

## Slyne with Hest Regulation 16 Consultee Responses

Enclosed

- Lancaster City Council
- Sports England
- United Utilities
- Natural England
- Historic England
- Smith Love
- Avison Young
- Residents (redacted)

# **SLYNE WITH HEST NEIGHBOURHOOD PLAN**

## **LANCASTER CITY COUNCIL RESPONSE TO REGULATION 16 CONSULTATION**

**FEBRUARY 2022**

## 1. INTRODUCTION

- 1.1 Lancaster City Council welcomes the submission of the Slyne with Hest Neighbourhood Plan and recognises the significant amount of time, effort and work which have been undertaken by the local community in its production to date, taking a positive and proactive approach to plan-making. The City Council have been fully supportive of the Slyne with Hest's Parish Council's decision to prepare a neighbourhood plan for their area and have provided as much resource and support as possible to aid the group's preparation of the plan.
- 1.2 Through dialogue with the Neighbourhood Plan Steering Group since the initial designation in 2016, the City Council have been aware of the wide variety of consultation events that have been held with the community to identify issues which are important in the locality, gain consensus and draw conclusions to how such matters can be addressed. It is in this context that the Council seeks to provide constructive comment on how the plan should be refined further to ensure that the basic conditions of neighbourhood planning can be achieved.
- 1.3 For ease of reference, the comments set out in Section 4 of this response are according to the relevant sections of the draft Neighbourhood Plan (referred to as 'the Plan' from this point forward). Some comments which are made, particularly where they relate to a contextual nature, may cover more than one topic or section and should be seen in this context.

## 2. LEGAL REQUIREMENTS AND NATIONAL POLICY

### Legal Requirements

- 2.1 Before the Plan can proceed to Referendum, it must be first tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the draft plan must meet are as follows:
- (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order;
  - (b) The making of the order contributes to the achievement of sustainable development;
  - (c) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area); and
  - (d) The making of the order does not breach, and is otherwise compatible with, EU obligations.

### National Planning Policy

- 2.2 The National Planning Policy Framework<sup>1</sup> (referred to as 'the Framework' from this point forward) sets out the Government's planning policies for England and how these are expected to be applied. In doing so, it sets out the requirements for preparation of neighbourhood plans and provides communities with the power to develop a shared vision for their neighbourhood and deliver sustainable development that they need and to assist in the overall delivery of strategic housing needs.
- 2.3 At the heart of the Framework is the presumption in favour of sustainable development. For plan-making this means that all plans should promote a sustainable pattern of development that seeks to:

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<sup>1</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

meet the development needs of their area, align with growth and infrastructure, improve the environment, mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects. These requirements are also applicable to the preparation of neighbourhood plans.

- 2.4 Paragraph 13 of the Framework makes clear that the application of the presumption has implications for the way communities engage in neighbourhood planning. The Framework states that neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies and should shape and direct development that is outside of these strategic policies.
- 2.5 Within the overarching roles that the planning system ought to play, the Plan should also have regard to the core planning principles that underpin plan-making set out in paragraph 16 of the Framework.
- 2.6 The key principles highlight that plans should be prepared with the objective of contributing to the achievement of sustainable development; be positively prepared (in a way that is aspirational but deliverable); be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees; contain policies that are clearly written and unambiguous so it is evident how a decision maker should react to development proposals; be accessible through the use of digital tools to assist public involvement and policy presentations and serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area.
- 2.7 Paragraph 29 of the Framework states, *'Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies'*.
- 2.8 Slyne-with-Hest is encircled by the North Lancashire Green Belt. As set out in paragraph 137, *'The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open: the essential characteristics of Green Belts are their openness and their permanence'*.
- 2.9 Paragraph 140 states that Green Belt boundaries should only be altered where exceptional circumstances have been fully evidenced and justified, through the preparation or update of plans. Requiring strategic policies to establish the need for any changes, having regard to their intended permanence in the long term to ensure they endure beyond the plan period. Specific direction is also set out in paragraph 140 in relation to amendments to Green Belt boundaries through Neighbourhood Plans: *'Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, **including neighbourhood plans**.'*
- 2.10 The Slyne-with-Hest Neighbourhood Plan sets out the evidence and justification to demonstrate exceptional circumstances for the alteration of the Green Belt boundaries in section 4.7.9 of the Neighbourhood Plan, with further detail provided in Appendix 5. The establishment for the need for this change, at a strategic policy level, is set out in paragraphs 3.2 to 3.6 below.

### 3. LANCASTER DISTRICT LOCAL PLAN

#### Adopted Planning Position

- 3.1 Lancaster City Council adopted a new Local Plan for Lancaster District in July 2020. The Plan consists of two key components, THE Strategic Policies and Land Allocations DPD which sets out a series of strategic policies which will guide future development, in terms of scale, location and growth. The DPD also contains a series of land allocations to identify where future growth needs will be met and land which has been protected for its environmental, social or economic value. The second part is the Development Management DPD which sets out a series of generic planning policies which are used by the Council to determine planning applications. The policies of the DPD are applicable to all development proposals across the entire district (unless the plan directs otherwise).

#### Principle of Development

- 3.2 Policy SP3 of the Strategic Policies & Land Allocations DPD sets out the development strategy for Lancaster District. The policy aims to meet the development needs of the district by promoting an urban-focussed approach towards development, supplemented with additional large strategic development sites in greenfield locations. The development strategy is further supported by development in 'sustainable settlements' as defined by the settlement hierarchy set out in Policy SP2 of the same DPD.
- 3.3 To supplement the Council's understanding of how development needs could be met via that strategy, the Council undertook the North Lancashire Green Belt Review as part of the plan preparation process. The reasons for the review included the length of time since the original Green Belt designation (no review has been undertaken since its original designation 25 years ago) and the scale of evidenced development needs identified in the plan. The outcomes of the review can be read in full via the Council's website<sup>2</sup>.
- 3.4 Policy EN4 of the Strategic Policies & Land Allocations DPD identifies the extent of the North Lancashire Green Belt, which encircles the settlement of Slyne-with-Hest. Policy EN4 highlights the primarily purpose of the Green Belt, stating *'The North Lancashire Green Belt is identified on the Local Plan Policies Map between Lancaster Morecambe and Carnforth to ensure that future growth does not result in the coalescence between these settlements.'*
- 3.5 Policy SP2 of the Strategic Policies & Land Allocations DPD defines the settlement hierarchy within the district, identifying the key urban areas of the district and a series of sustainable settlements which, due to their accessibility and service provision, provide future opportunities for growth and development outside of the main urban areas of the district. Specifically Policy SP2 states that *'these settlements will provide the focus of growth for Lancaster District outside the main urban areas subject in the AONB's to the constraints of the protected landscapes where a landscape-capacity approach will be taken'.*
- 3.6 Both Slyne and Hest Bank have been established as sustainable settlements for some time, identified under Policy H7 of the 2004 Lancaster District Local Plan, Policy SC3 of the 2008 Lancaster District Core Strategy and Policy DM42 of the 2014 Development Management DPD. Furthermore, policy SP6 sets out the Council's approach towards delivering the housing requirement, and the

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<sup>2</sup> [Evidence, monitoring and information - Lancaster City Council](#)

opportunities identified to deliver this, acknowledging that additional supply includes neighbourhood plan delivery expectations.

- 3.7 Given this, the City Council consider the settlement of Slyne-with-Hest to be a location where, given its sustainability is, in principle, an appropriate location for future growth in the more rural area of the district and a focus for growth over other, less sustainable locations. Whilst growth is supported in this area the City Council would recognise that growth must be achieved in the context of its surroundings, particularly in relation to the Green Belt designation which surrounds the settlement. This is recognised in Policy SP2 of the Strategic Policies & Land Allocations DPD which states that the Council will support proposals for development *‘provided that they are of a nature and scale that is proportionate to the role and function of that settlement.’*

#### Release of land from the Green Belt

- 3.8 As previously referred to, paragraph 140 of the NPPF sets the framework which allows neighbourhood plans the ability to make amendments to Green Belt boundaries. The Local Plan process did consider the role of the strategic plan process to enable the aspirations of the neighbourhood plan growth to be facilitated, specifically around the re-alignment of the Green Belt in the vicinity of Sea View Drive. However, in the context of paragraph 140 and in order for the neighbourhood plan to secure holistic development which supported the ambitions of the group, it was the view of the City Council the proposed re-alignment could be achieved through the neighbourhood plan process.

#### Land at Sea View Drive

- 3.9 The land at Sea View Drive (which has been identified in the neighbourhood plan for removal from the Green Belt and allocation for residential purposes) has been considered for its appropriateness for future development via the Council’s Strategic Housing and Employment Land Availability Assessment (SHELAA) process. The assessment considered that the site could be developable subject to policy considerations of Green Belt, local landscape and local green spaces. Whilst the Council’s North Lancashire Green Belt Review did not conclude that this area of land made a strong contribution towards the purposes of Green Belt (as set out in national planning policy), it did not seek to amend or re-align the boundaries in this location, suggesting that given the neighbourhood plan designation, this could be achieved through the non-strategic planning process should that be the ambitions of the plan.

#### Role of Neighbourhood Planning

- 3.10 Policy DM55 within the Development Management DPD clearly sets out the City Council’s expectations for neighbourhood planning. Policy DM55 states the following:

## **POLICY DM55: NEIGHBOURHOOD PLANNING**

**The Council will support and assist the relevant qualifying organisation to positively prepare a Neighbourhood Plan that delivers new development and facilities for their community. Neighbourhood Plans should seek to achieve the following:**

- I. Identify how they are positively contributing towards the strategic objectives of the local development plan and by in general conformity with its strategic approach and strategic policies;**
- II. Clearly set out how they will promote sustainable development, at the same level or above that which would be delivered through the local development plan; and**
- III. Have due regard to relevant information on local needs for new homes, jobs and facilities for their plan area.**

**The Council will seek to support and assist Neighbourhood Planning groups in meeting the criteria above and the wider basic conditions set out in the Neighbourhood Planning Regulations.**

**Once a Neighbourhood Plan has been adopted by the Council it will form part of the Local Plan for the district and will be a material consideration in determining planning applications.**

- 3.11 This is further supported by the policy wording in policy H2, of the Strategic Policies and Land Allocations DPD, which states that: *'Within the settlements of...Slyne-with-Hest...the Council expects via the Neighbourhood Plan process, the respective Parish Council's to proactively and positively plan for housing growth within their communities in the context of this DPD.'*

### **Climate Emergency Review of the Local Plan (CELPR)**

- 3.12 The Local Plan was adopted in July 2020, however, following the Council's Climate Emergency declaration on 30<sup>th</sup> January 2019, the Council resolved to undertake an immediate review of the Plan upon adoption. Whilst the newly adopted Local Plan does seek to address climate change, it was too far advanced in the plan preparation process to incorporate some of the actions and directions of the climate emergency declaration. The CELPR has a specific remit to amend and add to policies which can influence the Council's response to climate change, such as energy efficiency, renewable energy, water management and sustainable transport. It does not reconsider site allocations, housing numbers or other principles within the adopted Local Plan. It is therefore important to note that this represents a partial review.
- 3.13 The Council are seeking to make swift progress on this partial review of the Local Plan, consultation on the scope of the review was undertaken in Autumn 2020, with the Regulation 18 consultation on a suite of draft policies taking place over the Summer of 2021. The Council published the Local Plan under Regulation 19 for consultation on the 31<sup>st</sup> January, with the intention to submit the Plan later this year, with anticipation of adoption the reviewed Local Plan in 2022.
- 3.14 In advance of Submission, Public Examination and the receipt of an Inspectors Report, the level of weight which should be applied to the content and direction of the Review should be limited and considered in the context of Paragraph 48 of the Framework. However, it is important to bear in mind that this is the emerging local planning policy context for the Lancaster District and the relevant weight (as set out in paragraph 48 of the NPPF).

#### **4. SLYNE WITH HEST NEIGHBOURHOOD PLAN**

- 4.1 This section sets out the comments which the City Council have on the Plan. The Council recognise and welcome some amendments which have been made to the Plan in light of responses made at previous stages.
- 4.2 The Plan sets out a positive approach to development within the Parish given its context as a sustainable settlement and therefore a sustainable location to provide growth for the Lancaster District, whilst at the same time recognising the constraints upon development posed by the Green Belt designation. Therefore, the approach taken in the Neighbourhood Plan is considered to be a realistic and appropriate route towards future growth in the District in the context of national Green Belt planning policy. The Neighbourhood Plan has undertaken site assessment work to identify opportunities for growth in the Neighbourhood Plan area. Whilst the Council would have preferred the methodology to have been the same as that used for the City Council's Strategic Housing and Employment Land Availability Assessment – SHELAA, there are references within there to the Council's SHELAA findings and the assessments are generally reflective of these findings. It is also recognised that given Slyne-with-Hest's context, surrounded by the North Lancashire Green Belt, that a different approach towards site assessments is required, so the approach is considered appropriate and acceptable.
- 4.3 To accompany the allocation made for housing the Neighbourhood Plan also provides a supportive policy towards future proposals for housing in the context of the Green Belt designation. It is considered that such an approach is within general conformity of strategic policy contained in the Local Plan.

##### **General Context**

- 4.4 Section 2, 'Our Slyne with Hest' provides a useful overview of the context and characteristics of the parish of Slyne-with-Hest. However, the City Council would suggest that in terms of creating a concise and clear plan, much of the background context should be provided either as an appendix to the document or as a supporting document which forms part of the plan's evidence base.

##### **Meeting the SEA/HRA Requirements**

- 4.5 The Plan is accompanied by an SEA and HRA Screening Opinion. These were prepared by the Council in 2018. At this point it was concluded that given the nature of the plan significant effects could not be ruled out and as such SEA and HRA would be required. The 3 SA bodies (Natural England, Historic England and the Environment Agency) are noted to have agreed.
- 4.6 An SA and HRA was subsequently undertaken by AECOM on behalf of the Neighbourhood Plan Group (April 2019). It is understood that these have informed the content of the submission Plan. As far as the City Council is aware no further SA or HRA work has been undertaken.
- 4.7 The City Council has raised concerns with the Neighbourhood Plan Group that this work has not been updated. Given that some of the policies of the plan have changed quite significantly since the draft plan, the Council would have expected the submitted Plan to have been accompanied by an updated SEA and HRA assessment.
- 4.8 It is understood that the Neighbourhood Plan Group do not consider there to be significant changes which make material differences to the plan as submitted for Regulation 14 and on this basis do not



believe that further assessment is necessary. However, for the purposes of clarity and consistency the City Council believe that the views of the three SA bodies should have been sought in relation to this issue prior to the submission of the final version of the Plan under Regulation 15. The City Council therefore recommend that the views of the three SA bodies should be sought in relation to this issue.

### **Vision and Objectives**

- 4.9 The City Council supports the objectives of the Plan which are consistent with the spatial strategy for the district. The objectives support development to meet local need, promote the enhancement of facilities and infrastructure for the community and sustainable design, safer walking and cycling opportunities, supports business development, and promotes the protection and enhancement of the natural environment and local heritage assets.

### **Policy HRA1: Protection of Ecologically Sensitive Sites**

- 4.10 The policy wording should be strengthened to remove the reference to recommends. This is a requirement for development proposals.

### **Policy HE1: Housing Need**

- 4.11 Bullet point 2 reads as though it may exceed the requirements within policy DM3 in the adopted local plan by requiring delivery of the maximum viable amount of affordable housing. Whilst unlikely, there may be schemes where it could be viable to provide affordable housing numbers in excess of the percentages required by policy DM3. As it is not necessary to repeat policies in the Local Plan it is recommended that this bullet point is removed. If the NP Group wish to retain reference to the Local Plan affordable housing policies, it is recommended that the bullet point is revised as follows:

*‘Affordable housing must be provided in line with the requirements in the Local Plan.’*

- 4.12 The wording of Bullet point 4 appears to provide flexibility for the delivery of affordable homes on alternative sites or as commuted sums not available within the Local Plan policy. We note that the aim is to ensure delivery on site given the limited opportunities for development in the Parish. It is recommended that reference to alternative sites or commuted sums is removed to ensure that the policy emphasises on site delivery in accordance with the Local Plan.

### **Policy HE2: Site for New Development**

- 4.13 In the first paragraph it is recommended that the paragraph is amended to refer to ‘allocated for up to 35 dwellings’.
- 4.14 With regards to bullet point 3, please refer to the comments made in respect of policy HE1 bullet point 2, in respect of the first sentence. It is recommended that this sentence is removed.
- 4.15 In bullet point 5 the requirement for above ground Sustainable Drainage Systems (SuDS) providing multi-functional benefits is supported. It is not however, clear whether storage in the area proposed and connection to the canal is feasible. It is recommended that the policy is reworded to remove specific requirements but enhance the requirement for above ground multifunctional SuDS, draft policy DM34 of the CELPR can be used to provide guidance for re-drafting.
- 4.16 Also with regard to bullet point 5, the advisory note referred to out of date and Local Plan policies and advise with regard to flood risk and sustainable drainage systems is evolving through the CELPR

and draft Flood Risk and Sustainable Drainage SPD. As these documents are not adopted it would be premature to refer to them in the policy, however, on adoption any proposal within the Parish will need to comply with the revised requirements and there is no need to reiterate the policy and SPD references in the Neighbourhood Plan.

- 4.17 In relation to bullet point 10, the aim is supported but it is not clear how this will be considered at planning application stage. It is recommended that reference is made to meeting the requirements for energy efficiency in the emerging CELPR.
- 4.18 Finally, in bullet point 11 there is no need to reiterate the standards within the Local Plan. It is recommended that the first 2 sentences are removed.

#### **Policy HE3: Future Housing Development**

- 4.19 The Council have no further observations in relation to this policy.

#### **Policy BE1: Design**

- 4.20 Whilst the policy is supported it is not clear what is meant by 'accessibility features the access routes through the site' in criterion one of this policy. This would benefit from additional clarity.
- 4.21 Criteria 9 of the policy would benefit from additional amendments to distinguish expectations for residential/non-residential developments. The following wording is suggested:

*'Applications for **non-residential** development are encouraged to demonstrate accordance with the appropriate BREEAM standards in use at the time of submission. Encouragement is also given to **both residential and non-residential** schemes that meet Passivhaus standards. Housebuilders are encouraged to register for assessment under the Home Quality Mark. This should show how resource efficiencies and climate change adaptation measures will be incorporated through aspects **of the development**, such as the layout of the proposed development, orientation, massing, landscaping and building materials'.*

- 4.22 Criteria 2 of the policy would also benefit from a slight amendment to ensure the wording better aligns with legislation (Section 72 of the Planning Listed Building and Conservation Areas Act 1990), and so the following wording is suggested:

*'Development in or within the setting of the Slyne Conservation Area **should preserve or enhance** the character **and appearance** of the Conservation Area and its setting, responding positively to key qualities, expressed in terms of scale, height, materials, and detailing. Density of housing in the Conservation Area is High relative to the rest of the Village. See Rationale Point 2 (Conservation Area).'*

- 4.23 In Section 4.10, 'Rationale and Further Explanation for Policy BE1 Design', it is recommended that the following phrase under point 4 is amended to '**embodied** carbon' for consistency with the policy wording.

