

**CATON WITH LITTLEDALE  
NEIGHBOURHOOD DEVELOPMENT PLAN  
Submission Draft Version**

**Commencement of Examination Procedural Note  
Caton with Littledale  
Neighbourhood Development Plan  
by Independent Examiner, Rosemary Kidd**

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8 June 2022

## Caton with Littledale Neighbourhood Development Plan

1. I am writing to confirm that I have commenced the examination of the Caton with Littledale Neighbourhood Development Plan. All contact will be through a named representative of the Local Planning Authority. They will be responsible for forwarding all correspondence (except for contractual matters) to the representative of the Qualifying Body. All correspondence between myself, the Local Planning Authority and the Qualifying Body (except for contractual matters) should be placed on the Local Authority's website to ensure that the examination is conducted in an open and transparent manner.
2. From my initial appraisal of the submitted documents, I consider that it is unlikely that a hearing will be necessary, provided that I receive satisfactory answers to any questions and matters for clarification. I have noted that one representor has requested a hearing, however, I am satisfied that they have had the opportunity to make their case at both the Regulation 14 and Regulation 16 stages.
3. I have undertaken a detailed appraisal of the background documents to check that the legal requirements have been satisfied and that adequate consultation has taken place to meet the requirements of the Regulations. I shall be grateful for the response of the Local Planning Authority and/or Qualifying Body to the following:

### SEA and HRA Screening Opinions

4. The summary of the SEA and HRA screening opinions in the Basic Conditions Report includes additional paragraphs to those in the undated reports that have been provided in the background evidence reports. They both state they have superseded the May 2021 assessments. Would LCC confirm that the statements made in the In Basic Conditions Report are correct.
5. Further, in paragraph 4.10 of their representation LCC has commented that they reserve the right to amend its screening reports in the light of comments received from the SEA bodies. Would LCC provide me with the final version of both assessments and copies of the responses from the Statutory consultees confirming support / no objections to the updated screening opinions.
6. It is noted that the SEA screening recommended that *"a monitoring and implementation framework be included within the Plan to ensure that the effects of the plan are appropriately monitored and to identify what actions will be undertaken where implementation is not occurring as planned. Responsibility for actions should also be identified."*
7. The NP does not include the monitoring framework. In their response to the representations, the PC states that *"A draft implementation and monitoring section is included alongside these comments on the responses."* However, this has not been provided to me. Would the PC provide this and would LCC confirm that it satisfies the requirements of the SEA screening opinion.

### **Is the Plan delivering sufficient housing to meet the strategic policies?**

8. I have noted the High Court challenge referred to by the PC which relates to a NP which has not allocated any housing sites.
9. My examination report will consider whether the NP is in conformity with national planning policy and supports the delivery of the strategic policies in the Local Plan.
10. I have read through the various evidence reports and representations. I would welcome confirmation from the LPA on the how the NP is expected to deliver sufficient housing to meet the Local Plan policies for the delivery of housing in the sustainable villages of Caton and Brookhouse. Would the LPA and PC confirm that my understanding of the process of housing delivery through the NP is correct - that:
  - a. The LPA has not set a housing requirement for the NP area. However, has an indicative figure been requested by the PC in accordance with the NPPG?
  - b. Under Policy SC1, paragraph 23.5 states "*In preparing the Neighbourhood Plan groups must ensure that their documents conform to the strategic policies identified to ensure that a sound and robust Neighbourhood Plan is prepared which meets the basic condition tests.*" Policy DM55 supports positively prepared Neighbourhood Plans that deliver new development and facilities for their community subject to three criteria.
  - c. Caton and Brookhouse are considered by the LPA to be suitable locations for future growth in the rural area and a focus for growth over other, less sustainable, locations within the vicinity. Whilst growth is supported in this area, the LPA recognises that growth must be achieved in the context of the surrounding national landscape designation of the AONB and in the context of national planning policy.
  - d. The NP has adopted a landscape capacity approach ie one that seeks to identify land suitable for housing development within an assessment of the potential of the landscape to accommodate development, including any mitigation needed.
  - e. The principle behind this approach is that it is a supply led approach to determining the amount of housing development that can be accommodated within the landscape, rather than the NP having to find sufficient sites to deliver a housing requirement set by the LPA.
11. Would the LPA confirm whether the strategic policies expect the NP to deliver sufficient housing development to meet the needs of the parish or a wider rural area such as the ward or several parishes. Or is it expected to contribute to the needs of the local authority area as a whole?
12. Does the Local Plan define a settlement boundary around the villages? If so, would the LPA provide me with a map.

### **Housing Needs Survey**

13. Would the QB provide me with a copy of the Lune Valley CLT Housing Needs Survey referred to in paragraph 4.1.7 of the NP. Would they provide me with a summary of the housing needs identified for the plan area and, if assessed, for the wider rural area that housing development in Caton and Brookhouse would serve.
14. Would the QB and LPA comment on whether sufficient housing has been allocated in the Plan to deliver the housing needs identified.

15. If the Plan does not deliver sufficient housing to deliver a reasonable supply of housing to meet local needs, how is this to be delivered? Would this be through unallocated windfall sites?
16. Would the LPA provide me with the latest figures for housing completions and commitments since the commencement of the Local Plan period.
17. Would the LPA comment on the viability assessment of the housing allocation set out in representation 8? Would the QB/LPA comment on the assertion by the landowner that the policy requirements mean that the allocated site is not viable.

### **Area of Separation**

18. I have noted the PC's response that they deliberated on the boundaries of the Area of Separation. Would the QB collect this material together in the form of a short assessment report which should include the rationale for defining the area, the evidence of the process of the assessment of alternative boundaries and the criteria used to select the boundary included in the Plan. This report should contain evidence that is sufficiently robust to enable LCC to defend the boundaries of the area should any development proposals come forward in the future.
19. I shall undertake a detailed appraisal of the Plan and the policies to ensure that they satisfy the Basic Conditions, taking account of any representations. I shall also undertake an unaccompanied site visit. Following which I shall write to the Local Planning Authority and Qualifying Body to seek clarification on any matters or to request further information.

### **Indicative Examination Timetable**

- I anticipate that I will present my Examination Questions and matters for clarification to the Local Planning Authority by 30 June. This will also seek agreement to any significant wording changes to policies.
  - I will allow 21 days for a response by the Local Planning Authority and Qualifying Body. (22 July)
  - Following receipt of responses to my questions and matters of clarification, I will prepare my draft Examination Report for fact checking.
  - I will allow 7 days for a response by the Local Planning Authority and Qualifying Body.
  - I anticipate that I will issue my final report to the Local Planning Authority and Qualifying Body by late August.
20. All dates are indicative at this stage and may be revised, if necessary, should significant issues or additional questions arise or extensions of time be requested by the Local Planning Authority and/or Qualifying Body.

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8 June 2022