

# **Wennington Neighbourhood Development Plan (NDP)**

## **Basic Conditions Statement**

(Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990)

**July 2018**



**Wennington Parish Council**

With assistance from



## 1.0 INTRODUCTION

- 1.1 Planning Practice Guidance (Paragraph: 065 Reference ID: 41-065-20140306)<sup>1</sup> sets out that only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in [paragraph 8\(2\) of Schedule 4B to the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are:
- a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
  - b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.
  - c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.
  - d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
  - e. the making of the order (or neighbourhood 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).
  - f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
  - g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).
- 1.2 This Basic Conditions Statement sets out how the Wennington NDP has been prepared to meet the basic conditions. It has been prepared as a supporting document for consideration by the NDP independent Examiner.

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<sup>1</sup> <https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>

## **2.0 LEGAL REQUIREMENTS**

### **2.1 The Submission Plan is being submitted by a qualifying body**

This Submission Plan is being submitted by a qualifying body, namely Wennington Parish Council.

### **2.2 What is being proposed is a neighbourhood development plan**

The plan being proposed relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

### **2.3 The proposed Neighbourhood Plan states the period for which it is to have effect**

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from 2018 to 2031 (the same period as the emerging new Local Plan for Lancaster District 2011 – 2031, Part One: Strategic Policies and Land Allocations DPD).

### **2.4 The policies do not relate to excluded development**

The Neighbourhood Plan proposal does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

### **2.5 The proposed Neighbourhood Plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.**

The Neighbourhood Plan proposal relates to the designated Wennington Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area. The Designated Neighbourhood Plan Area has the same boundary as that of the Parish at the time of the designation and is shown on Map 1 in the NDP.

### **3.0 BASIC CONDITIONS**

#### **3.1 a. Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan**

The Wennington Neighbourhood Development Plan has been produced with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF). Paragraphs 183-185 of the NPPF outline specific guidance in relation to the production of Neighbourhood Plans. Paragraph 184 states that “The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the local area. Neighbourhood Plans must be in general conformity with the strategic policies of the local plan.” The Neighbourhood Plan has been drafted with regard to the relevant strategic planning policies for Lancaster City Council, and the comprehensive evidence base that supports these policies.

Paragraph 184 also states that Neighbourhood Plans should “not promote less development than set out in the Local Plan or undermine its strategic policies”. The Wennington Neighbourhood Plan does not undermine the strategic policies of Lancaster City Council. The Plan aims to add value and detail to these policies, by:

- Recognising the Parish's unique natural heritage and seeking to protect and enhance wildlife and local landscape character;
- Describing the built character and heritage assets in the neighbourhood area and requiring new development to be sensitive to local character generally and to the conservation area which extends across much of the village;
- Recognising the settlement of Wennington's role in the existing and proposed emerging local plan settlement hierarchy, and supporting small scale local needs housing where appropriate;
- Supporting sensitive rural business development which helps to diversify the rural economy;
- Setting out proposals for local infrastructure improvements taking into account the potential for a local transport hub focussed on bus / rail interchange, constraints in relation to the local highway network and the need to support walking and cycling; and
- Supporting proposals to reduce surface water flooding, which is a key concern and ongoing issue in the area.

The Plan has regard to the twelve core planning principles set out within paragraph 17 of the Framework, as set out in Table 1 below:

**Table 1 NPPF Core Planning Principles and the Wennington Submission Neighbourhood Development Plan**

NPPF Core Planning Principle	Regard that the Wennington Neighbourhood Development Plan has to guidance
<p>Planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and Neighbourhood Plans setting out a positive vision for the future of the area. Plans should be kept up to date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.</p>	<p>The Parish Council has produced the Submission Plan in line with this guidance.</p> <p>It will provide a framework to ensure that development is genuinely plan-led, and by involving the local community in shaping its policies and proposals through extensive consultation and engagement activities, the Plan has provided local people with an opportunity to shape their surroundings.</p> <p>The vision, objectives, policies and proposals in the Plan have been developed through a thorough approach to community engagement. The Plan sets out a positive vision for the Parish up to 2031.</p> <p>The Neighbourhood Plan sets out a concise and practical suite of policies (7 in total) to guide development management decisions.</p>
<p>Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.</p>	<p>The Submission Neighbourhood Plan has been prepared taking into careful consideration the results of various public consultation processes.</p> <p>These included an initial launch / community engagement event, local housing needs survey and then informal consultation on the Issues and Options and emerging First Draft Plan.</p> <p>The consultation responses to these exercises have demonstrated that the Steering Group has secured a high level of local engagement and participation in the development of planning policies. In turn the NDP policies will help to ensure the special character of Wennington which is so highly valued by local people is protected and enhanced.</p>
<p>Planning should proactively drive and support sustainable economic</p>	<p>Wennington is located in a very rural area and the NDP policies and proposals</p>

