\]](#) and
- [FAQ \[SC008\]](#)

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On this storyboard/webpage there was also a link to a series of frequently asked questions in relation to the Local Plan, in terms of both how it has been prepared and what will happen next. More details can be found [here](#), (scroll to the drop-down tab via this FAQ link). The FAQ included the following:

What will the scope of the Local Plan review be?

The scope of the Local Plan Review will be limited. The review will focus specifically on matters around Climate Change only. This means that the council will not be reviewing the allocations made in the Local Plan through this process nor will they be reviewing the development requirements set within the Plan (i.e. there will be no review of the housing requirement targets).

The expectation of keeping tightly defined boundaries is that the Review can take place quickly and an updated plan can be produced which can start to address adaption / mitigation to Climate Change as soon as possible. Opening the Review to a wide range of topics, some of which are highly controversial, will simply slow the process down and mean it will take a lot longer for the Local Plan to be updated in the context of Climate Change.

As previously set out, a [CELPR launch event](#) [within **SC001b**] was held on 1st October 2020 where Officers set out the clearly defined scope of the review that it intended to follow.

- Regulation 18 stage (July to September 2022)

A report to the City Council's Cabinet on 13th July sought approval for the publication of the CELPR under Regulation 18. The report set out at para 2.3 that importantly the scoping stage sought to clarify and confirm that the CELPR is a Partial Review of the Local Plan, with the express objective of seeking better development outcomes for climate change mitigation and adaption in recognition of the council's Climate Emergency Declaration of January 2019. Para 2.4 goes on to states that the CELPR does not revisit the amount of development required to meet the needs of the community or economy, nor does it re-visit specific land allocations made within the adopted Local Plan. These strategic matters were not easily established during the preparation of the adopted Local Plan over a preparation period totalling around eight years. In effect the CELPR seeks development outcomes that better address climate change from the same quantum of development at the same locations described in the just-adopted local plan.

At Regulation 18 stage the [storyboard/webpage](#) [**PP021.1**] clearly set out which of the policies highlighted at the scoping stage in Autumn 2020 were being reviewed at this draft stage (having progressed from the Scoping Stage) with a link to polices which have been considered as part of the review of the *DPDs*

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[PP002.1] which detailed all of these, along with the proposed change and how the policy will subsequently achieve better outcomes for climate change. In addition to this the policy changes were set out within the DPDs themselves (*Part One [PP001]* and *Part Two [PP002]*) and illustrated through a colour coded tracked changes style of approach. Red strike through text indicated text to be deleted and blue text indicated new text that has been added.

A series of topic papers were also produced following the scoping consultation which outlined the outcomes of the scoping stage consultation (sept – Nov 2020). These were:

- [TP_01] *Topic Paper 1: Water management consideration of alternative approaches*
- [TP_02] *Topic Paper2: Green Blue Infrastructure consideration of alternative approaches*
- [TP_03] *Topic Paper3: Strategic transport consideration of alternative approaches*
- [TP_04] *Topic Paper4: Heritage and climate change consideration of alternative approaches*
- [TP_05] *Topic Paper5: Energy efficiency & renewable energy consideration of alternative approaches*
- [TP_06] *Topic Paper 6: Miscellaneous policies consideration of alternative approaches*

Within these topic papers, the policies that were considered for potential amendment at scoping stage were set out again, with information on the issues raised by respondents to the consultation as well as SA [P_03] and HRA [P_04] input, leading into how the policy would be amended in the Regulation 18 draft version of the CELPR. Again, the scope of the CELPR continued to be made clear throughout the plan production process with the focus not deviating away from the initial 32 policies presented at the scoping stage (as shown in Table 1 and Table 2 above).

In addition to this, a series of videos were produced at this Regulation 18 stage which set out the overall approach to the review (which once again reiterated that the review was a partial review focusing on climate change matters only) as well as 5 topic-based videos which clearly explained the proposed policy changes in relation to the defined topic. These were:

- **PP021.2:** *Introduction to Regulation 18 Consultation [Video](#)*
- **PP021.3:** *Addressing Heritage [Video](#)*
- **PP021.4:** *Addressing Transport [Video](#)*
- **PP021.5:** *Addressing Green and Blue Spaces [Video](#)*
- **PP021.6:** *Addressing Sustainable Design, Energy Efficiency & Renewable Energy [Video](#)*
- **PP021.7:** *Addressing Water Management [video](#)*

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- REGULATION 19 STAGE (January – March 2022)

A *Guide to Making a Representation* note for representors [P_11] was produced and made available on the website as well as a *Statement of Representation* procedure [P_09] and the *FAQ* document [P_M04], see specifically section 7 on page 4 of this document where once again the scope of the CELPR that has been determined is made clear to representors. Paragraph 7.4 in particular describes the process that the council took in identifying the policies for review and moving these forward through the Topic Papers and subsequently policy amendments.

The representations that were received as part of the Regulation 18 consultation held July-Sept 2021 were set out at this '*A Summary of the Regulation 18 Representations*' [P_27]. Within this the council set out if reps received were outside of the scope of the CELPR and also if a follow action was needed.