#### **Policy B1: Business Development**

- 4.24 With regard to the first paragraph of Policy B1, whilst the Council have no objections to its content and direction, it does believe that the wording should be amended to provide greater clarity to the readers and users of the document. The following wording is recommended:

***‘Support will be given to development proposals for sustainable rural tourism and business development that provide local benefits both visitors and the community. Proposals will be supported where they respect the character of their rural surroundings in regard of their design, construction and operation. Proposals located within the Green Belt should have due regard to necessary national and local planning policy.’***

- 4.25 With regard to the second paragraph, the Council welcome the reference to the ability for homeworking, particularly in light of changing working habits arising from the COVID Pandemic. However, the current wording of the policy does not seem to provide any greater clarity than the current policy basis in the Local Plan, within the Plan extensions to residential dwellings are permitted subject to meeting the necessary policy requirements and the reference in the Neighbourhood Plan to support this does not advance the issue further. Additionally, the suggestion that extensions to residential property for home-working only (i.e. it performs an ancillary use) would be challenging to enforce. It is recommended that this paragraph is removed from the Neighbourhood Plan and emphasis is reverted to the content and direction of the Local Plan.
- 4.26 In relation to the fifth paragraph, requirements for development to adhere to national planning policy (in relation to Green Belt matters) is already referred to in paragraph one, as are references to local character. There is no need for it to be repeated. Furthermore, it is not clear why a distinction has been made to specific use-classes in this section. It is recommended that this paragraph is deleted.
- 4.27 The second sentence of paragraph 4.11.9 in the supporting text is a repeat of paragraph 4.11.4 and it is recommended that this is deleted.

#### **Policy NE1: Flooding**

- 4.28 There is no need to reiterate the NPPF, it is recommended that the first two sentences are removed from the first paragraph. The policies aims could be strengthened by removing, ‘wherever possible’.
- 4.29 In relation to bullet point 3, the SFRA provides information at a point in time and will date. It is important that the most up to date sources are used, including the Environment Agency Flood Maps for rivers and seas, surface water, ground water and reservoirs flood risk.
- 4.30 The last two bullet points are equally relevant to sites which are not at flood risk. It is recommended that bullet points follow a separate paragraph relating to Sustainable Drainage Systems for all development.
- 4.31 The last bullet point misses the opportunity to require multi-functional sustainable drainage systems which provide multiple benefits. The PAN referred is dated and will be superseded through the CELPR process, it is recommended that this reference is removed. The word ‘Urban’ is no longer used within the term and should be removed so that the policy states, Sustainable Drainage Systems. It is recommended that draft policy DM34 of the CELPR is referred to for guidance on rewording the policy to encourage above ground multi-functional SuDS. Although as this policy has not yet been through the appropriate processes it is not recommended that the policy itself is referred to specifically in the Neighbourhood Plan. Further advice on the drafting can be given out with this formal response.

### **Policy NE2: Views**

- 4.32 The policy identifies 20 viewpoints for protection. Whilst justification for the inclusion of these viewpoints is provided in table 6 the Council would expect this to be supported by additional evidence demonstrating why these particular views are important and so should be protected.

### **Policy NE3: The Coastline and Development**

- 4.33 This policy would benefit from some rewording for clarity. For example, the opening sentence states 'The Plan advises that new development...', but then later in the same sentence says 'will be permitted only when it can be clearly demonstrated that'. The two phrases contradict one another.
- 4.34 It would also help to add clarity to the policy if it was more clearly linked to the areas identified in Figure 21. It is acknowledged that the title of this Figure states that these areas are to be protected by Policy NE3, but this should be clearly referenced within the policy wording.
- 4.35 As stated in Section 2 of the Neighbourhood Plan, Morecambe Bay is also designated as an SPA, SAC and Ramsar site, which are internationally designated sites, yet these are not identified on the map in Figure 21. Area B is also designated as Natural and Semi-Natural Greenspace under policy SC3 of the Strategic Policies and Land Allocations DPD.
- 4.36 Paragraph 4.20.3 makes reference to the 'Lancaster City Council Multi-Agency Flooding Plan 2016'. This has been updated. The paragraph should therefore be amended to reflect the most recent plan:

*'Areas identified at high risk of flooding in the **Lancaster Resilience Forum Multi Agency Flood Plan Site Specific Plan for: Lancaster District 2021** include the coastal areas TL 23 Hest Bank and TL 24 Bolton le Sands and covers the functionally linked agricultural land and part of the coastal road along the seafront at Hest Bank.'*

### **Policy COM1: Community Facilities**

- 4.37 With regard to the fourth paragraph, the Council have yet to establish a CIL for the district and, at this point in time, there is no expectation for CIL to be adopted in the area. Whilst the City Council welcome an NP which looks to be future proofed, it is recommended that more flexible wording is provided to ensure a more adaptable policy. The following wording is suggested:

***'Proposals that help improve the quality of community facilities in the Parish will be supported. Developer Contributions, either by s106, CIL or any other form of developer tariff should be directed toward the improvement of the following facilities:'***

### **Policy COM2: Green Spaces**

- 4.38 The policy identifies 16 areas as valued sites of open space and green space, which are to be protected and improved to ensure that residents of all ages have access to green space and outdoor activities that benefit their health and well-being. Figure 24 contains a map to accompany this policy, and spatially identifies the extent of the green spaces within Slyne-with-Hest, however, only 11 of the 16 spaces are included within this map. The following sites are not mapped:
- Land to rear of Rushley Way/Lonsdale Road leading to towpath,
  - Reanes Wood,
  - Bottomdale Wood,
  - Lancaster Canal, towpath, and watercourse from bridge 116 to bridge 119

- The shoreline of Morecambe Bay: land adjacent to including the footpath along the shore and within the parish boundary, part of Lancashire Coastal Way

4.39 For consistency it would be beneficial to spatially identify these spaces as well, to ensure the policy applies equally to all sites. It is worthwhile noting that a number of these green spaces are also designated under policy SC3 'Open Space, Recreation and Leisure' within the Strategic Policies and Land Allocations DPD, but it is recognised that policy COM2 refers to parish specific open space matters and does state that applications which may affect these areas should be in accordance with policy DM27 'Open Space, Sports and Recreation Facilities' of the Development Management DPD. However, careful consideration should be given to the approach towards the green spaces which have been identified at a Local Plan level but have not been identified through the Neighbourhood Plan, and it is suggested that the following wording is added for clarity:

***'This represents a list of sites identified by the Neighbourhood Plan; however, this list is not exhaustive, and the sites identified in the Slyne-with-Hest Parish within the Local Plan via policy SC3, or its successor policy, remain a material planning consideration'.***

4.40 Paragraph 4.22.6, within the supporting text, makes reference to the Council not currently having a Community Infrastructure Levy (CIL) but that this is being investigated. Lancaster City Council has decided not to pursue CIL at this time. It is recommended that the paragraph is amended as follows:

***'Lancaster City Council does not currently have a Community Infrastructure Levy (CIL) and has decided not to pursue CIL at this time. If this position changes in the life of this Neighbourhood Plan, COM1, COM2 and the Community Aspirations & Projects will be addressed as to how such funds can be utilised. See Appendix 3 page 17.J.'***

### **Projects**

4.41 Section 6 sets out four projects which identify the aspirations of parishioners and other matters of local importance for future developments within the Parish. The Council welcomes the approach to set these aspirations out as projects, rather than policies, because they are not directly planning related matters, but the inclusion of these projects highlights locally important issues that are to be considered as part of the design of a development but are not a planning policy requirement. The purpose and benefits of each project are set out in the supporting text.

4.42 Project CC2 does state 'this policy aims to improve and resolve...'. As this is not a policy, it would be more appropriate to refer to this as a project or aspiration. However, Project CC2 then goes on to highlight a number of aspirations of the Parish Council to improve road safety.

4.43 Project CC3 recognises that it is not necessary to repeat the planning policy approach set out within the Local Plan to protect and enhance heritage assets. It should be noted that the Local Plan has now been adopted. The Council's Conservation Team welcomes the support of the Parish Council in identifying the unique non-designated heritage assets within Slyne with Hest.

### **Monitoring Framework**

4.44 The inclusion of guidance on how the Neighbourhood Plan will be monitored is welcomed. It is recommended that the monitoring report be prepared annually for consideration by the Parish Council. This would ensure that the Group was aware of the effectiveness of policies with

opportunity for action should this be required. A triennial monitoring report is not considered sufficient.

## **5. CONCLUSION**

- 5.1 The City Council recognise the role of neighbourhood plans as a tool for local people to shape the development of their local community. The City Council have welcomed the opportunity to discuss the evolution of the plan with regard to the Slyne with Hest Neighbourhood Plan Area and recognise the significant effort which has been put into its preparation by the local community.
- 5.2 Notwithstanding this, the City Council considers that there are some outstanding issues that have been highlighted within this response that need to be addressed and revisited. In order to meet these requirements, the City Council have suggested a number of modifications and points for clarity to the Plan for the Examiner and Steering Group's consideration. On the whole the City Council supports the policies within the Neighbourhood Plan and considers that they are in conformity with national planning policy, the adopted Local Plan and emerging Climate Emergency Local Plan Review, subject to the recommended changes being made. However, the City Council does recommend that the view of the three SA bodies should be sought in relation to the issues raised with regards to the SEA/HRA. The Council would also recommend that the Neighbourhood Plan is accompanied by a Proposals/Policies Map which highlights allocations/designations within the whole area, rather than on individual maps within the Plan.
- 5.3 Should the examiner require further information, evidence or discussion on any of the matters raised in this response the City Council will be happy to assist in this matter.

**From:** Planning North <Planning.North@sportengland.org>  
**Sent:** 07 March 2022 10:00  
**To:** planningpolicy <planningpolicy@lancaster.gov.uk>  
**Subject:** Lancaster 2022 Neighbourhood Plan - Slyne with Hest

Thank you for consulting Sport England on the above neighbourhood plan.

Government planning policy, within the **National Planning Policy Framework** (NPPF), identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.

It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 98 and 99. It is also important to be aware of Sport England's statutory consultee role in **protecting playing fields** and the presumption against the loss of playing field land. Sport England's playing fields policy is set out in our Playing Fields Policy and Guidance document.

[https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing\\_fields\\_policy](https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy)

Sport England provides guidance on **developing planning policy** for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded.

[https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning\\_applications](https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications)

Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 99 of the NPPF, this takes the form of **assessments of need and strategies for indoor and outdoor sports facilities**. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a

neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.

Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England's guidance on assessing needs may help with such work.

<http://www.sportengland.org/planningtoolsandguidance>

If **new or improved sports facilities** are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance notes.

<http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

Any **new housing** developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how **any new development**, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.

Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying



checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England's Active Design

Guidance: <https://www.sportengland.org/activedesign>

*(Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.)*

If you need any further advice, please do not hesitate to contact Sport England using the contact details below.

Yours sincerely

Planning Administration Team

[Planning.north@sportengland.org](mailto:Planning.north@sportengland.org)



**Get involved #ThisGirlCan**

Sport Park, 3 Oakwood Drive, Loughborough, Leicester, LE11 3QF



**By email only:** [planningpolicy@lancaster.gov.uk](mailto:planningpolicy@lancaster.gov.uk)

Planning and Housing Policy Team  
Lancaster City Council,  
Lancaster Town Hall  
PO Box 4  
Dalton Square  
Lancaster  
LA1 1PJ

**Your ref:**

**Our ref:**

**Date:** 18-MAR-22

Dear Sir / Madam

**LANCASTER CITY COUNCIL – SLYNE-WITH-HEST NEIGHBOURHOOD PLAN CONSULTATION**

Thank you for your consultation seeking the views of United Utilities as part of the neighbourhood plan process.

United Utilities wishes to highlight the benefit of early, constructive communication with the council and site promoters to ensure a co-ordinated approach to the delivery of any future allocations. We will seek to work closely with the council during the neighbourhood plan process to develop a coordinated approach for delivering sustainable growth in sustainable locations. When preparing the Development Plan and future policies, new development should be focused in sustainable locations which are accessible to local services and infrastructure. We can most appropriately manage the impact of development on our infrastructure if development is identified in locations where infrastructure is available with existing capacity.

We encourage you to direct future developers to our **free pre-application service** to discuss their schemes and highlight any potential issues by contacting:

Developer Services – Wastewater  
Tel: 03456 723 723  
Email: [WastewaterDeveloperServices@uuplc.co.uk](mailto:WastewaterDeveloperServices@uuplc.co.uk)

Developer Services – Water  
Tel: 0345 072 6067  
Email: [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk)

## **Our Assets**

It is important to outline the need for our assets to be fully considered in development proposals. We will not normally permit development over or in close proximity to our assets. All United Utilities' assets will need to be afforded due regard in the masterplanning process for sites and when bringing forward any transport or public realm improvements. This should include careful consideration of landscaping proposals in the vicinity of our assets and any changes in levels of land over our assets. We strongly recommend that the LPA advises future applicants / promoters of the importance of fully understanding site constraints as soon as possible, ideally before any land transaction is negotiated, so that the implications of our assets on development can be fully understood. Where our assets exist on a site, we ask site promoters to contact United Utilities to understand any implications. If considering future allocations or development proposals, including public realm or transport improvements, we would request that contact is made with United Utilities to discuss the detail of the proposals at an early stage so that any potential issues can be explored and fully understood.

### **Policy HE2 - Housing Allocation – Land West of Sea View Drive, Hest Bank**

We have reviewed the draft allocation at Land West of Sea View Drive, Hest Bank and wish to note that we are aware of flood incidents from the public sewer in the wider area. Given the existence of this flood risk, we recommend that the neighbourhood plan carefully considers whether there are alternative more preferable sites available for development. We would need to liaise with you closely to inform the assessment of any alternative sites to ensure that any flood risk from the public sewer is fully reflected in the assessment of the most appropriate sites for development.

If a decision is taken to continue with the allocation of this site, we would make the following comments.

- 1) We request that further clarity is provided on the management of surface water. In accordance with the hierarchy for surface water management, alternative options to the public sewer for the management of surface water should be fully investigated. Whilst we welcome the references in the draft Policy HE2 to the need to investigate the hierarchy for the management of surface water, we believe that the receiving body for the management of surface water requires in principle confirmation as part of the site selection process and in advance of any allocation being confirmed. We therefore request that the site promoter is asked to confirm in principle arrangements for the management of surface water in advance of any further progress with the emerging neighbourhood plan. The applicant should be asked to confirm whether alternative arrangements to the public combined sewer for the management of surface water can be secured by either agreeing the principle of a discharge to the canal with the Canal and River Trust or presenting an alternative option for the management of surface water. In this regard, we have reason to believe that there may be a culverted watercourse that represents an option for surface water management. If it cannot be confirmed that there is an alternative to the combined sewer for the management of surface water in principle, this could be material to the site selection process in the consideration of potentially preferable alternatives, which may be able to present more sustainable surface water management alternatives.
- 2) Applicants will be required to engage with United Utilities prior to any masterplanning process and consider (amongst other things) site topography and any exceedance flow paths. Resultant layouts and levels should take account of existing circumstances to ensure the most flood resilient solution is achieved. The circumstances of the area could affect the detailed design of the site and result in the need to incorporate appropriate mitigating measures in the design of the proposal. Careful consideration will need to be given to the approach to drainage namely the point of connection to the public sewer; whether the proposal will be gravity or pumped; and the proposed finished floor and ground levels. Any full submission should therefore include

details of finished floor and ground levels alongside a drainage strategy. We also request that the applicant is required to liaise with United Utilities to investigate opportunities for the removal of surface water from the public sewer if development of the site is brought forward.

- 3) Policy HE2 should more explicitly require the incorporation of high quality surface level and multi-functional sustainable drainage system which is part of the wider landscape design. The site specific policy should be clear that multi-functional sustainable drainage (SuD) will be a requirement of development of the site rather than a reliance on traditional underground piped and tanked storage systems for the management of surface water. The incorporation of such multi-functional SuDS will be required to be incorporated with the wider landscaping scheme for the site.
- 4) Policy HE2 should require the incorporation of water efficiency measures by ensuring that any new dwellings on this site are required to be built to the optional water efficiency standard of 110 litres per person per day (l/p/d) as prescribed in Building Regulations. A tighter water efficiency standard in new development has multiple benefits including a reduction in water and energy use, as well as helping to reduce customer bills. Building Regulations includes a requirement for all new dwellings to achieve a water efficiency standard of 125 litres of water per person per day (l/p/d). In 2015 an 'optional' requirement of 110 l/p/d for new residential development was introduced, which can be implemented through local planning policy where there is a clear need based on evidence. We have enclosed evidence prepared by Water Resources West to justify this approach. As you will see from the evidence, we believe that the optional standard can be achieved at minimal cost. We also request that the site- specific policy requires the inclusion of water butts for each dwelling to further maximise water re-use opportunities.

If you are minded to progress the allocation of the site without considering alternative sites or without confirming the arrangements for the management of surface water, we would therefore request the following policy amendments:

#### ***Policy HE2. Site for New Development***

*This Plan proposes that the land west of Sea View Drive, Hest Bank, as delineated in Figure 9., is removed from the Green Belt, and allocated for 30-35 dwellings.*

*Figure 10. shows the boundary of the Green Belt after the proposed amendment. Figure 11. shows the boundary before the proposed amendment. The process of Identification and Assessment of land is contained in Appendix 5.*

*Any housing development must meet the following criteria:*

*1. A design-led approach to development shall be taken that responds to the character of the site and immediate vicinity and reflected in the scale, orientation and appearance of buildings, accessibility to and through the site, and accessibility features within individual buildings, the siting and provision of open and communal space, provision of Sustainable Drainage Systems (SuDs) and areas of planting for biodiversity. The approach shall be outlined in the Design and Access Statement.*

*2. The proposed housing mix shall respond to the most up-to-date information on local housing needs with support given to those proposals that include bungalows and two-bed homes, where the scale, massing and proportion of development relates positively in terms of scale and massing to that on Sea View Drive.*

3. Subject to Local Plan thresholds for the provision of affordable housing, development must provide the maximum viable amount of affordable housing. All affordable housing must be designed such that it is tenure-blind i.e., it is of an equal quality in terms of its design and use of materials compared to the market element and it should be integrated into the overall proposal.

