

Addendum to Scotforth Rural NDP Basic Conditions Statement

1. New Legal Compliance Requirements

1.1 Paragraphs 1.2 to 1.7, in relation to the new legal compliance requirements, are to be read as an addendum to section 2.0 Legal Requirements of the Scotforth Rural NDP Basic Conditions Statement.

1.2 Section 98(3) of the Levelling Up and Regeneration Act (LURA) 2023 modifies Section 38B of Planning and Compulsory Purchase Act (PCPA) 2004 by adding the following paragraph:

(2B) So far as the qualifying body considers appropriate, having regard to the subject matter of the neighbourhood development plan, the plan must –

a) Be designed to secure that the development and the use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change, and

b) Take account of any local nature recovery strategy, under section 104 of the Environment Act 2021, that relates to all or part of the neighbourhood area, including in particular –

i) The areas identified in the strategy as areas which –

A) Are, or could become, of particular importance for biodiversity, or

B) Are areas where the recovery or enhancement of biodiversity could make a particular contribution to other environmental benefits,

ii) The priorities set out in the strategy for recovering or enhancing biodiversity, and

iii) The proposals set out in the strategy as to potential measures relating to those priorities.

1.3 Two new requirements have been introduced, (a) relating to climate change, and (b) relating to the local nature recovery strategy (LNRS). It should be emphasised that both are prefixed with “So far as the qualifying body considers appropriate...”. While third parties (including the examiner) can take a view on whether these requirements have been met, the wording of the legislation appears to afford the qualifying body (QB) considerable latitude in terms of how they are discharged. For the avoidance of doubt, Scotforth Parish Council, being the qualifying body, asserts that its Neighbourhood Development Plan (NDP) is compliant with the new regulations and appropriately justifies that compliance. Nevertheless, this addendum provides references to appropriate evidence within the NDP and the examiner’s report to enable suitable consultation.

1.4 In relation to (a) climate change, policy SR7 of the Scotforth Rural NDP is clear that ‘development proposals will be expected to incorporate the most up to date

national and Lancaster City Council sustainability standards relating to climate change and environmental sustainability.’ Part 3.4 of the Design Guide and Codes, referenced within this policy, has a specific section on resilience to climate change. So, the Scotforth Rural NDP has *‘been designed to secure that the development and the use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change’*, in accordance with the amendments made through the LURA.

- 1.5 Then in terms of (b) the LNRS, the Lancashire LNRS was published on 16th January 2026. The Scotforth Rural NDP was submitted on 4th August 2025 and was subject to a 6-week consultation which commenced on 2nd October 2025 and concluded on 17th November 2025. All of which took place prior to the publication of the LNRS. Whilst the Scotforth Rural NDP does not make direct reference to the LNRS (for the reasons set out above), nature protection, enhancement and recovery is a key aim of the Scotforth Rural NDP, reflected through the policies themselves. Policy SR3 relates to landscape character, policy SR4 to hedgerows, trees and woodland and policy SR5 to wildlife and biodiversity. A map has been produced to identify the hedgerows, trees and woodland within the Neighbourhood Plan Area (Map 4 on page 23 of the NDP).
- 1.6 The map extracts set out in Figures 1 to 3 below have been taken from the LNRS Local Habitat Map¹, which demonstrate that the LNRS does relate to the Neighbourhood Plan Area. A significant number of the potential measures, and subsequently the areas that could become of particular importance, relate to trees and woodland. For example, expanding or connecting existing woodland, establishing riparian woodland and trees along water courses, creating new biodiverse woodlands, and wooded habitat creation and enhancement in urban open spaces, to name a few.
- 1.7 Policy SR4 clearly states that ‘Development should take opportunities wherever possible to plant new trees and areas of woodland, as part of measures to enhance biodiversity and contribute to improved water management and reduced flood risk. Wherever possible these planting schemes should expand existing woodland corridors and chains as part of measures to enhance Green and Blue Infrastructure in line with Lancaster City Council’s Green & Blue Infrastructure (GBI) Strategy December 2021 (or later document)’. As part of the new Local Plan, Lancaster City Council are going to review and update their GBI Strategy, which will reflect and support the recently published Lancashire LNRS. Therefore, the Scotforth Rural NDP will take account of *‘any local nature recovery strategy, under section 104 of the Environment Act 2021, that relates to all or part*

¹ [Habitat Map | LNRS Local Habitat Map](#)

of the neighbourhood area', in accordance with the amendments made through the LURA.

