

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

Response from Lancaster City Council of Friday 28th June 2019 to the Inspector's Post Hearing Advice Note (Main Modifications and Related Matters) to the Council of 31st May 2019.

The Council has now had the opportunity to consider the direction of the advice note and the potential main modifications set out in its Annex. In paragraph 17 of that note the Council was asked to confirm a number of matters, a response to which is set out below.

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

With regard to the Inspector's judgement that the available evidence indicates that under paragraphs 142 and 143 of the National Planning Policy Framework (2012) this site should be safeguarded in order that a known location of specific minerals resource of local and national importance is not needlessly sterilised by non-mineral development:

The Council accepts the direction of the Inspector and will, through the process of proposed main modifications, consult on the removal of the site from the Local Plan, accompanied by consequent revisions to the Local Plan Policies Maps.

The Council will propose that the site is retained as part of the North Lancashire Green Belt. In the Council's view this is consistent with the expectation that the site should not be needlessly sterilised by non-mineral development.

The removal of this strategic allocation will result in a number of other consequential changes to the Strategic Policies and Land Allocations Development Plan Document (DPD), including the removal of the recreational allocation, as set out in Policy SC5, and the need for comprehensive infrastructure planning for the wider South Carnforth area as set out in Policy SG13. The Council will ensure that all such changes are reflected in the proposed modifications schedule.

As discussed during the Examination hearing sessions, significant areas of Lancaster district are subject to mineral safeguarding, as defined by policy in the Minerals and Waste Local Plan prepared by Lancashire County Council.

In the context of mineral safeguarding areas being present on other Strategic Site Allocations and, additionally on the majority of omission sites described by third parties at the Examination Hearing Sessions, the Council would welcome the detail of the Inspector's judgment within his forthcoming report on why the Land South of Windermere Road should be safeguarded in order that a known location of specific minerals resource of local and national importance is not needlessly sterilised by non-mineral development.

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

With regard to the Inspector's judgement that available evidence indicates that the area identified as SC2.1 of Policy SC2 and referred to in Policy DOS5 does not fulfil the criteria set out in paragraphs 76 and 77 of the National Planning Policy Framework (2012) for designation as a local green space and accordingly, this site (SC2.1) should be deleted and the policies amended as necessary:

The Council accepts the direction of the Inspector and will, through the process of proposed modifications, consult on the removal of the NPPF Local Green Space

designation at Freemans Wood, Lancaster, accompanied by the consequent revision to the Local Plan Policies Maps to delete the area identified by Policy SC2.1.

The SC2.1 Local Green Space designation was intended to provide a higher level designation of special protection for a small number of green spaces in the district. The majority of the area identified in the submitted plan as SC2.1 Freeman's Wood NPPF Local Green Space will continue to be identified under Policy SC3: Open Space, Recreation and Leisure. On the Policies Map Policy SC2.1 is overlain on the area otherwise allocated by Policy SC3 as amenity greenspace.

Consequential Impacts on Housing Delivery

The Inspector's Post Hearing Advice Note also asks the Council to clarify its position on housing land supply / delivery in light of the proposed modifications described above and suggests that the Council must consider the need for any consequential changes.

The Council has taken the opportunity to consider the implications of the above changes in relation to housing supply / delivery and wishes to advise that it does not intend to consult on the inclusion of further housing sites as part of the forthcoming proposed modifications consultation.

On Day 9 of the Examination Hearing Sessions the Council provided evidence of a sufficient housing supply buffer during the course of the plan period. It is the Council's position that the loss of the anticipated delivery of housing within the plan period on the Land South of Windermere Road can be accommodated within the buffer whilst still maintaining the stepped approach which was put forward by the Council on Day 9.

The Council's position on Day 9 of the Examination was that whilst it continued to acknowledge the appropriateness of the independently recommended OAN of 650-700 homes per year over the 20 year plan period (a nominal average of 675 dwellings) it maintains (for the reasons set out during the course of the Examination Hearing Sessions) that none of the omission sites presented by third parties represent sustainable or appropriate allocations in the context of national planning policy and would lead to the preparation of an unsound plan. It should also be noted that all but one of the omission sites presented at the Hearing Sessions (either as a whole or in part) are located within defined mineral safeguarding areas.