4. Location and orientation of buildings to be varied to add visual interest. Some houses should orientate their front aspect towards the canal to improve the visual appearance of the development from the canal and the canal towpath.

5. The site should include appropriately placed **high quality multi-functional Sustainable Drainage area/s** at surface level to allow for surplus rainwater collection and to supplement provision for native animal and plant species. **Early consideration must be given to the incorporation of multi-functional sustainable drainage as part of the site design and integrated with the detail of landscaping proposals prior to the grant of planning permission.** The wet area at the South end of the site could incorporate such a collection area. **The hierarchy for the management of surface water shall be fully investigated including discharge of surface water to the Lancaster Canal. This shall be considered prior to the submission of any application for planning permission in liaison with the Canals and Rivers Trust and United Utilities.** ~~must be explored as early as possible in the site design process, during investigation of the surface water hierarchy, which should involve the Canal and River Trust.~~ Driveways and pathways attached to dwellings should be permeable to allow infiltration of water into the ground. Suds and other drainage solutions shall be designed and delivered in accordance with **Ciria 753 'The SuDS Manual'** and the Lancaster City Council Surface Water Drainage, Flood Risk Management and Watercourses Planning Advisory Note, May 2015, or any subsequent update of this. Follow link for further guidance.

6. Site design will include provision of a wildlife corridor alongside the Canal, which is a Biological Heritage Site, and the retention of natural features and associated native animal and plant species on the site in accordance with DM44 and DM45 of the Local Plan. There should be no planting of trees which will create deep shade over the canal water.

7. Any developer should demonstrate that the structural integrity of the canal infrastructure would not be harmed. (Ref: paras 170 (e), 170 (f) and 178 NPPF) Appropriate landscaping adjacent to the canal should be designed to minimise potential impacts on the amenity of the existing nearby canal moorings (Ref: Local Plan (Op.cit.) Policy T3).

8. A footpath/cycleway through the site from Sunningdale Crescent in the North towards Raikes Head Lane (commonly known as Old Bob's Lane) in the South will be constructed on the canal side of the development, leaving enough width for the wildlife corridor (see Criterion 6).

9. Housing should be fully compliant with M4(2) accessibility standards of Building Regulations, March 2015 or equivalent in successor documents. Site design should encourage movement around the site for people with mobility issues by minimising street clutter, thoughtful placement of utility equipment and the use of lowered kerbs and ramps. Easy access to the footpath/cycleway cited in Criterion 8 should be provided from all dwellings on the site.

10. Housing should incorporate energy efficiency measures over and above current Building Regulations standards where viable including Passivhaus standards and the Home Quality Mark.

11. Electric vehicle charging points should be incorporated into each new dwelling. Where viable, these should be Mode 3 Electrical Vehicle charge points, capable of a minimum of 7Kw charging. However, where faster charging points are viable, they will be encouraged. These should be located so that they are

*accessible for the user, taking into account the needs of physically disabled residents. If located in the public realm, charging points should not cause obstruction or hindrance to pedestrians or cyclists, and should be designed to minimise visual impact, being combined with lamp standards and other street furniture where appropriate. Cycle parking should be placed at a central location on the site and a minimum of two seating benches alongside the footpath/cycleway.*

*12. Car parking shall be provided in accordance with standards set out within Appendix E of the Local Plan Part Two. For dwellings with 2/3 bedrooms, 2 spaces are required. For dwellings with 4+ bedrooms, 3 spaces are required. Parking shall be provided within easy access of the dwelling, taking into account the requirements of mobility impaired residents. This includes space on either side of the car to open all doors fully. The location of parking provision shall reflect best-practice design principles so that it does not dominate the street scene and should ideally be inset from the building line. On-street parking and rear courtyards are discouraged.*

*13. Applicants will be required to engage with United Utilities prior to any masterplanning process and consider (amongst other things) site topography and any exceedance flow paths. The resultant layout and levels should take account of existing circumstances to ensure the most flood resilient solution is achieved and incorporate appropriate mitigating measures in the design of the proposal to manage the risk of flooding from the public sewer. Careful consideration will need to be given to the approach to drainage namely the point of connection to the public sewer; whether the proposal will be gravity or pumped; and the proposed finished floor and ground levels in liaison with United Utilities. Any full submission must include details of finished floor and ground levels alongside a drainage strategy. The applicant will be required to liaise with United Utilities to investigate whether opportunities for the removal of surface water from the public sewer can be implemented via the new surface water drainage proposals which will be implemented as a result of the development.*

*14. The development shall incorporate water efficiency measures by ensuring that any new dwellings on this site are built to the optional water efficiency standard of 110 litres per person per day (l/p/d). Additionally, each new dwelling shall incorporate a water butt.*

## **Water Efficiency**

In accordance with our above comments, we also request the inclusion of a general policy relating to water efficiency in the emerging Neighbourhood Plan. Our recommended policy wording is below:

*'All new residential development must achieve as a minimum the optional requirement set through Building Regulations for water efficiency that requires an estimated water use of no more than 110 litres per person per day. Additionally, any new dwelling shall incorporate a water butt. Non-domestic buildings will be expected to achieve a BREEAM rating of 'Excellent'.'*

We wish to highlight that improving water efficiency makes a valuable contribution to water reduction as well as carbon reductions noting that water and energy efficiency are linked. We also wish to note the associated societal benefits by helping to reduce customer bills.

## **Summary**

Moving forward, we respectfully request that the council continues to consult with United Utilities for all future planning documents. In the meantime, if you have any queries or would like to discuss this representation, please do not hesitate to contact me.

Yours faithfully

Andrew Leyssens  
Planning, Landscape and Ecology  
United Utilities Water Limited

Encl. Water Resources West Evidence



# WATER EFFICIENCY IN NEW HOMES

## Evidence to support adoption of the Building Regulations Optional Requirement for local authorities in North West England and the Midlands

### Background

Water is essential for life - yet here in the UK (as in many regions across the world) the future availability of water is a concern. The area covered by Water Resources West is an area the Environment Agency has described as having ‘moderate water stress’; water scarcity/stress occurs when demand is high compared to the water that is available<sup>1</sup>.

Population growth, climate change and environmental protection measures all put pressure on water resources and contribute to water stress in our region. On top of this, housing shortages mean that lots more housing is needed today and in the future. Hence, planning policy is a vital tool to help ensure long term sustainable management of water supplies, as well as helping protect our local rivers and wildlife. Achieving a balance between these conflicting demands is a challenge for us all.

### Water Efficiency Standards for New Homes

The Code for Sustainable Homes was launched in 2006 to help reduce UK carbon emissions and create more sustainable homes; it was the national standard for use in the design and construction of new homes in the UK and is still referred to in older Local Plans. In 2015 it was withdrawn and some of its standards were consolidated into Building Regulations including the requirement for all new dwellings to achieve a water efficiency standard of 125 litres of water per person per day (l/p/d). In the same year, the Government updated Building Regulations Part G, introducing an ‘optional’ requirement of 110 l/p/day for new residential development, which should be implemented through local policy where there is a clear need based on evidence. (See [Appendix 1](#)).

In 2018, Welsh Government amended building regulations so that new builds are built to a standard of 110 l/p/d<sup>2</sup>. In England however the standard of 110 l/p/d needs to be adopted as a local policy by each planning authority in its local plan before it can take effect.

In 2020, the government published a White Paper on future planning<sup>3</sup> in England. The focus is on clear requirements and standard approaches. It clear that water will remain an important consideration and that “sustainable development” will be a key test.

### The Need for Water Efficiency in New Homes

The Water Framework Directive (WFD) was adopted into UK Law in 2003. It was designed to change water management for the better by putting aquatic ecology at the heart of all management decisions. One of the most important features of the WFD is that it encourages public consultation, meaning everyone can have a say in what is needed to protect our water resources. It also takes into account the environmental, economic and social implications of any such investment/decisions.

Delivery of the WFD objectives in our region is set out in River Basin Management Plans for the Solway Tweed, North West, Dee, Severn and Humber River Basins. These documents highlight a number of issues that are affecting the achievement of the WFD objectives, one of these is the pressures from water supply. Thus, there are a variety of reasons why water efficiency is important for Local Authorities.

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<sup>1</sup> [Water stressed areas – final classification](#), Environment Agency and Natural Resources Wales, July 2013

<sup>2</sup> [The Building \(Amendment\) \(Wales\) Regulations 2018](#)

<sup>3</sup> [Planning for the future](#), Ministry of Housing, Communities and Local Government, August 2020

Local Authorities have a duty of care for communities and the environment and the reduction in water use can help to minimise the quantity of water taken from the environment as well as helping to control customer bills. There are some important factors to consider in this regard:

- The general Duty to Co-operate<sup>4</sup> can also apply to water efficiency and, across the region, there are several examples of exemplar project partnerships between Local Authorities and water companies.
- The National Planning Policy Framework<sup>5</sup> Section 2 requires strategic policies to make sufficient provision for water supplies. Section 14 of the NPPF concerns “Meeting the challenge of climate change, flooding and coastal change” and paragraph 149 make specific reference to water supply within this context. Paragraph 170 goes on to set out that planning policies and decisions should contribute to and enhance the natural and local environment including water. For reference we have included specific government guidance in relation to the optional standard in [Appendix 2](#).
- Local Authorities must “have regard to the River Basin Management Plans and any supplementary plans in exercising their functions” and this includes taking action on water efficiency.
- The production of mains water requires significant energy and chemical inputs and hence reducing demand for water can contribute significantly to reducing carbon emissions, especially where those savings are of hot water.

### Why do we need to save water?

The areas covered by Water Resources West are classed as an area under ‘water stress’ by the Environment Agency (Table 1). While local planning authorities are encouraged to draw on this existing evidence to establish the need for possible action government makes clear that this should not be the only consideration<sup>6</sup> – not least because current maps were not developed to establish areas where additional controls were required on new homes. A requirement for a higher water efficiency standard within a local plan should also follow on from consultation with the local water supplier and the Environment Agency. Additional reasons for the local need for action highlighted by the Environment Agency and the local water suppliers are set out below.

*Table 1. Water Stress Classification for current and future scenarios<sup>1</sup> (L=low stress; M=moderate stress; S=serious stress). The four scenarios represent the range of pressures on water resources from climate change and future demands.*

Water company area	Current Stress	Future Scenario 1	Future Scenario 2	Future Scenario 3	Future Scenario 4
Dwr Cymru Welsh Water	M	M	M	M	M
Severn Trent	M	M	M	M	M
South Staffs Water	M	M	M	M	M
United Utilities	M	M	M	M	M

<sup>4</sup> [Section 110 of the Localism Act](#) sets out the ‘Duty to Co-operate’. It requires cooperation between local planning authorities and other public bodies to maximise the effectiveness of policies for strategic matters in Local Plans. Even if the formal duty is removed in future legislation, the August 2020 White Paper<sup>3</sup> makes it clear that strategic, cross-boundary issues should still be considered in the context of sustainable development.

<sup>5</sup> [National Planning Policy Framework](#), Ministry of Housing, Communities & Local Government, February 2019

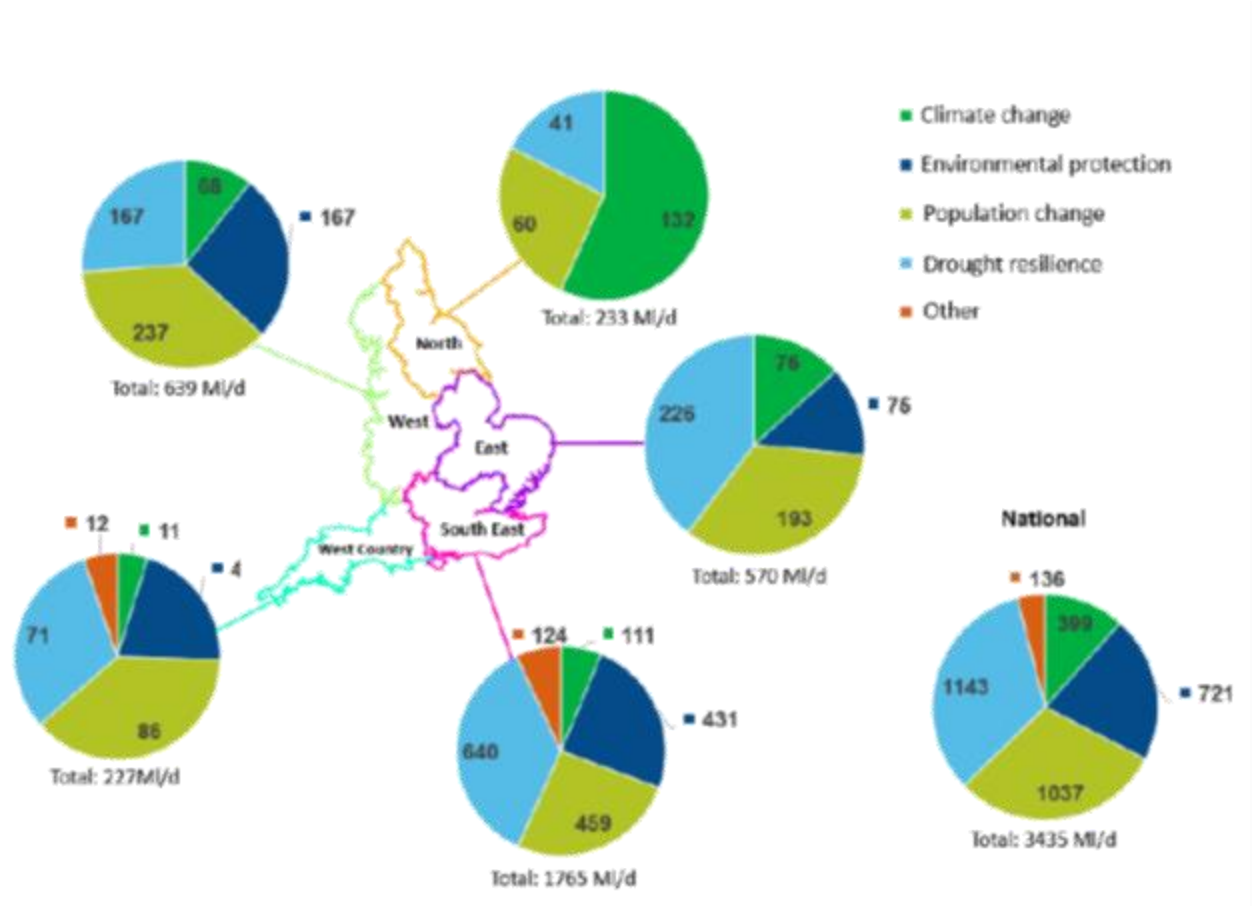
<sup>6</sup> [Housing Standards Review Consultation](#), Department for Communities and Local Government, August 2013

In March 2020, the Environment Agency published the National Framework for Water Resources<sup>7</sup>. This identifies strategic water needs for England and its regions across all sectors up to and beyond 2050. The National Framework identifies that our region faces the second highest pressures on Water Resources. Significantly, the National Framework identifies that increased consumption, driven by population increases, is the largest driver of additional water need in the region. Increased public water supply drought resilience, increased protection for the environment and the impact of climate change reducing water availability of existing supplies also have impacts on water availability (Figure 1).

Based on the best available evidence the National Framework adopted a planning assumption of reducing average per capita consumption (PCC) to 110 l/p/d by 2050 nationally. Water Resources West’s projections are broadly consistent with that, with average per capita consumption reducing to 111 l/p/d by 2050<sup>8</sup>. These projections are based on forecasts made for the water companies’ 2019 WRMPs.

Even with these reductions in consumption, parts of our region will need new water resources to be developed<sup>8</sup>. If the planned reductions are not achieved then more significant and more costly water resources will need to be developed. It is therefore important the measures are taken across the region to support the achievement of the lower per capita consumption.

Figure 1. Extract from the National Framework<sup>7</sup> showing how population growth results in Water Resources West having the second highest pressure on water resources in England. Numbers in the pie charts show the additional water needed by 2050 due to different drivers (in MI/d).



<sup>7</sup> [Meeting our future water needs: a national framework for water resources](#), Environment Agency, March 2020

<sup>8</sup> [Initial Resource Position](#), Water Resources West, March 2020

Public concern also highlights the need to support water saving. Surveys<sup>9</sup> of water users in North West England and the Midlands have shown that, while there is little general awareness of the issues, once informed 70% are concerned about water scarcity. In addition to running out of water, customers are worried about the potential impact on water bills, restrictions and wastage

Water Framework Directive requirements are set out in River Basin Management Plans. Water efficiency measures have a direct effect in reducing the abstraction from water bodies assessed in those plans. Abstraction in turn affects the hydrological regime of those water bodies. River Basin Management Plans for the Solway Tweed, North West, Dee, Severn and Humber River Basins identify that there are waterbodies within all those areas for which the hydrological regime does not support good status. In turn the hydrological regime can affect water quality, species and habitats.

Changes to the natural flow and level of water is identified as a significant water management issue. Reduced flow and water levels in rivers and groundwater caused by human activity (such as abstraction) can mean that there is not enough water for people to use and wildlife might not be able to survive. Reduced flow affects the health of fish and exaggerates the impacts of barriers such as weirs.

Table 2. WFD classification of waterbodies in 2015 River Basin Management Plans

River Basin District	Percentage of surface water bodies <u>not</u> achieving good ecological status or potential	Percentage of groundwater bodies <u>not</u> achieved good quantitative status
<b>Solway Tweed</b> <sup>10</sup>	54% (305 out of 560)	28% (18 out of 64)
<b>North West</b> <sup>11</sup>	78% (480 out of 613)	11% (2 out of 18)
<b>Humber</b> <sup>12</sup>	86% (839 out of 987)	25% (13 out of 51)
<b>Severn</b> <sup>13</sup>	80% (604 out of 755)	21% (9 out of 42)
<b>Dee</b> <sup>14</sup>	73% (68 out of 93)	0% (0 out of 5)

### Summary of evidence on the need for the optional water efficiency standard

As we have seen above, there is a range of evidence on the water stress across the North West and the Midlands. This means there is a clear need for the 110 l/p/d water efficiency standard.

For inclusion in a local plan a local planning authority must be able to demonstrate at examination of the plan that the standard is required to address a clear need and as part of an approach to water efficiency that is consistent with a wider approach to water efficiency as set out in the local water undertaker's water resources management plan. We recommend that the following evidence is cited:

- The classification of moderate water stress for the water supplier in your area (Table 1)<sup>1</sup>.
- The National Framework for water resources noting that Water Resources West faces the second highest pressures on water resources in England due largely to population growth<sup>7</sup>.
- The National Framework for water resources planning assumption of 110 l/p/d<sup>7</sup>.
- The consistency between these planned reductions in consumption between the National Framework, Water Resources West's plans and your water supplier's WRMP<sup>8</sup>.