NPPF Core Planning Principle	Regard that the Wennington Neighbourhood Development Plan has to guidance
<p>development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.</p>	<p>have been prepared to support a level and type of development which is appropriate to this planning context.</p> <p>The settlement of Wennington is not identified for significant growth in the existing or emerging Lancaster City Council local planning framework but NDP Policy WEN4 supports proposals for new housing where it includes sensitive conversion of an existing building, it provides for a proven local need and where it is not located in an area of flood risk.</p> <p>Policy WEN5 supports development proposals for small scale business and live / work units, and facilities linked to the visitor economy subject to criteria such as good design, adequately addressing traffic and parking and conversions of existing buildings.</p>
<p>Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.</p>	<p>The Submission Neighbourhood Plan sets out in Policy WEN3 the need to protect and enhance the historic character of Wennington. The Plan has been prepared taking into consideration guidance from Lancaster City Council in relation to the conservation area.</p> <p>Policy WEN3 also encourage high quality modern design in new development.</p>
<p>Planning should take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.</p>	<p>Wennington is located in a very rural area on the edge of the Forest of Bowland AONB. The Plan seeks to protect the surrounding local landscape character and biodiversity.</p>
<p>Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the</p>	<p>NDP Policy WEN2 supports small scale renewable energy projects in the open</p>

NPPF Core Planning Principle	Regard that the Wennington Neighbourhood Development Plan has to guidance
reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy).	<p>countryside subject to adverse impacts on the landscape.</p> <p>NDP Policy WEN4 steers development away from areas of flooding and Policy WEN7 requires development proposals to provide effective surface water drainage measures to protect existing and future residential areas from flooding.</p> <p>Policies WEN4 and WEN5 both support the re-use of existing buildings.</p>
Planning should contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in the Framework.	<p>NDP Policy WEN1 sets out that development proposals should minimise the loss of the most fertile soil and avoid use of the most fertile agricultural land.</p> <p>Policy WEN6 supports improved traffic management and encourages walking and cycling (and therefore reduces reliance on cars which contribute towards air pollution).</p>
Planning should encourage the effective use of land by reusing land that has been previously developed (Brownfield land), provided that it is not of high environmental value.	NDP Policy WEN4 supports local needs housing on previously developed (brownfield) land and / or where it is located on small infill sites within the existing built up area of the village.
Planning should promote mixed-use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as wildlife, recreation, flood risk mitigation, carbon storage or food production).	<p>The NDP recognises the role of Wennington Parish in providing access to the open countryside for residents and visitors who enjoy walking and cycling, whilst at the same time it promotes the need to protect the area's local wildlife and landscape character.</p> <p>SuDS are encouraged in Policy WEN7 to assist with flood risk mitigation in new development.</p>

NPPF Core Planning Principle	Regard that the Wennington Neighbourhood Development Plan has to guidance
Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations	<p>The Submission Neighbourhood Plan is fully in line with this principle.</p> <p>The Plan summarises the historical development of the Parish and describes the conservation area and other heritage assets such as listed buildings. The Parish Council is committed in the NDP to working to identify non-designated heritage assets with Lancaster City Council. Policy WEN3 protects the conservation area and its setting from inappropriate development by providing local design guidance.</p>
Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable	The Submission Neighbourhood Plan supports measures which promote walking and cycling and improve pedestrian safety. The NDP also notes the potential role of the local transport hub.
Planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural services to meet local needs	<p>The Neighbourhood Area does not include any community or recreational facilities such as a village hall, church or play area.</p> <p>However the Plan promotes safer walking and cycling as part of initiatives to encourage healthy lifestyles.</p>

### 3.2 b. Having Special Regard to the Desirability of Preserving any Listed Building or its Setting or any Features of Special Architectural or Historic Interest

There are 9 Listed Buildings in the Neighbourhood Plan area. The Submission Neighbourhood Plan has special regard to the desirability of preserving listed buildings and their settings, and features of architectural or historic interest within the town through Policy WEN3.

*[Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].*



### **3.3 c. Having Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area**

The Plan area has a Conservation Area and this is referred to in Policy WEN3.

*[Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].*

### **3.4 d. Contributes to the Achievement of Sustainable Development**

The Submission Neighbourhood Development Plan contributes strongly to the achievement of sustainable development.

Paragraphs 6-10 of the National Planning Policy Framework outline the Government's definition of sustainable development.

The UK Government's interpretation of the concept of sustainable development builds on that of the UN resolution 24/187, which is 'meeting the needs of the present without compromising the ability of future generations to meet their own needs.'

The NPPF amplifies this simple definition, at paragraph 7, stating that sustainable development has three dimensions, economic, social and environmental. Planning needs to perform a number of roles in relation to these issues:

- ❑ "an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- ❑ a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of the present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- ❑ an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."