A report to Lancaster City Council’s Cabinet on 18th January 2022 made clear at section 3.1 that the scope of the partial review had been considered during late 2020 and that at this stage the council were publishing the CELPR to allow stakeholder and the wider community to comment on the soundness of the published CELPR.

Representations made outside the scope of the CELPR

For the purposes of clarity, the council can confirm that all representations received within the defined consultation timeframes have been accepted as Duly Made by the council, even where these related to policies not subject to the Climate Emergency Review (see policies set out at table 6 and 7 of this document for a list of these).

Appendix A – Policies not amended

The following table sets out the policy numbers of those policies that have not been amended as part of the CELPR for the purpose of clarity.

Please note small editorial amendments to the NPPF reference numbers may have been made to a number of these policies (to reflect the updated 2021 version of the NPPF) but that is the extent to which they have been amended.

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Table 6.

Policies not amended or revisited as part of the CELPR (Submission version)
Part One – Strategic Policies and Land Allocations DPD
SP3 – Development strategy for Lancaster District
SP5 – The delivery of new jobs
SP6 – The delivery of new homes
SP7 – Maintaining Lancaster districts unique heritage
SG6 – Lancaster castle and Lancaster quay
SG10 – Infrastructure requirement and delivery for growth in north Lancaster
SG14 – Heysham nuclear power station
EC2 – Future employment growth
EC5 – Regeneration priority areas
EC6 – University of Cumbria Campus, Lancaster
TC3 – Future retail growth
TC4 – Central Morecambe
H5 – Land at Lancaster leisure park and auction mart, East Lancaster
EC1 – Established employment areas
EC4 – White Lund employment areas
EC7 – Lancaster and Morecambe College
TC1 – The retail hierarchy for Lancaster District
TC2 – Town Centre designations
H1- Residential development in urban areas
H2 – Housing delivery in rural areas of the District
H3 – Heritage led housing development
DOS1 – Land at Bulk Road & Lawsons Quay, Central Lancaster
DOS2- Lune Industrial Estate, Luneside, Lancaster
DOS3 – Land at Willow Lane, Lancaster
DOS4 – Galgate Mill, Galgate
DOS5 – Land at Middleton Towers, Middleton
DOS6 – Morecambe Festival market and surrounding area
DOS7 – Land at former TDG depot, Warton Road, Carnforth
DOS8 – Former Thomas Graveson site, Warton Road, Carnforth
EN1- Mill Race heritage priority area
EN2 – Areas of outstanding natural beauty
EN4 – The north Lancashire green belt
EN5 – Local landscape designations
EN3 – The open countryside
EN6 – Areas of separation
EN7- Environmentally important areas
EN8 – Grab Lane preserved setting area
EN9 – Air Quality Management Areas
SC1 – Neighbourhood planning areas
SC2 – Local green spaces

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Policies not amended or revisited as part of the CELPR (Submission version)
Part One – Strategic Policies and Land Allocations DPD
SC3 – Open space, recreation and leisure
T3- Lancaster canal
LPRM1 -Local Plan Review mechanism
Appendix C – Neighbourhood Planning – List of ‘strategic’ policies
Appendix D – Site mitigation measures
Appendix E – Housing trajectory

Table 7.

Policies not amended or revisited as part of the CELPR (submission version)
Part Two –Development Management DPD
DM1 – New residential development and meeting housing needs
DM4 – Residential development outside main urban areas
DM5 – Rural exception sites
DM6 – Housing provision in the Forest of Bowland AONB
DM7 – Purpose built accommodation for students
DM8 – Accommodation for older people and vulnerable communities
DM9 – Accommodation for Gypsy and Travellers
DM10 – Accommodation for rural workers
DM11 – Residential moorings on Lancaster canal
DM12 – Self build, custom build and community-led housing
DM13 – Residential conversions
DM14 – Proposals involving employment and premises
DM16 – Town centre development
DM17 – Retail frontages
DM18 – Local centres
DM19 – Retail development outside defined centres
DM20 – Hot food takeaways and betting shops
DM21 – Advertisements and shopfronts
DM22 – Leisure facilities and attractions
DM23 – Visitor accommodation
DM24 – The creation and protection of cultural assets
DM25 – The evening and night-time economy
DM26 – Public realm and civic space
DM28 – Employment and skills plan
DM32 – Contaminated Land
DM37 – Development affecting Listed Buildings
DM38 – Development affecting conservation areas
DM39 – The setting of designated heritage assets

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Policies not amended or revisited as part of the CELPR (submission version)
Part Two –Development Management DPD
DM40 – Registered parks and gardens
DM41 – Development affecting non-designated heritage or their settings
DM42 – Archaeology
DM44 – The protection and enhancement of biodiversity
DM46 – Development and landscape impact
DM47 – Economic development in rural areas
DM48 – Diversification of agricultural premises
DM49 – The re-use and conversion of rural buildings
DM50 – Development in the Green Belt
DM51 – Equine related development
DM52 – Holiday caravans, chalets camping pods and log cabins
DM54 – Upgrades to the National Grid
DM55 – Neighbourhood planning
DM56 – Protection of local services and community facilities
DM65 – The enforcement of planning protocols
DM66 – Enforcement action against untidy sites and buildings
Appendix F – Criteria for housing development for rural workers
Appendix G – Purpose built student accommodation
Appendix H – Flat conversions