<sup>9</sup> [Customer Survey for Severn Trent, Thames Water and United Utilities](#), Verve, July 2018

<sup>10</sup> [River basin management plan for the Solway Tweed river basin district: 2015 update](#), Environment Agency and Natural Scotland, 21 December 2015

<sup>11</sup> [River basin management plan, Part 1: North West river basin district](#), Environment Agency, December 2015

<sup>12</sup> [River basin management plan, Part 1: Humber river basin district](#), Environment Agency, December 2015

<sup>13</sup> [River basin management plan, Part 1: Severn river basin district](#), Environment Agency, December

<sup>14</sup> [Dee River Basin Management Plan 2015 – 2021, Proposed Summary](#), Natural Resources Wales and Environment Agency, October 2015

- High levels of public concern (70%) in the region, when informed about issues of water scarcity<sup>9</sup>.
- Reference to the WFD ecological status of water bodies in your River Basin District, with changes to flow and level recognised as a significant water management issue in the River Basin Management Plan (Table 2).

## Water Companies

A consequence of the population and housing growth in our region has meant that water companies have been asked to accommodate the new growth, yet at the same time their abstraction licenses are being reduced. Therefore it is vital that water companies support and are supported in initiatives to help get 110 l/p/d in planning policies across local authorities in the region, to help meet their requirement to supply their customers. The water companies in Water Resources West are Dwr Cymru Welsh Water, Severn Trent, South Staffs and United Utilities.

In preparing your local plan you should consult with your local water supply company on specific local issues.

## New Homes

The scale of new development that is needed across our region is immense - the Government aiming for delivery of 300,000 new homes a year across England<sup>15</sup>. Within Water Resources West's region we estimate that there will be 1.6 million new properties by 2050. Yet at the same time there is need to share the already scarce water resources - therefore the need for implementing at least 110 l/p/d into local plans and policies is apparent.

### Impact on viability

The cost of installing water-efficient fittings to target a per capita consumption of 110l/d has been estimated as a one-off cost of £9 for a four bedroom house<sup>16</sup>. Research undertaken for the Welsh Government indicated potential annual savings on water and energy bills for householders of £24 per year as a result of such water efficiency measures<sup>17</sup>.

The Consumer Council for Water notes that the discretionary, tighter (building) standard of 110 l/p/d is something that should be pursued, also bearing in mind that saving water is not the only a driver of water efficiency<sup>18</sup>. This is because water efficiency could also have a positive effect on reducing energy bills, water bills of metered customers and carbon emissions.

The Greater London Authority carried out a survey of developers to test the viability of the 110 l/p/d standard. The results of this survey<sup>19</sup> made it clear that those associated with the development industry did not consider that the proposed changes would have any impact on building.

Viability is also evidenced by the examples from other local authorities who have adopted the standard. South Worcestershire adopted the 110 l/p/d standard in its February 2016 local plan. The standard remains the preferred option for next local plan. See the case study below. Bromsgrove and Redditch councils cooperated to require the 110 l/p/d standard for certain developments in their plans which were adopted in January 2017. Another example is Nottingham City Council who adopted the 110 l/p/d standard for all new dwellings in January 2020.

<sup>15</sup> [Planning for the Future](#), Ministry of Housing, Communities and Local Government, March 2020

<sup>16</sup> [Housing Standards Review Cost Impacts](#), Department for Communities and Local Government, September 2014

<sup>17</sup> [Advice on water efficient new homes for England](#), Waterwise, September 2018

<sup>18</sup> [Response to Defra consultation on measures to reduce personal water use](#), Consumer Council for Water, October 2019

<sup>19</sup> [Greater London Authority Housing Standards Review: Evidence Of Need](#), David Lock Associates, May 2015



Water efficiency is therefore not only viable but of positive economic benefit to both private homeowners and tenants.

### Water Calculator

The Water Calculator was developed to help provide a working example of the calculator used for part G of the building regulations. It uses the method set out in the 'Water Efficiency Calculator for New Dwellings'<sup>20</sup>. The Water Calculator contains information on water consumption for hundreds of products, enabling quick and easy specification, without the hassle of gathering data from several product manufacturers. To access the water calculator visit: [www.thewatercalculator.org.uk](http://www.thewatercalculator.org.uk)

### Case study

South Worcestershire's current local plan was adopted, following examination, in February 2016<sup>21</sup>. It is a major sub-regional land use plan, prepared jointly by the three South Worcestershire Councils; Malvern Hills, Worcester City and Wychavon working together. Within the local plan, policy SWDP30c states that "for housing proposals, it must be demonstrated that the daily non-recycled water use per person will not exceed 110 l/p/d". The reasoned justification for this policy highlights the following factors:

- This policy is central to the council's response to the Framework, which advocates that local plans incorporate strategies to mitigate and adapt to climate change, in line with the objectives and provisions of the Climate Change Act 2008 over the longer term. This includes factors such as flood risk, water supply and changes to biodiversity.
- Without effective local planning and risk management, the consequences of climate change may also have a significant detrimental impact on budgets and service delivery. It may also compromise the Government's ability to meet the statutory requirements under the Climate Change Act 2008.
- Local planning authorities have a general responsibility not to compromise the achievement of United Kingdom compliance with the Water Framework Directive (WFD(68)) (Directive 2000/60/EC). More specifically, the local plan has to take into account the River Severn Basin Management Plan, which in itself is a requirement of the WFD. All surface water bodies need to achieve "good ecological status" by 2015.
- The Localism Act 2011 enables the UK government to require local authorities to pay if their inaction results in a failure to meet WFD requirements.
- The Localism Act 2011 also requires local planning authorities to co-operate on strategic cross-boundary matters, for example the provision of water supply infrastructure, water quality, water supply and enhancement of the natural environment. Consequently, there is a need for developers to engage positively with the local water supplier to ensure that all the necessary infrastructure is secured, so as to ensure that there is no deterioration in the quality or quantity of water of the receiving water body(ies) and to avoid delays in the delivery of development.
- The 2006 Natural Environment and Rural Communities (NERC) Act imposes a duty on local planning authorities to have regard to conserving biodiversity in carrying out all of their functions.
- The South Worcestershire Water Cycle Study looks at the level of planned growth and the ability of the infrastructure (i.e. water supply and waste water treatment) to accommodate it without adversely affecting the natural water cycle. It identifies an overall shortage in future water supplies that necessitates the delivery of minimum water efficiency targets.
- The effective management of water is considered critical in the pursuit of sustainable development and communities. It reduces the impact flooding can have on the community, maintains water quality and quantity and helps to enhance local amenity / property value and biodiversity through the provision of Green Infrastructure. Effective water management also reduces the movement of water and sewage, thereby reducing energy requirements. Development proposals incorporating grey

<sup>20</sup> Appendix A of [Approved Document G, The Building Regulations 2010](#), HM Government 2015 edition with 2016 amendments

<sup>21</sup> [South Worcestershire Development Plan, Adopted](#), February 2016.

water recycling will therefore be supported and opportunities for the retrofitting of water efficiency measures will be encouraged.

The South Worcestershire Councils are currently preparing the next local plan. Following consultation its Preferred Options report<sup>22</sup> was published in November 2019. In relation to water efficiency the preferred option is to require new dwellings to meet the tighter Building Regulations optional requirement of 110 l/p/d as per the adopted policy.

## Recommendations

There is firm evidence in across the North West and the Midlands that clearly justifies the need for more stringent water efficiency targets for new residential development. Local Authorities should consider all the factors in their local plans and we strongly recommend they adopt 110 l/p/d for water efficiency using the suggested wording below:

**All new residential development must achieve as a minimum the optional requirement set through Building Regulations for water efficiency that requires an estimated water use of no more than 110 litres per person per day.**

Past experience has shown that successful adoption of 110l/p/d in local plans requires the following:

1. Significant engagement and consultation is required in developing local plans, including engagement with key stakeholders and public sector partners, responsible for delivering a range of services and infrastructure.
2. Recommend local plans are subject to public consultations (many people are concerned about water) and that where appropriate, comments from the public help shape the contents of this plan and helps with public buy-in.
3. Local plans should actively encourage the design of new buildings that minimise the need for energy and water consumption, use renewable energy sources, provide for sustainable drainage, support water re-use and incorporate facilities to recycling of waste and resources.
4. Local plans should have a positive approach to the adaptation of climate change –
  - by avoiding development in areas at greatest risk of flooding, and
  - promoting sustainable drainage, and
  - challenging water efficiency standards.

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<sup>22</sup>[South Worcestershire Development Plan Review, Preferred Options Consultation](#), November 2019.

Appendix 1. Extract from Part G of the Building Regulations

Extract from Part G of Building Regulations

Optional requirement

2.8 The optional requirement only applies where a condition that the dwelling should meet the optional requirement is imposed as part of the process of granting planning permission. Where it applies, the estimated consumption of wholesome water calculated in accordance with the methodology in the water efficiency calculator, should not exceed 110 litres/person/day.

2.9 The person carrying out the work must inform the **BCB** where the optional requirement applies.

2.10 As an alternative to calculating the water consumption (as paragraph 2.8), a fittings approach that is based on the water efficiency calculator methodology may be used.


2.11 Where the fittings approach is used, the water consumption of the fittings provided must not exceed the values in Table 2.2. If they do, the water efficiency calculator must be completed to demonstrate compliance. Similarly, where a shower is not to be provided or where a waste disposal unit, a water softener or water re-use is to be provided the water efficiency calculator must be completed.

2.12 Where the fittings approach is used, the notice given under regulation 37 should state "Less than 110 litres/person/day using fittings approach".

Table 2.2 Maximum fittings consumption optional requirement level


Water fitting	Maximum consumption
WC	4/2.6 litres dual flush
Shower	8 l/min
Bath	170 litres
Basin taps	5 l/min
Sink taps	6 l/min
Dishwasher	1.25 l/place setting
Washing machine	8.17 l/kilogram

ONLINE VERSION

 HM Government

The Building Regulations 2010

Sanitation, hot water safety and water efficiency



APPROVED DOCUMENT

G1 Cold water supply

G2 Water efficiency

G3 Hot water supply and systems

G4 Sanitary conveniences and washing facilities

G5 Bathrooms

G6 Food preparation areas

Water efficiency calculator for new dwellings

For use in England\*

ONLINE VERSION

2015 edition with 2016 amendments



## Appendix 2 NPPF Planning Practice Guidance

### Housing: optional technical standards, Water efficiency standards<sup>23</sup>

#### Can local planning authorities require a tighter water efficiency standard in new dwellings?

In setting out how the planning system should contribute to the achievement of sustainable development, the National Planning Policy Framework and guidance makes clear this includes planning to provide the high quality housing required to meet the needs of present and future generations, and helping to use natural resources prudently. The Framework's policies expect local planning authorities to adopt proactive strategies to adapt to climate change that take full account of water supply and demand considerations. Early engagement between local planning authorities and water companies can help ensure the necessary water infrastructure is put in place to support new development. See [water supply guidance](#). The local planning authority may also consider whether a tighter water efficiency requirement for new homes is justified to help manage demand.

Paragraph: 013 Reference ID: 56-013-20150327

Revision date: 27 03 2015

#### What standard should be applied to new homes?

All new homes already have to meet the mandatory national standard set out in the Building Regulations (of 125 litres/person/day). Where there is a clear local need, local planning authorities can set out [Local Plan](#) policies requiring new dwellings to meet the tighter Building Regulations optional requirement of 110 litres/person/day.

Paragraph: 014 Reference ID: 56-014-20150327

Revision date: 27 03 2015

#### How should local planning authorities establish a clear need?

It will be for a local planning authority to establish a clear need based on:

- existing sources of evidence.
- consultations with the local water and sewerage company, the Environment Agency and catchment partnerships. See [paragraph 003 of the water supply guidance](#)
- consideration of the impact on viability and housing supply of such a requirement.

Paragraph: 015 Reference ID: 56-015-20150327

Revision date: 27 03 2015

#### What are the existing sources of evidence?

Primary sources of evidence which might support a tighter water efficiency standard for new dwellings are:

- The Environment Agency [Water Stressed Areas Classification \(2013\)](#) which identifies areas of serious water stress where household demand for water is (or is likely to be) a high proportion of the current effective rainfall available to meet that demand.
- Water resource management plans produced by water companies.
- [River Basin Management Plans](#) which describe the river basin district and the pressure that the water environment faces. These include information on where water resources are contributing to a water body

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<sup>23</sup> <https://www.gov.uk/guidance/housing-optional-technical-standards#water-efficiency-standards>

being classified as ‘at risk’ or ‘probably at risk’ of failing to achieve good ecological status, due to low flows or reduced water availability.

In addition to these primary data sources, locally specific evidence may also be available, for example collaborative ‘water cycle studies’ may have been carried out in areas of high growth.

Paragraph: 016 Reference ID: 56-016-20150327

Revision date: 27 03 2015

**Where can I find out more about the water efficiency standard?**

See further information on the [water efficiency standard](#).

Paragraph: 017 Reference ID: 56-017-20150327

Revision date: 27 03 2015

**From:** SM-Defra-Cheshire2 Lancashire <Cheshire2.Lancashire@defra.gov.uk>

**Sent:** 27 April 2022 15:23

**To:** dcconsultation <dcconsultation@lancaster.gov.uk>

**Subject:** Slyne-with-Hest Neighbourhood Plan - Response

Good afternoon,

**RE: Slyne-with-Hest Neighbourhood Plan**

Natural England are pleased that the comments made in our previous response have been taken on board and we have no additional comments to make.

Many thanks and kind regards,

**Florence Aves**

Planning and Development Adviser

Cheshire to Lancashire Area Team

My associated office is: Arndale House, 2<sup>nd</sup> Floor, Manchester, M4 3AQ

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)





Historic England

Planning Policy  
Lancaster City Council

Direct Dial: 0161 242 1445

Our ref: PL00614703  
25 April 2022

Dear Planning Policy,

**Slyne with Hest Neighbourhood Plan Regulation 16 consultation**

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

At this stage in the development of Slyne with Hest Neighbourhood Plan we have no comments to make. Nevertheless, we would like to be kept informed of future progress.

Thank you once again for providing Historic England with the opportunity to comment.

Yours sincerely,

Pippa Brown  
Historic Places Adviser  
Pippa.Brown@historicengland.org.uk

cc:



SUITES 3.3 AND 3.4 CANADA HOUSE 3 CHEPSTOW STREET MANCHESTER M1 5FW

Telephone 0161 242 1416  
HistoricEngland.org.uk



*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.*



The Neighbourhood Planning (General) Regulations 2012: Regulation 16 – Publicising a plan proposal

## PUBLICATION OF THE SLYNE-WITH-HEST NEIGHBOURHOOD PLAN PROPOSAL

### SUBMITTED TO LANCASTER CITY COUNCIL FOR EXAMINATION

## RESPONSE FORM

The Slyne-with-Hest Neighbourhood Plan has been formally submitted to Lancaster City Council by Slyne-with-Hest Parish Council.

The Council must now publicise the plan proposal and accompanying documents and seek comments. We would like to hear your views on the Plan proposal.

Paper copies are also available for viewing during at Morecambe Town Hall during office open times and at Slyne with Hest Memorial Hall and new Church Hall (on request).

**Lancaster City Council will be consulting on the neighbourhood plan for six weeks, from 4 February 2022 to Friday 18 March 2022.**

All comments will be publicly available and identifiable by name and organisation (where applicable). Please note that any other personal information provided will be processed by Lancaster City Council in line with the Data Protection Act 1998.

Please review the Neighbourhood Plan Document before completing this form.

Response forms must include a name and address otherwise your comments will not be taken into account.

The form can be emailed to [planningpolicy@lancaster.gov.uk](mailto:planningpolicy@lancaster.gov.uk) or posted to Regeneration and Planning Team, Lancaster City Council, Lancaster Town Hall, PO Box 4, Lancaster, LA1 1PJ.

### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Organisation (Where relevant)	<input type="text" value="Applethwaite Ltd"/>
Address Line 1	<input type="text" value="c/o Agent"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

### 2. Agent's Details (if applicable)

Title	<input type="text"/>
First Name Last	<input type="text"/>
Name	<input type="text"/>
Organisation	<input type="text" value="Smith &amp; Love Planning Consultants Ltd"/>
Address Line 1	<input type="text"/>
Address Line 2	<input type="text"/>
Address Line 3	<input type="text"/>
Post Code	<input type="text"/>
E-mail Address	<input type="text"/>
Telephone Number	<input type="text"/>

PLEASE USE A SEPARATE FORM FOR EACH POLICY, CHAPTER OR PARAGRAPH YOU WISH TO COMMENT ON

**1. Do you support the Slyne-with-Hest Neighbourhood Plan in meeting the following basic conditions. Please tick the box if you agree**

Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make [the plan]	✓
The making of [the plan] contributes to the achievement of sustainable development	✓
The making of [the 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)	✓
The making of [the plan] does not breach, and is otherwise compatible with, EU obligations	
Prescribed conditions are met in relation to [the plan] and prescribed matters have been complied with in connection with the proposal for [the plan]	

**2. Which part of the Neighbourhood Plan do your comments relate to?**

Policy	<input checked="" type="checkbox"/>	HE2 - Site for New Development
Chapter / Appendix	<input type="checkbox"/>	
Paragraph	<input type="checkbox"/>	

**3. To help the examiner consider your representation, please specify which part of the plan you are commenting on, using the page number, section, paragraph, policy or map. Put your comments below:**

Please refer to our accompanying Representations Letter submitted on 18<sup>th</sup> March 2022

*Continue onto a separate page if required*

Please tick the box if you would like to be notified whether the plan proposal is made (adopted) by the Council.

☒

Please return your completed response form by **Friday 18 March 2022**

**Signed:** Graham Love

**Dated:** 18<sup>th</sup> March 2022

18<sup>th</sup> March 2022

Regeneration and Planning Team  
Lancaster City Council  
Lancaster Town Hall  
PO Box 4  
Lancaster LA1 1PJ



Our ref: APPL104

**By email only**

Dear Sir or Madam,

**PUBLICATION OF THE SLYNE-WITH-HEST NEIGHBOURHOOD PLAN PROPOSAL  
REGULATION 16 PUBLIC CONSULTATION FEBRUARY 2022**

We are instructed by our client Applethwaite Ltd ["Applethwaite"] to make representations on its behalf in response to the submission version of the draft Slyne-with-Hest Neighbourhood Development Plan (Regulation 16 Consultation) ["the draft Plan"].