In Paragraph 6, the NPPF states that "the policies in paragraphs 18-219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system".

Table 1 above gives a clear and comprehensive narrative of how the framework complies with the Core Planning Principles of the NPPF, and by corollary, the achievement of sustainable development.

Table 2 below summarises how the policies and allocations in the Wennington Submission Plan contribute to the economic, social and environmental aspects of sustainable development.

**Table 2 Wennington Submission Plan's contribution to the economic, social and environmental aspects of sustainable development.**

<b>Sustainable Development Role</b>	<b>Neighbourhood Development Plan's Contribution</b>
<b>Economic</b>	The Submission Neighbourhood Plan supports appropriate rural economic development in the Plan area.
<b>Social</b>	<p>The NDP includes a housing policy to support local needs housing, should a need arise over the plan period.</p> <p>Built heritage assets are recognised as being a significant to the cultural identity of local communities and these are protected in the NDP.</p>
<b>Environmental</b>	<p>The Submission Neighbourhood Plan sets out policies that protect local wildlife and biodiversity and landscape character.</p> <p>Policies seek to promote the local distinctiveness of the area, and recognise the significance of locally important natural and built heritage assets to local residents as an important aspect of the Parish's identity.</p>

### 3.5 e. In General Conformity with Strategic Local Planning Policy

The Submission Neighbourhood Plan is in general conformity with strategic Local Plan policies contained in the Lancaster Core Strategy 2003 – 2021. The NDP also takes into account the emerging draft policies in the new Local Plan for Lancaster District 2011 – 2031, Part One: Strategic Policies and Land Allocations DPD which has reached Publication version (March 2018).

Table 3 below sets out the way that the Neighbourhood Plan conforms to the relevant strategic planning policies in the Local Plan.

**Table 3 Conformity with Strategic Local Planning Policy**

Wennington NDP Policies	Lancaster Core Strategy 2003 - 2021 Adopted July 2008	A Local Plan for Lancaster District 2011-2031 Part One: Strategic Policies and Land Allocations DPD Publication Version	General Conformity
<b>Policy WEN1 – Protecting and Enhancing Local Wildlife</b>	<b>Policy E 1 ENVIRONMENTAL CAPITAL</b>  Purpose: To improve the District’s Environment  The Council will safeguard and enhance the District’s Environmental Capital by applying national and regional planning policies and: ..... <ul style="list-style-type: none"> <li>Identifying how habitats in urban and rural areas will be protected and, where possible, enhanced in extent and in their diversity of</li> </ul>	<b>Policy SP8: Protecting the Natural Environment</b>  Lancaster district contains important landscapes, species and habitats that are valued features of the natural environment.  The Council recognises the importance of biodiversity and geodiversity, and has prepared a Local Plan that will seek to protect sites of recognised importance; it will also seek to protect	NDP Policy WEN1 protects designated and non-designated natural heritage assets and requires development proposals to consider and where possible enhance biodiversity.  Core Strategy Policy E 1 sets out that the Council will safeguard and enhance environmental capital by identifying how habitats will be protected and enhanced.  New Emerging Local Plan

Wennington NDP Policies	Lancaster Core Strategy 2003 - 2021 Adopted July 2008	A Local Plan for Lancaster District 2011-2031 Part One: Strategic Policies and Land Allocations DPD Publication Version	General Conformity
	wildlife species; .....	<p>areas of land that are functionally linked to areas which are of International and National importance.</p> <p>....</p> <p>Development proposals will be expected to protect, maintain and enhance the district's biodiversity and geodiversity through the appropriate location of uses, sympathetic design, sustainable construction techniques and appropriate mitigation measures. The Council will also support opportunities to maximise energy efficiency.</p>	Policy SP8 recognises the importance of biodiversity and requires development proposals to protect, maintain and enhance wildlife.
Policy WEN2 – Protecting and Enhancing Local Landscape Character	<p><b>Policy ER 7 RENEWABLE ENERGY</b></p> <p>Purpose; To maximise the proportion of energy generated in the District from renewable sources</p>	<p><b>Policy SP7: Maintaining Lancaster District's Unique Heritage</b></p> <p>The character of Lancaster district is defined by many</p>	<p>A small area in the south east of the parish lies within the Forest of Boland AONB.</p> <p>NDP Policy WEN2 identifies those landscape features</p>