The submitted Local Plan proposes a housing requirement of 10,440 dwellings (equivalent to an annual average of 522 dwellings). At the Examination Hearing Sessions the Council described its intention to retain the proposed housing requirement at 10,440 dwellings as submitted, although interim monitoring data had led the Council to suggest a lower figure, of 510 dwellings per annum, prior to the commencement of the Examination hearing sessions. The Council described its intention to deliver this housing requirement using a stepped approach to delivery, delivering an average of 450 dwellings per annum in the first five years (2019/20-2023/24). By taking account of early delivery expectations on strategic sites described in Statements of Common Ground, this intention was illustrated in "Table 1 Stepped Housing Requirement" of Document HD68 "Five Year Housing Land Supply Calculation". Taking account of the loss of delivery following the deletion of the Land South of Windermere Road, the Housing Land Supply Trajectory now illustrates dwelling completions as below:

Financial Years	Dwelling Completions in Trajectory
2011/12-2017/18	= 2,595
2018/19	= 318
2019/20-2023/24	= 3,354
2024/25-2028/29	= 3,802
2029/30-2030/31	= 1,050
Total Dwellings within formal Plan Period	= 11,119

With a plan requirement of 10,440 dwellings, an average of 522 dwellings per annum, the trajectory illustrates a surplus of 679 dwellings, equivalent to a 6.5% buffer on the 10,440 Submitted Plan Requirement. Given; the extent of the buffer, and in the Council's view that none of the omission sites presented by third parties represent sustainable or appropriate allocations in the context of national planning policy; and, the Council's clear intention to undertake an early review of the plan, it is not the Council's intention to propose additional allocations through the proposed modifications process.

Proposed Modifications – Timescales

The Council is preparing a draft schedule of proposed modifications. The Council intends the work on this schedule to be completed in draft and with you by **Friday 5th July**. On that date the Council will seek to submit the following documentation to you for your inspection and agreement, this includes:

- A Schedule of Main Modifications to the Strategic Policies & Land Allocations DPD;
- A Schedule of Main Modifications to the Development Management DPD;
- A Schedule of Minor Modifications to the Strategic Policies & Land Allocations DPD (for information purposes only);
- A Schedule of Minor Modifications to the Development Management DPD (for information purposes only);
- A tracked-change version of the Strategic Policies & Land Allocations DPD which sets out both Main and Minor Modifications (denoted in Red and Blue); and
- A tracked-change version of the Development Management DPD which sets out both Main and Minor Modifications (denoted in Red and Blue).

Once submitted to you we will await your response and direction as to whether the proposed modifications are suitable and appropriate to begin the statutory consultation process. It should be noted that at the point of submitting these draft documents to you on the 5th July, the Sustainability Appraisal / Habitats Regulation Assessment will still be on-going and is due to be completed later in the month. We anticipate that this work will be completed by the w/c 22nd July and will liaise with you if any changes are required to the schedule on the basis of this work.

Subject to the completion of the SA / HRA work and ultimately your approval, we anticipate commencing consultation on the Schedule of Proposed Modifications in mid-August, specifically the week commencing **Monday 12th August**. Given consultation will be commencing during a holiday period the Council consider it expedient **to extend the duration of the consultation from the statutory 6 weeks to a 8 week period** to ensure that interested parties have sufficient opportunity to respond to the proposed modifications. Should there be any delay in approving the modifications which leads to

the start of the consultation slipping into September, the Council will revert back to the statutory 6 week period for consultation.

Should the Council commence consultation on the specified date of the 12th August and undertake an extended 8 week consultation on the Schedule of Proposed Modifications, the consultation period will close on **Friday 5th October**.

The Council will seek to ensure that all responses to the proposed modifications will be with the Inspector as soon as possible after that date for consideration. It is anticipated that full versions of the responses received can be with you on Monday 7th October. If summarised versions of responses are required (as has been provided in previous stages of consultation) the Council are happy to assist with preparing this however it should be noted that this may take further time to prepare (subject to the number and nature of the responses received).

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