We previously responded to the pre-submission version of the draft Plan (Regulation 14 Consultation) in October 2019 in support and offering qualified comments and clarification of its proposed policies relevant to of the at that time remain outstanding and relevant to Applethwaite's interests. A copy of our previous submission is attached for information.

Applethwaite controls 2 ha of land on the south side of Hest Bank, located to the west of Sea View Drive and adjacent to the Lancaster Canal. This is included in the draft Plan as proposed Policy HE2: Site for New Development with a yield of 30 - 35 dwellings.

**Policy HE2: Site for New Development**

Applethwaite has been in constructive dialogue with the Slyne with Hest Neighbourhood Plan Steering Group regarding the development of the land it controls to the west of Sea View Drive, Hest Bank since 2017, and has promoted it for a development of up to 35 no. age-restricted bungalows at each stage of the preparation of both the draft Plan and the Lancaster Local Plan 2011 - 2031 Part One: Strategic Policies and Land Allocations DPD (and including the Examination in Public of the latter), to ensure that there is general conformity with strategic policies.

Applethwaite is therefore pleased that the draft Plan maintains, and continues to include, i) the proposal to alter the present Green Belt boundary to the west of Sea View Drive, Hest Bank and ii) allocate the land it controls for residential development, and is wholly supportive of both aspects of draft Policy HE2 Site for New Development. It makes the following comments in this context and to assist the Independent Examination of the draft Plan.



Applethwaite's comments made in response to the pre-submission version (Regulation 14) of the draft Plan in October 2019 explain its apprehension, at that time, concerning the relationship between the draft Plan, the strategic policies of the Lancaster Local Plan 2011 - 2031 Part One: Strategic Policies and Land Allocations DPD<sup>1</sup> (specifically Policy EN4: The North Lancashire Green Belt) and the relevant paragraph 140 of the NPPF 2021<sup>2</sup>.

The Inspector's Report (by Inspector McCoy) on the Examination of the Lancaster Local Plan 2011 - 2031 Part One: Strategic Policies and Land Allocations DPD, which was published on 12<sup>th</sup> June 2020 after Applethwaite's comments made in response to the pre-submission version (Regulation 14) of the draft Plan in October 2019, contains the paragraph:

40. *With regard to the likelihood of neighbourhood plans coming forward and seeking to allocate sites in the Green Belt, any further review of the Green Belt boundary would need to be carried out as part of a review of the Plan.*

Applethwaite sought confirmation that the Inspector's comment was not intended to preclude the draft Plan from altering the present Green Belt boundary to the west of Sea View Drive, Hest Bank as proposed in Policy HE2: Site for New Development. Lancaster City Council responded on 28<sup>th</sup> July 2020 and confirmed the advice it received from Leading Counsel on the matter is that;

- (ii) *the reasoning of Inspector McCoy does not bind the City Council or the Parish Council in the consideration of the prospective Neighbourhood Plan. That plan [draft Plan] will be tested against the adopted local plan and not the Inspector's reasoning which led to it.*

On this basis, Applethwaite agrees that the draft Plan meets the basic conditions<sup>3</sup> i) 8(2)(a) - to have regard to national policies and advice contained in guidance issued by the Secretary of State; and ii) 8(2)(e) - to be in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). The strategic policies of the Lancaster Local Plan 2011 - 2031 Part One: Strategic Policies and Land Allocations DPD (July 2020) make clear that Green Belt release is necessary within Lancaster District to meet the objectively assessed housing need and requirement for the plan period, such that exceptional circumstances exist, and the draft Plan is in accordance with relevant national policy at paragraph 140 of the NPPF 2021 which confirms that;

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<sup>1</sup> These are listed in Appendix C "Neighbourhood Planning - List of 'Strategic' Policies" of the Lancaster Local Plan 2011 - 2031 Part One: Strategic Policies and Land Allocations DPD. Paragraph C.1 explains that 'for the purposes of neighbourhood planning, the Council has identified the following policies of the Strategic Policies & Land Allocations DPD as strategic policies.' Paragraph C.2 says that 'when preparing a Neighbourhood Plan, it is expected that planning groups ensure that the policies and allocations prepared and in conformity with the strategic policies listed (where they are relevant to the Neighbourhood Plan) in order to meet the basic conditions of Neighbourhood Planning.' The list of Strategic Policies includes Policy EN4: The North Lancashire Green Belt.

<sup>2</sup> This was previously paragraph 136 of the NPPF 2018 at the time

<sup>3</sup> Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended)

40. *Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.*

Applethwaite therefore supports the analysis and reasons explained in paragraph 4.7.18 of the draft Plan to justify the proposed alteration of the present Green Belt boundary to the west of Sea View Drive, Hest Bank. In connection with 4.7.18(vi), Applethwaite's own independent assessment of the contribution the land it controls makes to Green Belt purposes, and the harm to openness and purposes which will result from the proposed alteration of the boundary, is fully evidenced in its earlier representations made in response to the draft Plan and Lancaster Local Plan 2011 - 2031 Part One: Strategic Policies and Land Allocations DPD. Its results entirely concur with and endorse the conclusions reached by the Slyne with Hest Neighbourhood Plan Steering Group.

Turning to the detail of Policy HE2: Site for New Development of the draft Plan, Applethwaite is pleased to see that the structure of the policy has been improved and simplified, whereby the two previous parts of the former policy (Policy 2a and Policy 2b in the Regulation 14 pre-submission version of the draft Plan) are now merged into a single policy.

Applethwaite previously made comments about the 'housing development criteria' set out in the former Policy 2b and generally supports the changes that have been made in its amendment and redrafting as Policy HE2: Site for New Development. Its support for Criteria 2 of Policy HE2: Site for New Development is qualified however on the basis that;

- 1) at each and every consultation stage of the preparation of both the draft Plan and the Lancaster Local Plan 2011 - 2031 Part One: Strategic Policies and Land Allocations DPD, Applethwaite has made it clear that it purchased its controlling option on the land with the intention of delivering a development of up to 35 no. age-restricted specialist (Part M4(2) bungalows for older people. All of its illustrative scheme drawings to date have shown this form of development and this was tabled and fully supported by the Slyne with Hest Neighbourhood Plan Steering Group when Applethwaite was invited to present its proposals to the Group on 17<sup>th</sup> October 2018.
- 2) the local consultation undertaken by the Steering Group and the demographic and housing demand and need evidence it has collected, confirmed support and a consensus view, that the land west of Sea View Drive should be developed for bungalows for older people in the Parish. There was also an aligned, and underpinning, design requirement that development should be no higher than single storey in order to be compatible with, and protect the amenities of, the existing low rise bungalows and residents adjacent to the land on Sea View Drive.

Applethwaite has therefore continued to develop its detailed designs for a proposed bungalow development and which it proposes to submit in a future planning application. It is therefore surprised to see the changes which appear in Criteria 2 of Policy HE2: Site for New Development of the draft

Plan removing the requirements for development of the site to be bungalows (i.e. single story development) albeit the requirement to respect and adhere to the scale and massing of the existing adjacent development on Sea View Drive is retained. It would be difficult, if not impossible, to meet this criteria if two storey houses are proposed, and moreover;

- i) the site is not sufficiently large to accommodate a mix of bungalows and two story houses;
- ii) two storey houses would have a greater, and inappropriate, landscape and visual impact in views from the west given the topography of the site and against the Lancaster Canal edge; and,
- iii) Applethwaite's research and customer feedback confirms that retired and older people who typically purchase its bungalows, do not opt to live on a mixed housing development (i.e. with family and other types of housing) and appreciate the benefits, quality of life and peace of mind in their older age, of living in a development with similar neighbours, so that in accordance with Government policy for housing for older people, they are able to live safely and comfortably in their own independent homes for as long as possible.

For these reasons, Applethwaite requests that the following modification is made to Criteria 2 of Policy HE2: Site for New Development of the draft Plan;

- 2. The proposed housing mix shall respond to the most up-to-date information on local housing needs with support given to those proposals that include which comprise exclusively age-restricted specialist bungalows for older people and or include two-bed homes, where the scale, massing and proportion of development relates positively in terms of scale and massing to that on Sea View Drive.

## Summary

We trust that these representations submitted on behalf of Applethwaite, as the owner of the controlling interest in the land west of Sea View Drive, Hest Bank included in the draft Plan as proposed Policy HE2: Site for New Development, are helpful as part of the independent examination to demonstrate that the basic conditions are met, and that our suggested minor amendments to the wording of Policy HE2: Site for New Development are considered favourably.

Should you require any further information or clarification of the points made, please do not hesitate to contact me.

Yours sincerely

**Graham Love MRTPI**  
graham@smithlove.co.uk

Enclosures:

- 1. Representation form
- 2. Representations by Applethwaite in response to the pre-submission draft Neighbourhood Plan (Reg 14)

**Slyne with Hest Neighbourhood Plan 2017 - 2031**  
**Regulation 14 Pre-submission Consultation**

**Representations on behalf of Applethwaite Ltd**

14<sup>th</sup> October 2019

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1. Smith & Love Planning Consultants is instructed by Applethwaite Ltd ("Applethwaite") to submit comments in response to the pre-submission Slyne-with-Hest Neighbourhood Plan ("PSWHNP") Regulation 14 consultation.
2. Applethwaite has been in constructive dialogue with the Steering Group regarding the development of the land it controls to the west of Sea View Drive, Hest Bank (ref. LPSA 167) since 2017, and has promoted it for a scheme of up to 35 no. age-restricted bungalows at each stage of the preparation of the Lancaster Local Plan 2011 - 2031 Strategic Policies and Land Allocations DPD. Applethwaite is therefore pleased that the PSWHNP proposes to alter the Green Belt boundary in this location and allocate the land for housing development, and is wholly supportive of draft Policies 2(a) and 2(b) in principle.
3. The following comments and suggested modifications are therefore provided to assist the Steering Group in preparing the final submission version of the Neighbourhood Plan so that the 'basic conditions' for neighbourhood plans are met in respect of the purpose and content of Policies 2(a) and 2(b), whereby;
  - a) Policy 2(a) correctly relates to and is in general conformity with the Green Belt boundary proposals set out in strategic policy EN4 of the Lancaster Local Plan (on the basis the Local Plan must be adopted before the Neighbourhood Plan can alter the Green Belt boundary), so there is no discrepancy and/or misapplication of national policy relating to the alteration of Green Belt boundaries between the Plans; and,
  - b) Policy 2(b) sets out clear and unambiguous criteria so that development is deliverable and which have regard to relevant national planning policy requirements.

**Policy 2(a)**

4. The PSWHNP explains that the rationale for Policy 2(a) is;

*Paragraph 3.6.1 In order to accommodate the demands of the Local Plan for appropriate housing provision, there is a need for housing development appropriate to the needs of the Village. Objectives 1 and 2 of this Neighbourhood Plan make it necessary to attach any development to the footprint of the Village to prevent*

*sprawl and to keep the settlement as a discrete entity. There is no immediately available land inside the Village footprint or around it large enough to be considered for a development of the scale needed. The NP argues that this is an 'exceptional circumstance' within the meaning of the Green Belt legislation (NPPF February 2019 Paragraph 136). The area of land referred to will provide for a sufficiently large development to fulfil housing needs. Furthermore, the newly formed boundary being the Lancaster Canal, the Green Belt here will have enhanced protection from such a firm boundary.*

5. As a non-strategic document, it is not the task of the PSWHNP and it does not have the ability, to determine whether exceptional circumstances exist to justify an alteration of the Green Belt boundary. Paragraph 136 of the 2018 NPPF is clear that only the Local Plan can establish that position and the remit of the Neighbourhood Plan is limited to defining the detailed alteration of the Green Belt boundary on the ground.
6. On this basis, so that there is no discrepancy between the Neighbourhood Plan and Local Plan and so the land forming LPSA ref. 167 (Plot 1) can be properly allocated for housing development as the Steering Group intends, Applethwaite considers that paragraph 22.32 of the Local Plan must be further modified to make clear that a Green Belt alteration to the west of Sea View Drive, Hest Bank is justified and necessary, so there is clarity that exceptional circumstances exist in terms of altering the Green Belt boundary in that location to meet housing needs within (and closely related to) the village footprint. Policy 2(a) can then propose with certainty, the detailed new boundary the alteration should follow.
7. It was discussed during the Local Plan Examination hearings (Matter 2 / Question L) whether Policy EN6 (which is listed in Appendix C of the Local Plan as a strategic policy) should make explicit reference to an alteration of the Green Belt boundary to remove land west of Sea View Drive, Slyne-with-Hest so there would be no doubt that the PSWHNP is in conformity with the Local Plan strategic policies.
8. Applethwaite understood from the hearing session that a Main Modification would be made to the Local Plan to this effect however it was not included in the published schedule. The City Council has subsequently explained to Applethwaite that it considers a Main Modification is not required because paragraph 136 of the 2018 NPPF allows amendments to Green Belt boundaries to be made through non-strategic policies including neighbourhood plans. It says;

*Paragraph 136      Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.*

9. Applethwaite has therefore submitted a representation to the City Council in response to the Schedule of Proposed Main Modifications Consultation pointing this out.
10. If the Local Plan Inspector is satisfied that Policy EN6 of the Local Plan and its supporting text is fit for purpose in its current form, whereby the need for a change to the Green Belt boundary west of Sea View Drive, Hest Bank is established so that detailed alteration of the boundary can legitimately be made by the Slyne-with-Hest Neighbourhood Plan in accordance with paragraph 136 of the 2018 NPPF, then Applethwaite is content that no modification is required.
11. Applethwaite is not convinced that this is the case however and therefore proposed a further modification to the Local Plan Main Modification SPLA\_MOD\_46 on the basis that it fails to clarify that exceptional circumstances exist and clearly establish the need for a change to the Green Belt boundary west of Sea View Drive, Hest Bank.
12. Applethwaite suggests that corresponding modifications (i.e. deletions and clarifications) should therefore be incorporated into the PSWHNP so it is consistent with the Local Plan. Specifically, the PSWHNP must not set out why it considers exceptional circumstances exist.

#### **Proposed changes to Policy 2(a) and its supporting text**

13. Applethwaite considers that the following changes are necessary;
  - 1) Paragraph 3.6.1 Delete the whole of the sentence referring to 'exceptional circumstances' and replace it (or rewrite the paragraph) with wording cross referring to the existence of exceptional circumstances implied in the supporting text of Policy EN6 of the Local Plan (subject to any further Main Modification recommended by the Inspector following the representation submitted by Applethwaite). The wording should be discussed with the City Council.
  - 2) Paragraph 3.6.2 Revise / rewrite to be consistent with changes made to paragraph 3.6.1
  - 3) Paragraph 3.6.2 Revise / rewrite to be consistent with changes made to paragraph 3.6.1
  - 4) Policy title This should be changed as follows;
 

*Policy 2(a) ~~Site for New Development~~ Alteration of the Green Belt boundary*
  - 5) Policy text This should be changed as follows;
 

*The Neighbourhood Plan proposes to ~~remove~~ alter the Green Belt boundary to the Land West of Sea View Drive, Hest Bank (Plot 1, LPSA167 of Lancaster City Council's SHELAA 2018) from the Green Belt in order to implement to facilitate future growth for residential purposes under Policy 2(b). The new Green Belt boundary follows the east bank of the Lancaster Canal and Rakes Head Lane.*

## **Policy 2(b)**

14. Applethwaite does not object to the use and scope of the proposed development criteria in the policy in general. It has some concerns over the rationale for each criterion however and suggests that the wording of the supporting text in paragraphs 3.8.1 to 3.8.11 is revised to take account of the following proposed changes.

### **Proposed changes to Policy 2(b) - housing development criteria**

15. Applethwaite considers that the following changes are necessary;
1. *A full site design shall be provided which shows green space, planting areas for shrubs and small trees and buildings positioned to maximise views through and over the site. Site design will maximise social interaction of residents;*
  2. *The building of 30 - 35 age-restricted dwellings on the site to be single storey with gable roofs;*
  3. *A condition removing permitted development rights will be attached to any planning permission/s granted for the development of the site to ensure that the rooflines of one storey dwellings are not ~~be~~ raised above their original constructed height;*
  4. *Aspects and placement of buildings to be varied in order to facilitate views through and across the site;*
  5. *The ground profile of the existing site will be maintained as an even gradient down to the Canal;*
  6. *Materials to be in accordance with Policy 4 of this Plan;*
  7. *~~A minimum of 30% of dwellings to be~~ Affordable housing to be provided in accordance with Lancaster City Council's Development Management DPD, 2019 (Policy DM3) and relevant Government policy set out in the National Planning Policy Framework;*
  8. *Dwellings to facilitate easy access into and around buildings for people with mobility issues;*
  9. *Site design to encourage movement around the site for people with mobility issues by minimising street clutter, thoughtful placement of utility equipment and the use of lowered kerbs and ramps;*
  10. *The site plan will seek to maximise green space for grass and planted shrubs and trees in public space and allow one public parking space per dwelling. This to be achieved by minimising space for front gardens;*

11. *Driveways and pathways attached to dwellings should be permeable, where technically feasible and subject to ground conditions, to allow infiltration of water in line with Policy DM34 of the Local Plan.*
12. *Site design will include provision of a wildlife corridor alongside the Canal and the retention of natural features and associated native animal and plant species on the site in accordance with Policies DM42 and DM43 of the Local Plan;*
13. *Appropriate landscaping adjacent to the canal should be provided to minimise potential impacts on the amenity of the existing nearby canal moorings;*
14. *Access points will be provided to enable scope for a footpath / cycleway through the site from Sunningdale Crescent in the North to Rakes Head Lane (commonly known as Old Bob's Lane) in the South, subject to Third Party land ownership.*





The Neighbourhood Planning (General) Regulations 2012: Regulation 16 – Publicising a plan proposal

**PUBLICATION OF THE SYLNE-WITH-HEST NEIGHBOURHOOD PLAN PROPOSAL  
SUBMITTED TO LANCASTER CITY COUNCIL FOR EXAMINATION**

## RESPONSE FORM

The Slyne-with-Hest Neighbourhood Plan has been formally submitted to Lancaster City Council by Slyne-with-Hest Parish Council.

The Council must now publicise the plan proposal and accompanying documents and seek comments. We would like to hear your views on the Plan proposal.

Paper copies are also available for viewing during at Morecambe Town Hall during office open times and at Slyne with Hest Memorial Hall and new Church Hall (on request).