Figure 1: Areas of Particular Importance

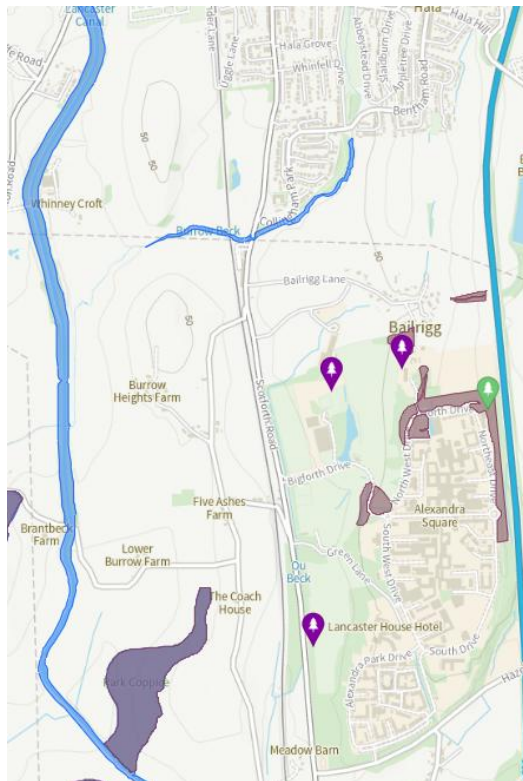


Figure 2: Potential Measures

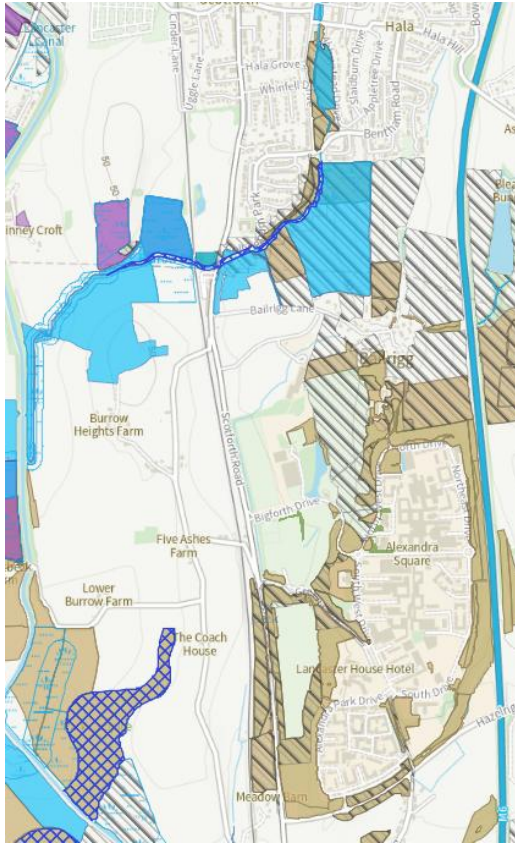
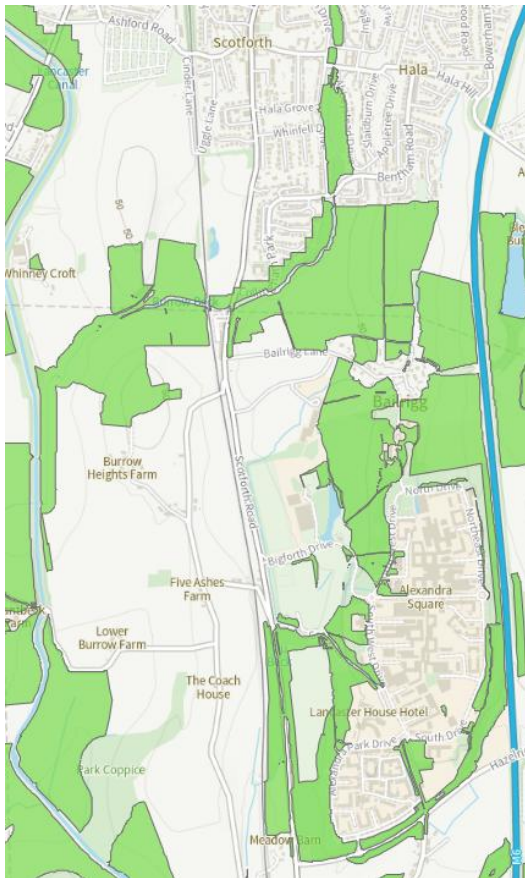


Figure 3: Areas that could become of particular importance



- 1.8 For the reasons set out in paragraphs 1.1 to 1.7, the qualifying body considers that appropriate regard has been given to the amendments made via Section 98(3) of the Levelling Up and Regeneration Act (LURA) 2023.