**Lancaster City Council will be consulting on the neighbourhood plan for six weeks, from 4 February 2022 to Friday 18 March 2022.**

All comments will be publicly available and identifiable by name and organisation (where applicable). Please note that any other personal information provided will be processed by Lancaster City Council in line with the Data Protection Act 1998.

Please review the Neighbourhood Plan Document before completing this form.

Response forms must include a name and address otherwise your comments will not be taken into account.

The form can be emailed to [planningpolicy@lancaster.gov.uk](mailto:planningpolicy@lancaster.gov.uk) or posted to Regeneration and Planning Team, Lancaster City Council, Lancaster Town Hall, PO Box 4, Lancaster, LA1 1PJ.

### 1. Personal Details

Title

First Name

Last Name

Organisation

*(Where relevant)*

Address Line 1

Address Line 2

Address Line 3

Post Code

E-mail Address

Telephone  
Number

Taylor Wimpey

c/o agent

c/o agent

### 2. Agent's Details (if applicable)

Title

First Name Last

Name

Organisation

Address Line 1

Address Line 2

Address Line 3

Post Code

E-mail Address

Telephone  
Number

Avison Young

PLEASE USE A SEPARATE FORM FOR EACH POLICY, CHAPTER OR PARAGRAPH YOU WISH TO COMMENT ON

**1. Do you support the Slyne-with-Hest Neighbourhood Plan in meeting the following basic conditions. Please tick the box if you agree**

Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make [the plan]	<input checked="" type="checkbox"/>
The making of [the plan] contributes to the achievement of sustainable development	<input checked="" type="checkbox"/>
The making of [the 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)	<input type="checkbox"/>
The making of [the plan] does not breach, and is otherwise compatible with, EU obligations	<input checked="" type="checkbox"/>
Prescribed conditions are met in relation to [the plan] and prescribed matters have been complied with in connection with the proposal for [the plan]	<input checked="" type="checkbox"/>

**2. Which part of the Neighbourhood Plan do your comments relate to?**

Policy	<input checked="" type="checkbox"/>
Chapter / Appendix	<input type="checkbox"/>
Paragraph	<input checked="" type="checkbox"/>

**3. To help the examiner consider your representation, please specify which part of the plan you are commenting on, using the page number, section, paragraph, policy or map. Put your comments below:**

Please refer to Avison Young's letter dated 18th March 2022, which is submitted on behalf of Taylor Wimpey.

*Continue onto a separate page if required*

Please tick the box if you would like to be notified whether the plan proposal is made (adopted) by the Council.

☒

Please return your completed response form by **Friday 18 March 2022**

**Signed:** E Sandham

**Dated:** 18/03/2022

Our Ref: 04C201522/ES

18 March 2022

Lancaster City Council  
Planning and Housing Policy Team  
Lancaster Town Hall  
Lancaster  
Dalton Square  
LA1 1PJ

By email only: [planningpolicy@lancaster.gov.uk](mailto:planningpolicy@lancaster.gov.uk)

Dear Sir or Madam,

**REPRESENTATIONS TO THE SLYNE-WITH-HEST NEIGHBOURHOOD PLAN REGULATION 16 CONSULTATION**

On behalf of my client, Taylor Wimpey, I would like to thank you for the opportunity to submit representations to the Slyne-with-Hest Neighbourhood Plan Regulation 16 Consultation.

**Introduction**

These representations are submitted in the context of Taylor Wimpey's interest in the North Lancaster Strategic Site, which is allocated for residential-led development in the Lancaster Local Plan (Strategic Policies and Land Allocations Development Plan Document (DPD) - adopted July 2020) under Policy SG9. The Council anticipates that once fully developed, the Strategic Site will accommodate approximately 700 dwellings and a range of infrastructure necessary to facilitate these new homes, including a primary school, a local centre, public open space and up to 2 hectares of employment land for offices.

To date, Taylor Wimpey has submitted a hybrid planning application for Phase 1 of the North Lancaster Strategic Site, comprising a full planning application for the erection of 58 dwellings (Use Class C3) with associated landscaping, infrastructure, public open space and access arrangements, and an outline planning application for extra care (Use Class C3) and a local centre (Use Class E) development with associated landscaping, open space, and infrastructure (LPA reference: 21/00722/HYB). Taylor Wimpey has also prepared a Comprehensive Masterplan for the North Lancaster Strategic Site, which is being considered along with the submitted hybrid planning application.

Following the Lancaster City Council (LCC's) declaration of a climate emergency in January 2019, the Council is currently undertaking a review of its Local Plan to see if the performance of the policies in climate change mitigation and climate change adaptation can be improved. Nevertheless, it is important to note that no changes are proposed to the Council's housing

requirement (10,440 new dwellings between 2011/12 and 2030/31) as part of the Climate Emergency Review of the Local Plan, and the North Lancaster Strategic Site is still expected to deliver 700 dwellings in the Plan period.

### **Paragraph 1.3.3**

The Slyne-with-Hest Neighbourhood Plan (hereafter referred to as ‘the Neighbourhood Plan’) states that,

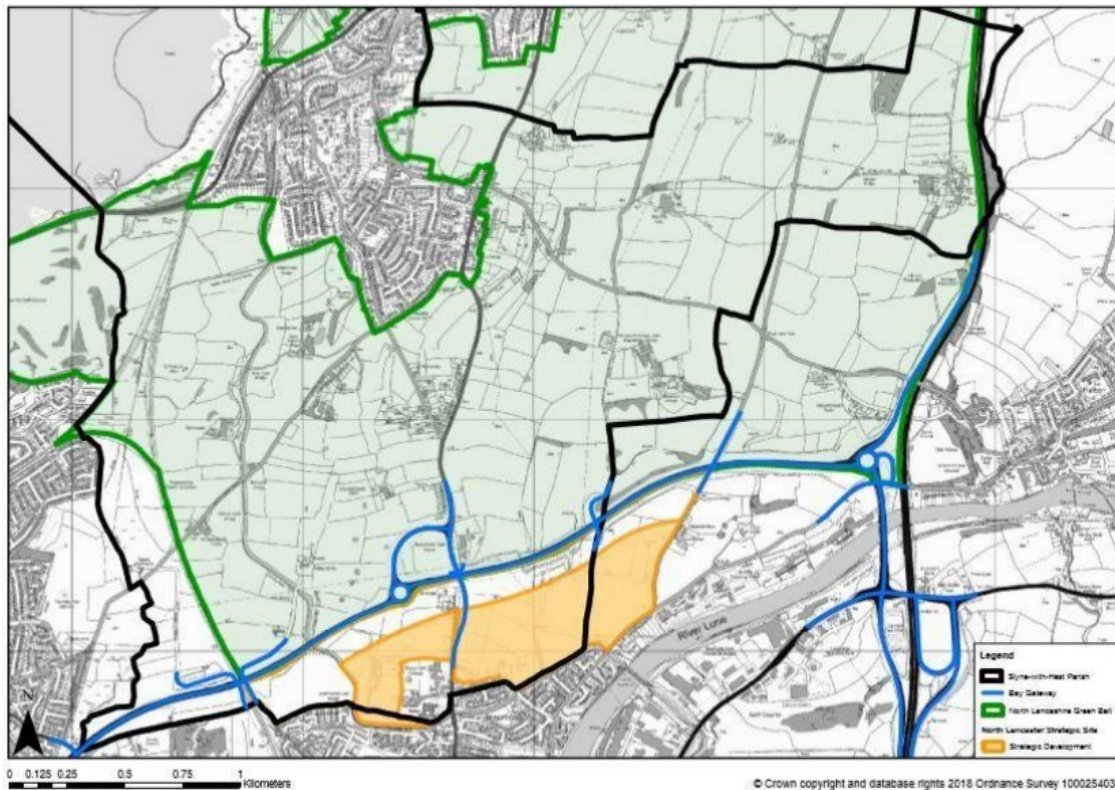
*“...Following the designation of the Neighbourhood Plan Area the City Council prepared and submitted a draft Local Plan for the District, which seeks to meet evidenced strategic development needs for the district. This includes land at Hammerton Hall / Beaumont Hall for the delivery of new homes (as identified in Policy SG9 of the Local Plan) and supporting infrastructure in this area (as identified in Policy SG10). This area, see Figure 2, is within the Parish of Slyne with Hest and the designated Neighbourhood Plan Area and is therefore of relevance to this Neighbourhood Plan...”<sup>1</sup>*

It is Taylor Wimpey’s understanding that the designated Slyne-with-Hest Neighbourhood Plan Area includes the majority of the North Lancaster Strategic Site. However, the eastern most extent of the Strategic Site falls outside of the Neighbourhood Plan area.

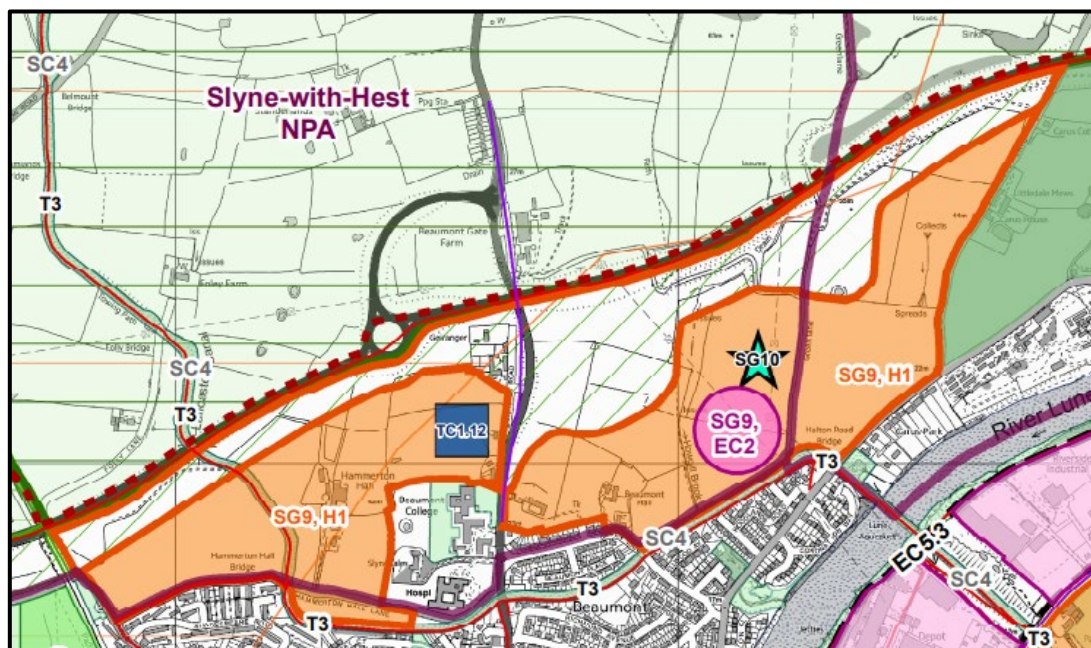
Figure 2 of the Neighbourhood Plan illustrates the ‘Strategic development area within Slyne with Hest Neighbourhood Plan area’ (**Figure 1**). However, the ‘Strategic Development’ (shaded yellow) does not accurately reflect the boundary of the North Lancaster Strategic Site, as illustrated on LCC’s adopted Policies Map (July 2020) (**Figure 2**). Consequently, Figure 2 of the Neighbourhood Plan must be updated to ensure that the North Lancaster Strategic Site is represented accurately within the Neighbourhood Plan and to ensure that the Neighbourhood Plan is consistent with the adopted Local Plan.

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<sup>1</sup> Slyne-with-Hest Parish Council, 2022, *Slyne with Hest Neighbourhood Plan 2017 – 2031 Submission Copy*, paragraph 1.3.3



**Figure 1:** Figure 2 of the Neighbourhood Plan titled 'Strategic development area within Slyne with Hest Neighbourhood Plan area'



**Figure 2:** Strategic Policies and Land Allocations Policies Map, Inset 1 - Main Urban Area, Adopted Version 2020



Taylor Wimpey is supportive of the following statement relating to the North Lancaster Strategic Site in that it is recognised that the Strategic Site is critical to the Local Plan meeting its housing needs,

*"...given its 'strategic' nature (i.e., 'strategic' in the sense that the scale of development proposed is critical to the Local Plan meeting its evidenced development needs), it is recognised by the Neighbourhood Plan, following a request by Lancaster City Council, that this is an allocation which will be pursued by the Local Plan process and not by the Neighbourhood Plan. For more information see Appendix 2, pages 1-2."*

However, the above paragraph currently reads as if the Local Plan has not been adopted and, thus, that the North Lancaster Strategic Site has not yet been allocated. Therefore, the following sentence should be added to paragraph 1.3.3 to clarify that the North Lancaster Strategic Site is allocated within the adopted Local Plan,

*"The Strategic Policies and Land Allocations DPD and the Development Management DPD were adopted on 29<sup>th</sup> July 2020. The North Lancaster Strategic Site is allocated for residential-led development under Policy SG9 of the Strategic Policies and Land Allocations DPD and is identified on the adopted Policies Map."*

### **Policy HRA1 – Protection of Ecologically Sensitive Sites**

Taylor Wimpey acknowledges Policy HRA1. Policy SG9 (North Lancaster Strategic Site) of the Strategic Policies and Land Allocations DPD already includes a requirement to, "provide new home owners with a 'Home Owners Pack'. This will include details of the sensitivities of the land adjacent to the development (and the wider Morecambe Bay coastline) to recreational pressure, and promote the use of alternative areas for recreation, such as public open space within the development."

Policy HRA1 refers to Policies EN9 and SP8 of the Strategic Policies and Land Allocations DPD. However, to ensure consistency with the adopted Local Plan, Policy HRA1 should be amended to read,

*"The Plan recommends that development proposals will need to demonstrate that no International designated site would be adversely affected by development either alone or in combination with other proposals, as per ~~the requirements of Policy EN9 and SP8~~ **Policy EN7** of the Lancaster Strategic Policies and Land Allocations DPD. In line with the HRA for the Lancaster District Strategic Policies and Land Allocations DPD residential proposals within 3.5km of Internationally designated sites must be accompanied by a homeowner pack highlighting the sensitivity of the international sites **to recreational pressure and promoting** alternative areas for recreation."*

### **Policy HE1 – Housing Need**

Policy HE1 of the Neighbourhood Plan relates to 'Housing Need'. Point two of the policy states that,

*"The Plan proposes that: ... In line with the Local Plan thresholds for the provision of affordable housing, proposed new housing developments must provide the maximum viable amount of affordable housing."*

Policy DM3 of the Development Management DPD sets out the Council's affordable housing requirements and provides an affordable housing target by development type for different areas within the district. Policy DM3 also includes a mechanism to relax affordable housing policy

requirements on viability grounds. Consequently, Policy HE1 should be re-worded as follows to better align with the adopted Local Plan,

*~~"In line with the Local Plan thresholds for the provision of Affordable housing should be provided in accordance with Policy DM3 of the Development Management Development Plan Document, proposed new housing developments must provide the maximum viable amount of affordable housing."~~*

Similarly, paragraph 4.6.6 should be amended to read,

*~~"Policy DM3 of the Development Management Development Plan Document sets out the affordable housing requirements for the Lancaster District. The Lancaster Local Plan states that within Slyne-with-Hest, proposals for housing development of fifteen dwellings or more, must include on-site affordable housing. The full definition of affordable housing is set out in Annex 2 of the National Planning Policy Framework (201921)."~~*

Further to the above, the supporting text to Policy HE1 refers to "strategic developments"<sup>2</sup> and "strategic sites"<sup>3</sup> in the Parish. However, it is Taylor Wimpey's understanding that there is only one strategic development / strategic site within the Neighbourhood Plan area, which is the North Lancaster Strategic Site. Therefore, the Neighbourhood Plan should be amended to refer specifically to the North Lancaster Strategic Site or to "strategic development" / "strategic site" in the singular form.

## **Policy BE1 – Design**

Policy BE1 of the Neighbourhood Plan relates to the design of housing developments.

### Criterion 4

Criterion 4 of Policy BE1 states that,

*"Choice of building materials will be decided by the key qualities of the Character Area. The Neighbourhood Plan supports high quality materials, which will have a long service life. Thermally efficient materials which will limit further use of carbon fuels and have less embodied carbon at the construction stage are encouraged. Newly developed building materials, which fulfil these demands and respond to the qualities of the Character Area, will be supported. See Rationale and Further Explanation."*

Taylor Wimpey understands that Character Areas have only been identified for part of the Neighbourhood Plan area comprising the village footprint<sup>4</sup>. Taylor Wimpey has prepared a Comprehensive Masterplan for the North Lancaster Strategic Site, which is being considered as part of the hybrid planning application for the Phase 1 of the Strategic Site. The Comprehensive Masterplan identifies Character Areas for the North Lancaster Strategic Site. Therefore, it is critical that any additional policy requirements proposed through the Neighbourhood Plan do not undermine the delivery of the Comprehensive Masterplan for the North Lancaster Strategic Site,

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<sup>2</sup> Slyne-with-Hest Parish Council, 2022, *Slyne with Hest Neighbourhood Plan 2017 – 2031 Submission Copy*, paragraphs 4.3.2

<sup>3</sup> *ibid.*, 4.3.4

<sup>4</sup> *ibid.*, Figure 13

which has been prepared collaboratively with several stakeholders and submitted to the Council ahead of the adoption of any revised Local Plan.

Taylor Wimpey acknowledges the statement that, *“Thermally efficient materials which will limit further use of carbon fuels and have less embodied carbon at the construction stage are encouraged (AY emphasis)”*. Taylor Wimpey has its own climate change target and is reducing the carbon footprint of its business and working with its suppliers to help bring about wider change. Furthermore, Taylor Wimpey is the first homebuilder to have achieved the Carbon Trust Standard for its overall approach to carbon management. However, Taylor Wimpey would not support an indiscriminate policy requirement to use thermally efficient materials within its developments.

#### Criterion 5

Taylor Wimpey acknowledges the statement that, *“Building strategies that minimise the use of concrete and mixes of which cement is an ingredient will be supported (AY emphasis)”*. However, Taylor Wimpey would not support an indiscriminate policy requirement for building strategies to minimise the use of concrete and mixes of which cement is an ingredient.

#### Criterion 7

Criterion 7 states that,

*“Driveways, pathways, and parking within dwelling boundaries should be permeable to allow infiltration of water into the ground. Hard surfacing for leisure and access purposes within garden areas should be kept to a minimum”*

However, infiltration may not be practicable in all locations. Therefore, the phrase *“where possible”* should be added to the wording of criterion 7 as follows:

*“Driveways, pathways, and parking within dwelling boundaries should be permeable to allow infiltration of water into the ground **where possible**. Hard surfacing for leisure and access purposes within garden areas should be kept to a minimum.”*

#### Criterion 9

Criterion 9 states that,

*“Applications for development are encouraged to demonstrate accordance with the appropriate BREEAM standards in use at the time of submission. Encouragement is also given to schemes that meet Passivhaus standards. Housebuilders are encouraged to register for assessment under the Home Quality Mark. This should show how resource efficiencies and climate change adaptation measures will be incorporated through aspects such as the layout of the proposed development, orientation, massing, landscaping, and building materials.”*

As detailed above, Taylor Wimpey has its own climate change target and is the first homebuilder to have achieved the Carbon Trust Standard for its overall approach to carbon management. However, Taylor Wimpey would not support an indiscriminate policy requirement to meet Passivhaus standards or to achieve a specific BREEAM standard, albeit it is Taylor Wimpey's understanding that BREEAM does not apply to residential development.

#### Rationale and Further Explanation for Policy BE1 Design

It is noted that the supporting text to Policy BE1 encourages the use of specific materials, such as locally produced stone and slate, British or European hardwoods and softwoods, solid timbers,



and thermally efficient glass. The supporting policy text also encourages developers to use materials from as close to the Parish as possible to reduce the use of carbon fuels in transportation.

Taylor Wimpey would not support an indiscriminate policy requirement to use specific materials in its developments or to use materials from within a certain distance of a site.

It is also noted that the Neighbourhood Plan seeks to discourage the use of UPVC in developments, and states that *"use of PVC materials should be justified"*<sup>5</sup>. However, the Neighbourhood Plan does not explain how developers would be expected to justify the use of PVC materials. Taylor Wimpey considers that the wording as currently drafted should be amended to read:

*"Newly developed materials which have fewer disadvantages in environmental terms are preferred ~~and use of PVC materials should be justified.~~"*

### **Policy NE1 – Flooding**

Taylor Wimpey acknowledges Policy NE1.

Point 3 of Policy NE1 states that, *"Local evidenced knowledge of flooding must be incorporated into all site-specific flood risk assessments, via consultation with the Parish Council"*.

Planning Practice Guidance sets out the requirements for site-specific flood risk assessments, including a checklist for the preparation of such assessments<sup>6</sup>. Although Taylor Wimpey seeks to work proactively with local stakeholders when preparing its development proposals, Taylor Wimpey would not support the requirement to incorporate local evidenced knowledge of flooding into site-specific flood risk assessments via consultation with the Parish Council. Therefore, Taylor Wimpey considers that point 3 of Policy NE1 should be deleted.

Further to the above, the reference to paragraph 155 of the NPPF within Policy NE1 should be updated to reflect the latest published NPPF (2021), within which it is understood that the relevant paragraph would be paragraph 159.

### **Policy NE2 – Views**

Figure 19 illustrates viewpoints within the Parish. Viewpoint 11 ('Bench overlooking Bay Gateway. Grid reference: SD 46913 63902') is situated to the north of the western extent of the North Lancaster Strategic Site. Viewpoint 12 ('Public Right of Way along drumlin ridge. Grid Reference: SD47978 64851') lies to the north of the North Lancaster Strategic Site, beyond the Bay Gateway.

Viewpoint 11 is within an area identified as 'Urban Setting Landscape', according to the adopted Local Plan Policies Map, within which development proposals *"will only be permitted where they preserve the open nature of the area and the character and appearance of its surroundings"* (Policy EN5 of the Strategic Policies and Land Allocations DPD). Viewpoint 12 lies beyond the Urban Setting Landscape to the north of the North Lancaster Strategic Site, which is identified as Open Countryside and the North Lancashire Green Belt (Policies EN3 and EN4 of the Strategic Policies and Land Allocations DPD respectively).

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<sup>5</sup> Slyne-with-Hest Parish Council, 2022, *Slyne with Hest Neighbourhood Plan 2017 – 2031 Submission Copy*, page 57

<sup>6</sup> Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities and Local Government, 2021, *Guidance: Flood risk and coastal change*

Policy NE2 states that,

*"The Plan endorses maintaining views from within the Village and the Parish.*

- Any development within the Parish should particularly seek to protect the twenty Viewpoints illustrated in Figures 18 & 19. on pages 71 & 72.*
- Given the rolling topography of the area, any building development must respect the setting in which it is placed, by maintaining views of the village from within the Parish and views from within the Village towards seascapes and landscapes. Views from the twenty protected viewpoints should not be blocked, and should not be negatively affected by distracting colours, masses or shapes that do not correspond with existing elements within their setting.*
- Developments should not cause any loss of significant views, in the way described above, from any highway, public right of way, footpath, cycle route or canal towpath, which currently provides open field aspects, views over Morecambe Bay or other long views."*

Taylor Wimpey has prepared a Comprehensive Masterplan for the North Lancaster Strategic Site, which is being considered as part of the hybrid planning application for the Phase 1 of the Strategic Site. The Comprehensive Masterplan includes a visual analysis of the Strategic Site and emphasises that appropriate development proposals will generally seek to minimise any proposed built form on the highest parts of the Strategic Site to ensure that development is not visually prominent on the horizon. However, Taylor Wimpey would not support any policy that would prejudice the delivery of the North Lancaster Strategic Site. Therefore, Taylor Wimpey considers that Policy NE2 should be amended as follows to ensure that the policy is clear on its objectives and to ensure that the impacts of relevant development proposals can be assessed against these objectives:

*"The Plan endorses maintaining views from within the Village and the Parish.*

- Any development within the Parish should ~~particularly~~ seek to **avoid harm to views from the** twenty Viewpoints illustrated in Figures 18 & 19. on pages 71 & 72.*
- Given the rolling topography of the area, any building development must respect the setting in which it is placed, by maintaining views of the village from within the Parish and views from within the Village towards seascapes and landscapes. **The key characteristics of views from the viewpoints (as set out in Table 6) should not be adversely affected by development.***
- Developments should not cause ~~any~~ **significant harm to** views, ~~in the way described above, from any highway,~~ public right of way, footpath, cycle route or canal towpath, which currently provides open field aspects, views over Morecambe Bay or other long views."*

Further to the above, Table 6 ('Key to Landscape Views') should establish what is particularly valued about each view. Regarding Viewpoint 11, Taylor Wimpey considers that the views would, in reality, be valued for the broadly northward looking 180-degree view, as opposed to the stated *"Almost 360 degrees from Heysham clockwise to Clougha"*. Therefore, for clarity, Taylor Wimpey requests that directional arrows be added to Figure 19 to identify where the 'views to' will be from for each identified viewpoint.

## **Conclusion**

These representations have been submitted by Avison Young, on behalf of Taylor Wimpey, to the Slyne-with-Hest Neighbourhood Plan Regulation 16 Consultation in the context of Taylor Wimpey's interest in the North Lancaster Strategic Site, which is allocated for residential-led development in the Lancaster Local Plan (Policy SG9).

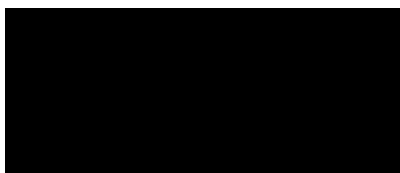
Taylor Wimpey supports the Neighbourhood Plan's recognition that the Strategic Site is critical to the Local Plan meeting its housing needs and, thus, that the allocation has been pursued through the Local Plan, as opposed to the Neighbourhood Plan. However, Taylor Wimpey has made specific comments on the content of the Neighbourhood Plan.

To date, Taylor Wimpey has submitted a hybrid planning application for Phase 1 of the North Lancaster Strategic Site and prepared a Comprehensive Masterplan for the Strategic Site, which is being considered as part of the hybrid planning application. Therefore, it is critical that any additional policy requirements proposed through the Neighbourhood Plan do not undermine the delivery of the Comprehensive Masterplan for the North Lancaster Strategic Site, which has been prepared collaboratively with several stakeholders and submitted to the Council ahead of the adoption of any revised Local Plan.

Overall, Taylor Wimpey would not support any policy that would prejudice the delivery of the North Lancaster Strategic Site, which is allocated for residential-led development in the Lancaster Local Plan.

Taylor Wimpey respectfully requests that these representations are considered fully and wishes to be kept informed of any further progress on the Slyne-with-Hest Neighbourhood Plan.

Yours faithfully,



**Associate Director**

**emma.sandham@avisonyoung.com**

**For and on behalf of Avison Young (UK) Limited**

**From** [REDACTED]

**Sent:** 17 March 2022 09:42

**To:** planningpolicy <planningpolicy@lancaster.gov.uk>

**Subject:** Slyne-with-Hest Neighbourhood plan

I am writing to object to the above plan to build approximately 30/35 bungalows on this site.

I feel that this is the worst greenfield site to choose for the following reasons.

Access - Sea View Drive has bends and frequently cars parked for the school etc. Sea View Close is even narrower. These could be overcome by making access from "Old Bob's Lane" (though this would need to be extended into the field and presumably adopted by the council).

If the idea is for people to downsize then presumably we are talking about pensioners who would then find the village shop, chemist, churches and village hall - none of which are close to this site compared to some other sites. This could be a problem if the bungalows are designed for the elderly, who because of health problems, may find access problems. Many pavements slope! Should they have mobility scooters then they will have to go on the road, (once again you have the bends, wagons, vans etc). Also it is slightly hilly to the amenities; (no problem for most people) but some elderly would experience problems. There is also the walk to the bus stop to be considered. Possibly "Old Bob's Lane" could be made accessible (currently when it rains it is a muddy mess).

We then come to the biodiversity of the field - birds, great crested newts, bats, etc. This is probably the best greenfield site in the village. So why destroy it?

I'm also concerned that the council may decide they need more houses in a few years and would then need to destroy part of another green field site.

[REDACTED]

  
To Whom it should concern.

**Ref: -Slyne-with Hest Neighbourhood Plan Regulation 16 Consultation.**

As a resident in this area, I would like to make representation of my disagreement with the proposed development plan off Sea View Drive. Whilst I appreciate the need for additional housing and the work the SWH Neighbourhood Plan have done, I feel the area proposed is totally unsuitable.

Firstly, the land is already greenbelt and the only area left within the village that has canal frontage with no housing. The area is already providing a canal corridor and habitat for many types of wildlife e.g., ducks, swans, coots, moorhens, rabbits, foxes, newts, which benefit from lack of footpaths and pedestrian access. The land is low lying and has been known to waterlog, in fact I believe there is already a soakaway from Sea View Drive that drains onto this land.

The proposal is for 30-35 dwellings, which should be of similar massing to the existing Sea View development. It should be noted that there are no 2 storey dwellings on Sea View, the housing being detached and semi-detached bungalows some with dormer living areas. Based on 35 houses and the existing proportions of Sea View, I estimate the development would be 29 detached and 6 semi-detached bungalow dwellings. The plan states that the wet area to the South of the site be used for the collection of surplus rain water. As well as provision of a canal corridor for wildlife, a cycle track is also being proposed from Sunningdale to Rakes Head Bridge. These areas all reduce the foot print of the proposed dwellings. The existing foul sewage from Sea View passes to the pumping station on Sunningdale, which has had issues in the past! Are the existing services capable of supporting this additional development?

If the development went ahead, it would significantly increase the traffic through the estate, with the only being access from Hest Bank Lane, around Sea View Drive then down Sea View Close. Access via Sunningdale is almost impossible due to the narrowness of the existing road. The roads on Sea View are not particularly wide, with at least 3 sharp 90degree bends to negotiate before reaching the site. There is already a lot of pavement parking on Sea View making the route more hazardous. Residents of this proposed site would also be some distance from Hest Bank Lane, should they wish to use public transport or the local shops on Manor Road.

I am particularly concerned about the construction traffic having to use this route during the development should it proceed. HGV vehicles would only have two options to reach the site. Hest Bank Lane from the A6 or down Manor Lane from the A6 and along Shady Lane. Both routes are always restricted with parked vehicles and have to pass the Primary School and negotiate the tight turn onto Sea View Drive. During School opening/closing times the roads are heavily congested with parents' vehicles. The junction onto Sea View also has a Bus Stop on it. This development would take many months, even years to complete. This would have safety issues for pedestrians and children living in this area.

In my opinion a far better option would be to develop the land enclosed between the A6, Throstle Grove and Hest Bank Lane. The area is far larger than the Sea View plot and could be developed in phases. Access could be directly off the A6 and not just limited to one, giving traffic options to enter and leave the site, unlike the Sea View proposal. Additional access could also be provided off Throstle Grove and Hest Bank Lane for later phases of the development. By 2031 more housing will also be required and then this site could be expanded. Housing in this area is already mixed, with detached and semi-detached housing of different types, giving developers more options for a wider

range of housing. Areas behind existing road front properties on the A6 and Hest Bank Lane have already been developed. During development, HGV's and construction traffic would have unhindered access directly off the A6. When complete, residents would have easy access to public transport, two local eating establishments and be a similar distance from the local shops on Manor Road as the proposed Sea View site. There would be no disruption to the canal wildlife, eliminating any possible contamination to the canal. Existing housing on Throstle Grove would not be too affected by early phases of the development as the area is much lower than Throstle Grove. You would still be keeping the village separate from Beumont to the South and Bolton-le-Sands to the North.

If the Sea View development does go ahead, it will also seriously devalue the properties on Sea View Drive that are adjacent to the proposed site, these houses currently enjoy uninterrupted views across open fields and Morecambe Bay. Perhaps, if approved the Council would consider renaming the existing roads; Blocked View Drive and Blocked View Close.

Regards,  
A Concerned Resident.

## Objection to Policy HE2

I have recently purchased a property on Sea View Drive adjacent to the proposed HE2 site and as such was unable to post any comment or objection to this development during the first round of public consultation.

Any development resulting in the erosion of the green belt and the loss of countryside should be discouraged, particularly considering the great number of houses proposed close by i.e., the proposed developments at Beaumont (sharing the same LA2 6B postcode of the HE2 site). The redrawing of the green belt boundary and development of green belt land, loss of countryside and natural environment, even on a small site sets a dangerous precedent. This will lead to the continued erosion of the green belt, which will not be able to be recovered following potentially rushed development in order to meet housing targets. Furthermore, I would ask that local councils and government have explored all possible options for brownfield sites and adaptation of existing buildings capable of being refurbished.

Having reviewed the Neighbourhood Plan, it is interesting to note, Lancaster City Council have recognised this site as making a strong contribution to the green belt, whilst the main justification in the neighbourhood plan is that the village, being recognised as sustainable and suitable in helping deliver future housing targets has assessed the difference between the site adjacent Sea View Drive being able to accommodate 30-35 houses vs. the Manor Lane Site potentially accommodating 200 houses. (4.7.7 and 8 refers). Any housing deficit in the longer term is not going away – development on HE2 would only satisfy a short to medium term need. The scalable larger Manor Lane site offers more options into the future.

Access to the HE2 site is problematic with only one (small) road connecting to Hest Bank Lane serving the whole existing estate of Sea View Drive and Raikes Hill Drive, some 70+ properties. Adding a further 35 houses will increase the traffic flow by 50% on this already busy access route. The junction with Hest Bank Lane is already dangerous in my opinion, with a blind bend in one direction and St Lukes Primary School in the other. This problem will only be exacerbated by a large volume of heavy construction traffic. The Manor Lane development however offers no such traffic black spots as the A6 trunk road is immediately adjacent to that site.

For the HE2 site, the plan is vague and makes numerous references to the overall design of the development although there appear to be a number of contradictions.

- *A design-led approach to development shall be taken that responds to the character of the site and immediate vicinity and reflected in the scale, orientation and appearance of buildings*
- *The proposed housing mix shall respond to the most up-to-date information on local housing needs with support given to those proposals that include bungalows and **two-bed homes**, where the scale, massing and proportion of development relates positively in terms of scale and massing to that on Sea View Drive.*

- *Car parking shall be provided in accordance with standards set out within Appendix E of the Local Plan Part Two. For dwellings with 2/3 bedrooms, 2 spaces are required. For dwellings with 4+ bedrooms, 3 spaces are required.*
- *The NP envisages smaller housing units as these will produce a greater housing density, for dwellings with a relatively low massing, (Ref: Note on Housing Density) more efficient use of the land, and housing that will conform generally to the character of the dwellings already present on Sea View Drive*
- *A design-led approach should be adopted that reflects local assets and character. These key features should be established early in the design process in order for development proposals to preserve and enhance them. These include key views into, through and away from the site*

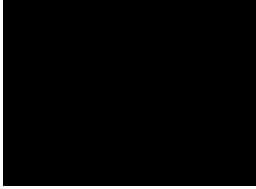
If the HE2 development is to proceed then all criteria in the local plan in terms of amenity, design scale (of the wider development and housing), environment and provision under **4.7.19 A Rationale for each of the Building Criteria listed above in Policy HE2** should be met, with no outline or full planning permission granted without a system in place such as a section 106 agreement to protect and ensure any development meets these criteria. This would safeguard against future development which would result in over-development and the proposed small scale and affordable housing becoming unaffordable beyond the purpose for which they are intended and described in the Local and Neighbourhood Plan.

Given the commercial reality pressures from any developer, housing should be restricted to bungalows 'or' 1 and half stories (i.e., a first floor with a roof space) **and not be two stories.**

Based upon the above arguments I strongly object to the HE2 development being approved. Secondly if the project were to go ahead thorough consideration should be taken with planning permissions to minimise the impact and appearance of the development. Commercial developers will aim to maximise the profit from their investment by a higher housing density and maximising building size whilst minimising cost. This strategy likely to be adopted by any developer will be a diametrically opposed to the wishes of the NP and is at odds with the 'low profile housing' , originally 'sold 'in the neighbourhood plan.



**From:** [REDACTED]  
**Sent:** 17 March 2022 12:11  
**To:** planningpolicy <planningpolicy@lancaster.gov.uk>  
**Subject:** Comments relating to Slyne with Hest Neighbourhood Plan



17th March 2022

Slyne-with-Hest Neighbourhood Plan

Having read the above plan we would like to comment and register our views about various issues documented in the plan.

Land West of Sea View Drive LPSA 167

Policy HE2 Site Development page 38

Proposals for this parcel of land to be removed from the Green Belt and allocate

30-35 dwellings.

Criteria.

1. Accessibility to and through the site.

The site is problematic to access if only Sea View Close is considered and no serious consideration given to the other two access points.

2. Housing mix of bungalows and two bed houses which relates positively to the scale and massing of Sea View Drive.

No previous mention has been made to include two bed houses on this site only low level structures so as not to restrict residents view.

4.7.18 page 46

The Neighbourhood Plan justifies allocation of this area as being available, achievable and accessible.

To be available and achievable Green Belt Status must be first removed from the site and the government of the day is now not in favour of losing Green Belt for housing. The site is not accessible without much disruption to the six houses on the cul de sac of Sea View Close.