2. New Basic Condition

- 2.1 Paragraphs 2.2 to 2.7, regarding the new basic condition, are to be read as an addendum to section 3.0 Basic Conditions of the Scotforth Rural NDP Basic Conditions Statement.
- 2.2 Section 99(3) of the LURA 2023 modifies the Basic Conditions set out in paragraph 11(2) of Schedule A2 of PCPA 2004 with the following amendments:
- a) For paragraph (c) substitute –
“(ca) the making of the plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the draft plan were not to be made,”;
 - b) After paragraph (d) (but before the “and” at the end of that paragraph) insert –
“(da) any requirements imposed in relation to the plan by or under Part 6 of the Levelling-up and Regeneration Act 2023 (environmental outcomes reports) have been complied with,”.
- 2.3 The new basic condition (ca) replaces (c), which stated: “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)”. It could be considered that basic condition (ca) is effectively a narrower version of former basic condition (c). As delivery of housing numbers is a strategic matter, and previously a NP was required to be in general conformity with strategic policies, it would be highly unlikely and unrealistic for a NP to result in less housing coming forward than otherwise planned for.
- 2.4 The submitted NDP has two policies which directly relate to development within the Neighbourhood Plan Area; Policy SR1 and Policy SR2. Policy SR1 identifies an Area of Separation around Bailrigg Village, and states that ‘development proposals will not be supported where they would impact on the openness and visual amenity of the Area of Separation, or where they would lead to coalescence between Bailrigg Village and the City of Lancaster to the north or Bailrigg Village and Lancaster University Campus to the south’. Continuing ‘Within the Area of Separation proposals which maintain and enhance the general open and green character will be supported as part of development schemes’. The policy also identifies a Development Boundary for Bailrigg Village, where development will be supported where it demonstrates that it meets

evidenced local housing needs of Scotforth Parish, and is proportionate in scale and character of the village.

- 2.5 The Examiner establishes within their report (in paragraph 52) that the context for the policy is the designation of Bailrigg as a “rural village” in Local Plan Policy SP2 to “accommodate development that meets evidenced local needs only”, while also being located within a Broad Location for Growth identified in Local Plan Policy SG1. Policy SG1 sets out a series of principles for development in the Broad Location for Growth in South Lancaster. Including “the creation of sufficient areas of high quality open spaces to provide a distinct sense of place...The delivery of such spaces and routes should make for distinct areas of separation between the new development and the urban edge of Lancaster Bailrigg Village and Galgate”.
- 2.6 In paragraph 58 of the Examiner’s report it is acknowledged that representations were received that considered the approach set out in policy SR1 to be in conflict with the identification of South Lancaster as a Broad Location for Growth in the Local Plan, but the Examiner was clear that he did not share this view. As policy SG1 includes support for sufficient areas of high quality open spaces, green corridors, walking and cycling routes, and the Examiner states (in paragraph 53) that ‘by identifying areas which should be protected the neighbourhood plan takes its cue from the Local Plan’s approach to combining strategic growth with protecting sense of place’. Whilst also acknowledging the intention of an Area of Separation to be identified in relation to the Garden Village in policy EN6 of the Local Plan, and that the approach to development within this Area of Separation is broadly consistent with policy EN6 (subject to modifications to policy SR1 which have now been made). The Examiner also concludes in paragraph 58 that the approach to meeting local needs within the development boundary is consistent with policy SP2 in the Local Plan.
- 2.7 Policy SR2 relates to small scale development in Burrow Heights and Lower Burrow Local Character Area (on the western side of the A6). The policy states that development proposals ‘which clearly demonstrate they meet evidenced local housing needs of Scotforth Parish will be supported where they comprise small scale infill and rounding off (typically ones and twos) and respect the setting and form of existing traditional buildings’. As the Examiner states within paragraph 62 of the Examination Report, this policy has been informed by the Landscape Character Assessment and an ‘Evidence Document’ that addresses the distinctive Burrow Heights drumlin. Recognising the area makes an important contribution to the setting of the Forest of Bowland National Landscape. Quoting paragraph 3.1 of the Design Guidance and Codes that development should ‘protect drumlin tops to maintain the character of the

landscape’. Again, the Examiner acknowledged that representations had been received to suggest the approach is too restrictive. The Examiner shared the view that some of the drafting was unduly restrictive and so recommended some modifications (which will be fully adopted) but otherwise considered there to be sufficient flexibility in the approach. The Examiner was also satisfied that the approach in meeting evidenced local needs was in conformity with Local Plan Policy SP2.

- 2.8 Therefore the Examination Report concluded that Policies SR1 and SR2 were in conformity with the strategic policies (in this case relating to housing) contained in the Development Plan, and consequently, as demonstrated in the paragraphs above, are in conformity with the amended basic condition (ca); “the making of the plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the draft plan were not to be made”.
- 2.9 The qualifying body and Lancaster City Council also conclude that all policies within the Scotforth Rural Neighbourhood Development Plan are in accordance with the revisions made through Section 99(3) of the LURA 2023.