4.7.19page 46/47 Rationale for Building Criteria

1. For the benefit of local residents any concerns of potential impacts of the development can be mitigated prior to the commencement.

Much concern has been raised over the use of Sea View Close as access without much success.

6. Much concern has been noted for the wildlife on the site at previous consultations but there is no mention of concerns raised about traffic and access to site.

#### Appendix 5 Identification and Assessment of the Building Land page 6 &26

Criteria applied to the assessment states there is one access point and this will be via Sea View Close.

No consideration seems to be given as to the suitability of this access point with no others being considered.

Infrastructure of water, sewage ,electrical and telecoms are adequate.

This estate was built in the 1960s and there has been no upgrading of services in that time. These services cannot cope now, especially sewage. Most major drains seem to be collapsing with no remedial work being undertaken.

#### Conclusions to the Assessment page 28

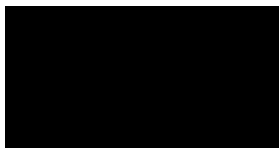
1. Road access point to the site is adequate.

The width of Sea View Close is only 4.85metres and heavily congested therefore suggesting this would result in a single lane to and from the site. Surely this would be a hazard if a major incident occurred on the site. This does not seem adequate for a site with 30 -35 dwellings nor the residents of Sea View Close.

2. There would be an increase in traffic flow but not enough to cause major inconvenience on Sea View Drive or Hest Bank Lane.

No mention of disruption and inconvenience to Sea View Close, which will no longer be a cul-de-sac of six houses but will be a thorough fare for vehicles from 30-35 houses, plus construction traffic if the development proceeds. Sea View Drive would be impacted because again heavily congested and a road width of only 5.50metres.

In conclusion this site LPSA 167 does not satisfactorily fulfil the criteria needed to be included in the Neighbourhood Plan.



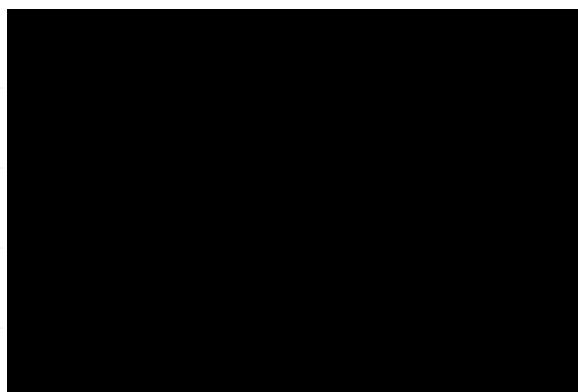
Q1. Name

Q2. Address and postcode

Q3. Organisation (if applicable)

Q4. Email address

Q5. Telephone



Q6. Agent's Details (if applicable). Please provide Name, Address and Contact details

not answered

Q7. Do you support the Slyne-with-Hest Neighbourhood Plan in meeting the following basic conditions?

Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make [the plan]

No

The making of [the plan] contributes to the achievement of sustainable development

No

The making of [the 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)

No

The making of [the plan] does not breach, and is otherwise compatible with, EU obligations

No

Prescribed conditions are met in relation to [the plan] and prescribed matters have been complied with in connection with the proposal for [the plan]

No

Q8. To help the examiner consider your representation, please specify which part of the plan you are commenting on, using the page number, chapter, paragraph, policy or map. Put your comments below.

4.3 National policy 4.3.1 appendix 5 4.3.2 HE2 propose to remove from Green Belt 4.7.9 amendment to green belt NPPF paragraph 136

Q9. Please tick the box if you would like to be notified whether the plan proposal is made (adopted) by the Council

Yes

Q10. Would you like to upload supporting documentation

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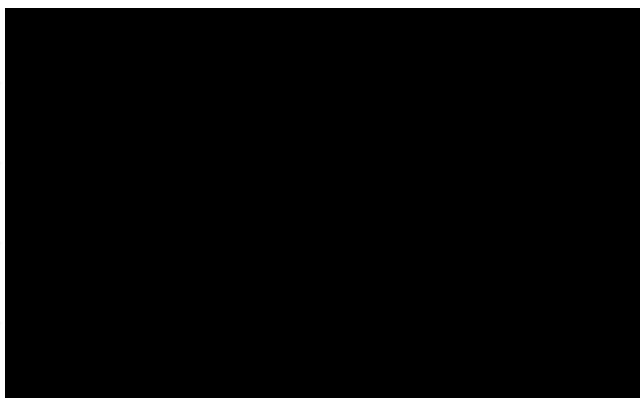
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Prescribed conditions are met in relation to [the plan] and prescribed matters have been complied with in connection with the proposal for [the plan] No

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4.7.9 amendment to the green belt 4.3 rational for policy HE1 housing need 4.3.1 appendix 5

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No

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This is not a Neighbourhood plan.(NP) Appendix 5 of the submission shows very early engagement with a Commercial Developer, and the NP has been commercially led and very opaque since that engagement. The plan does not satisfy local housing needs as stated, and therefore does not warrant the removal of green belt status. During the development of the NP a new plan has been created to develop a much wider area of the village. Once this new plan was created, the agenda and terms of reference changed completely making the NP totally irrelevant and seriously mis-aligned with the wider plans for the future. With the advent of the new larger plan, this village will contribute hugely to new housing needs, and, as the NP terms of reference were no longer valid, the NP should have been stopped or brought into line with new terms of reference. I submit that on these two aspects, the NP should be rejected, as it's terms of reference are no longer valid.

Q9. Please tick the box if you would like to be notified whether the plan proposal is made (adopted) by the Council

Yes

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Q6. Agent's Details (if applicable). Please provide  
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The making of [the plan] does not breach, and is otherwise compatible with, EU obligations Yes

Prescribed conditions are met in relation to [the plan] and prescribed matters have been complied with in connection with the proposal for [the plan] Yes

Q8. To help the examiner consider your representation, please specify which part of the plan you are commenting on, using the page number, chapter, paragraph, policy or map. Put your comments below.

Project CC2 Road Safety p91 I would like to support the proposals from the road safety section of the plan, that suggest reducing the speed limit of the A5105 (Coastal Road/marine Road) where it branches off from the A6 in Bolton le Sands until it reaches Bare. At the moment, traffic leaves a 30mph zone at Bolton le Sands and then enters a 40mph zone on the A5105 which passes through Hest Bank, re-entering a 30mph zone at Bare. This approach doesn't seem very consistent with a policy of having a 30mph zone in residential areas. Vehicles passing through Hest Bank are often travelling at speeds well in excess of the 40mph limit and often overtake along the straight section of road in front of Coastal Drive. There are many local residents in this part of the village (including myself) who have young families and it can make crossing this section of road a bit scary at times. This section of road has already been designated as a community concern speed area by Lancashire County Council (see attached photo). It is likely that Coastal Rd/Marine Rd will become busier with the development of the Eden Project North in the next few years, so it would be good to get this issue resolved before then. Thank you.

Q9. Please tick the box if you would like to be notified whether the plan proposal is made (adopted) by the Council

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Selection of HE2 site and development constraints

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Yes

Q10. Would you like to upload supporting documentation

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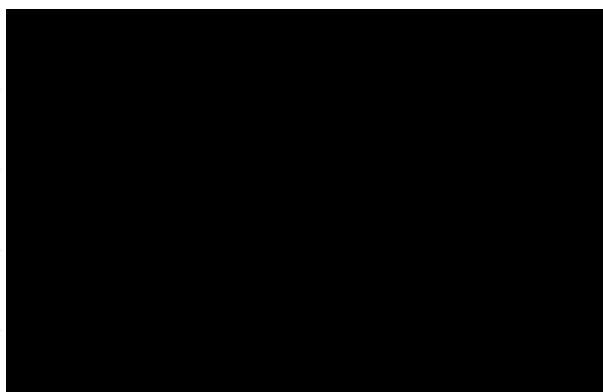
Q1. **Name**

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Q4. **Email address**

Q5. **Telephone**



Q6. **Agent's Details (if applicable). Please provide** N/A  
**Name, Address and Contact details**

Q7. **Do you support the Slyne-with-Hest Neighbourhood Plan in meeting the following basic conditions?**

Having regard to national policies and advice contained Yes  
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appropriate to make [the plan]

The making of [the plan] contributes to the achievement No  
of sustainable development

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Policy HE 2 Site for new development I do not agree that the land west of Sea View Drive (fig.9) should be removed from the Green Belt. Once Green Belt Land is lost it is lost for all time it can never be recovered. We should protect our Green Belt Land at all costs as this assists the environment in the battle against climate change and is an area which protects various species of wildlife. NPPF Para. 136 States: "once established Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified". I do not believe it is justified to move a Green Belt boundary to build 30-35 houses, what possible impact can 30 houses make on the overall housing need compared with the impact on the environment and ecology of the area. 4.7 Rationale for policy HE 2 4.7.6 Again how will building 30-35 houses have any kind of significant impact on the housing shortage? In a few years to come more demands will be placed to provide more land for development and further Green Belt areas will have to be sacrificed to meet this demand. 4.7.7 & 4.7.8 If and it is a big if, Green Belt Land must be given up for new development because the housing shortage is so chronic, then, the other site under consideration i.e. the land to the north of manor lane (Plot 6) is a better option as the plot could allow for the development of possibly up to 200 houses which would have a significant impact on the housing shortage. This site could be developed in phases as required to meet the demands of today and future demands as they arise. 4.7.14 iii The Green Belt Boundary along this parcel of land has never been encroached upon in all the years since the initial development of the estate took place in the early 1960's so why now should it be classed as vulnerable. 4.7.15 On what basis do the P.C. have to question the Strong Contribution that the land makes to the Green Belt. 4.7.17 It would appear that the P.C. are suggesting that by giving up Green Belt Land we are actually strengthening our Green Belt this seems somewhat perverse logic to me. 4.7.18 i Accessible There is only one access point to the Sea View Drive estate, this is from Hest Bank Lane into Sea View Drive. This single access point already services the properties on Sea View Drive, The Knoll, Raikes Hill Drive and Sea View Close (some 100 properties). The effect of traffic using this access point is evidenced by the number and frequency of repair pot holes at this access point. Further, access to the proposed site is again limited to a single point from Sea View Close, all the aforementioned roads are relatively narrow reflecting the needs of the 1960's when traffic was lighter and vehicles were much smaller. There is already degree of congestion at times and increasing the number of vehicles requiring access will only make the situation worse. The alternative site (Plot 6) would however, benefit from a brand new infrastructure with the possibility of multiple access points from Manor Lane and the A6. 4.7.19 7. How will building houses alongside the canal maintain the attractiveness of this beautiful stretch of the canal. 4.19.1 The views of residents of Sea View drive will be affected by any development on the site as will the views of the many canal boat users and tourists using the canal tow path.

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<b>Q9. Please tick the box if you would like to be notified whether the plan proposal is made (adopted) by the Council</b>	Yes
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<b>Q10. Would you like to upload supporting documentation</b>	not answered
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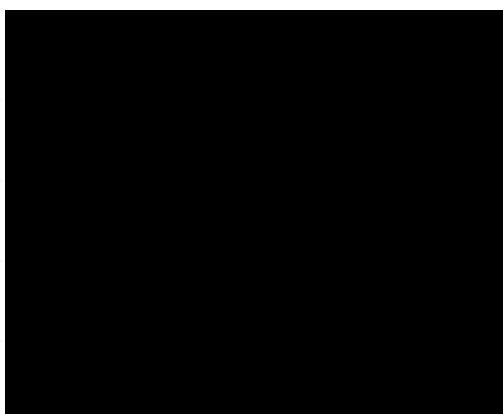
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in guidance issued by the Secretary of State, it is  
appropriate to make [the plan]

Yes

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of sustainable development

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The making of [the 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)

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The making of [the plan] does not breach, and is  
otherwise compatible with, EU obligations

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Prescribed conditions are met in relation to [the plan]  
and prescribed matters have been complied with in  
connection with the proposal for [the plan]

Yes

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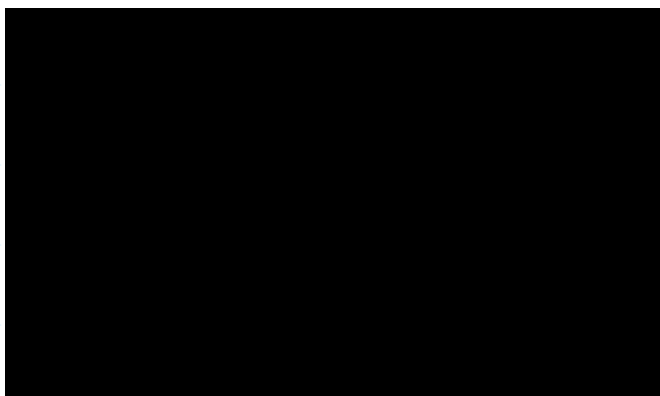
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not answered

Q7. Do you support the Slyne-with-Hest Neighbourhood Plan in meeting the following basic conditions?

Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make [the plan] Yes

The making of [the plan] contributes to the achievement of sustainable development Yes

The making of [the 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) Yes

The making of [the plan] does not breach, and is otherwise compatible with, EU obligations Yes

Prescribed conditions are met in relation to [the plan] and prescribed matters have been complied with in connection with the proposal for [the plan] Yes

Q8. To help the examiner consider your representation, please specify which part of the plan you are commenting on, using the page number, chapter, paragraph, policy or map. Put your comments below.

I support the whole of the Parish Plan

Q9. Please tick the box if you would like to be notified whether the plan proposal is made (adopted) by the Council

Yes

Q10. Would you like to upload supporting documentation

not answered

Name

[REDACTED]

Address and postcode

[REDACTED]

Email address

[REDACTED]

Telephone

[REDACTED]

Do you support the Slyne-with-Hest Neighbourhood Plan in meeting the following basic conditions?

Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make [the plan]	No
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The making of [the plan] contributes to the achievement of sustainable development	No
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--	----

The making of [the plan] does not breach, and is otherwise compatible with, EU obligations	Yes
--	-----

Prescribed conditions are met in relation to [the plan] and prescribed matters have been complied with in connection with the proposal for [the plan]	No
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To help the examiner consider your representation, please specify which part of the plan you are commenting on, using the page number, chapter, paragraph, policy or map. Put your comments below.

Appendix 4b, Stage 2 Consultation and Analysis (page 6). At the public meeting, every single comment in respect of the Sea View Drive site was that it should be bungalows only. There was no

support whatsoever for houses to be built. Why consult if the unanimous views of residents are going to be ignored? Consultation Document, Consultation Responses (pages 13-41inc.). Perhaps the greatest concerns for residents relates to the increase in traffic. Sea View Drive has four right angled corners and, because of the number of vehicles parked on the road, drivers often have to approach a bend on the wrong side of the road without the benefit of being able to see if there are any vehicles coming in the opposite direction. In addition, when drivers turn onto Sea View Drive from Hest Bank Lane, they are invariable met with a number of parked vehicles (usually parents parking at school drop off/pick up times, and dog walkers parking whilst exercising their dogs on the fields at the rear of Sea View Drive.. This is a really dangerous spot and it is a wonder that a child has never been run over there. Letters have been sent to LCC in the past because of these real concerns. It is noted that the Highways Authority recommend up to 30 new dwellings in their response but, from a road safety point of view, this is 30 too many. Neighbourhood Plan Submission Copy, Policy HE2, Site for new Development. The original Consultation Document identified the need for up to 34 bungalows only, and there was great emphasis on maximum roof height and design in order to minimise the impact the development would have on existing properties. Last minute changes have now been made to the document to include two bedroom houses. This change has never formed the basis of any consultation whatsoever, and contradict the proposal which went out for consultation. Is this because the authors were fully aware from the public consultation meeting that the unanimous view of residents was that it should be bungalows only, and that houses would not be supported? Consultation Statement, Regulation 14 Consultation .How and Who we Consulted With. The consultation exercise has been flawed from start to finish. I was personally responsible for organising the petition. Frankly, I had to give up after almost three solid days as, when knocking on doors, the vast majority of Sea View Drive residents were unaware of the Neighbourhood Planning exercise and most certainly were unaware of the proposed development site. I had to provide the details which really should have been better provided by the NP group. The consultation leaflet which was distributed to all households outlined the purpose of the Plan, but made no reference whatsoever to the Sea View Drive site (although it had already been identified within the Consultation Document). Presumably this was a deliberate omission, as they were already fully aware of the level of opposition to the proposal. In fact, publication of the current six week final consultation exercise is restricted to one very small note on the Manor Lane notice board (which is at the opposite end of the village to Sea View Drive). If I were a cynic, I would suggest that it was only placed there in the hope that no one from Sea View Drive would actually see it (and having sought the views from a large number of Sea View Drive residents, I know that to be the case). As previously mentioned, the consultation has been a sham as the final document has been amended to include two bedroom houses which have never formed part of any consultation, and the plan was always "sold" to the village on the basis of bungalows only. As this is a flawed document which does not reflect the views and wishes of residents, it is my sincere wish that it is rejected by the City Council.

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**Please tick the box if you would like to be notified whether the plan proposal is made (adopted) by the Council**

Yes

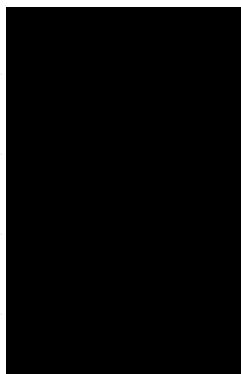
Q1. Name

Q2. Address and postcode

Q3. Organisation (if applicable)

Q4. Email address

Q5. Telephone



Q6. Agent's Details (if applicable). Please provide Name, Address and Contact details not answered

Q7. Do you support the Slyne-with-Hest Neighbourhood Plan in meeting the following basic conditions?

Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make [the plan] No

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Q8. To help the examiner consider your representation, please specify which part of the plan you are commenting on, using the page number, chapter, paragraph, policy or map. Put your comments below.

Further to my previous submission, I am now able to confirm that small notices are being displayed on other Parish Council Notice Boards in the Village, and not just on Manor Lane.. My previous comments in respect of the consultation notice should therefore be disregarded. However, it remains the case that, as most residents in Sea View Drive bungalows are extremely elderly, and those in the family houses will be working, this is not a very effective means of communicating this extremely important subject. At no time during the entire process has the NP Group directly advised individual Sea View Drive residents of the specific proposal which, if approved, will have a major impact on their lives. Consultation has always been through more general notices or documentation on the internet (which is not available to many elderly people).

Q9. Please tick the box if you would like to be notified whether the plan proposal is made (adopted) by the Council Yes

Q10. Would you like to upload supporting documentation not answered