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	<p>where compatible with other sustainability objectives.</p> <p>The Council will promote renewable energy in the District by:</p> <ul style="list-style-type: none"> <li>• Promoting and encouraging the development of renewable energy resources across the District including, but not limited to, the promotion of South Heysham as a key focus for renewable energy generation including wind and biomass technology whilst ensuring the protection of Natura 2000 sites including the Morecambe Bay, Bowland Fells and Leighton Moss Special Protection Areas from adverse effects;</li> <li>• Promoting micro-renewables through its Development Control policies;</li> <li>• Promoting energy efficiency through Building Control;</li> </ul>	<p>important cultural, and historical characteristics.</p> <p>The Council recognises the features that make Lancaster district special and will use the Local Plan as the vehicle to describe which features are of value, protect them from inappropriate development that would damage that special value and explore opportunities to improve and enhance these features where appropriate opportunities arise to do so.</p> <p>Development proposals will be expected to contribute towards maintaining and enhancing the district's unique character through the appropriate location of uses, sympathetic design, the use of local materials, boundary planting, open space provision, layout and</p>	<p>which are intrinsic to local landscape character around Wennington such as hedgerows and drystone walls and locally important views, which should be protected. The Policy also resists wind turbine development which would have an unacceptable impact on local landscape character and the AONB.</p> <p>Core Strategy Policy ER 7 seeks to maximise renewable energy.</p> <p>Core Strategy Policy E 1 conserves and enhances landscapes.</p> <p>Emerging Local Plan Policy SP7 recognises the features that make Lancaster district special and requires development proposals to contribute towards the area's unique character. Policy SP8 protects</p>

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	<ul style="list-style-type: none"> <li>Participating in a study of the economic potential of environmental technologies in the District.</li> </ul> <p><b>Policy E 1 ENVIRONMENTAL CAPITAL</b> Purpose: To improve the District's Environment</p> <p>The Council will safeguard and enhance the District's Environmental Capital by applying national and regional planning policies and: .....</p> <ul style="list-style-type: none"> <li>Conserving and enhancing landscapes.</li> </ul> <p>.....</p>	<p>sustainable construction techniques.</p> <p><b>Policy SP8: Protecting the Natural Environment</b></p> <p>Lancaster district contains important landscapes, species and habitats that are valued features of the natural environment.</p> <p>The Council recognises the importance of biodiversity and geodiversity, and has prepared a Local Plan that will seek to protect sites of recognised importance; it will also seek to protect areas of land that are functionally linked to areas which are of International and National importance.</p> <p><b>Policy EN4: Areas of Outstanding Natural Beauty</b> Lancaster district contains</p>	<p>the natural environment including important landscapes. Policy EN4 protects AONBs and Policy EN5 protects the open countryside within which Wennington is located.</p>

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		<p>two Areas of Outstanding Natural Beauty (AONB) that are designated for their national landscape importance. They are: ARNSIDE AND SILVERDALE AREA OF OUTSTANDING NATURAL BEAUTY FOREST OF BOWLAND AREA OF OUTSTANDING NATURAL BEAUTY</p> <p>The landscape character and visual amenity of both ANOBs and their settings will be conserved and enhanced. All development in the AONBs should be sustainable, consistent with the primary purpose of AONB designation and guided by the relevant AONB Management Plan. Proposals will be expected to have due regard to all relevant policies contained within the Local Plan, including the</p>	

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		<p>Development Management DPD and, where appropriate, the Arnsdale &amp; Silverdale AONB DPD.</p> <p><b>Policy EN5: The Open Countryside</b></p> <p>The Council has designated areas of open countryside that define the rural context of the district. Any development proposals located within the open countryside should have due regard to all relevant policies contained within the Local Plan, in particular policies within the Development Management DPD relating to development in the rural areas.</p>	
Policy WEN3 – Encouraging Good Design	<p><b>Policy SC 5</b> <b>ACHIEVING QUALITY IN DESIGN</b></p> <p>Purpose: To Ensure That</p>	<b>Policy SP7: Maintaining Lancaster District's Unique Heritage</b>	NDP Policy WEN3 seeks to encourage good design in new buildings, extensions and conversions to help ensure



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	<p>Development Proposals, Plans and Strategies achieve The Core Strategy Vision of Leading The North West in terms of Urban Design.</p> <p>The Council will work with developers, local and national stakeholders and communities to maintain and improve the quality of development by seeking to ensure that throughout the District and particularly within the following areas:</p> <ul style="list-style-type: none"> <li>• Areas of Outstanding Natural Beauty;</li> <li>• Other rural areas.</li> </ul> <p>New development is of a quality which reflects and enhances the positive characteristics of its surroundings including the quality of the landscape, results in an improved appearance where conditions are unsatisfactory, complements and enhances the public realm and, in high profile</p>	<p>The character of Lancaster district is defined by many important cultural, and historical characteristics.</p> <p>The Council recognises the features that make Lancaster district special and will use the Local Plan as the vehicle to describe which features are of value, protect them from inappropriate development that would damage that special value and explore opportunities to improve and enhance these features where appropriate opportunities arise to do so.</p> <p>Development proposals will be expected to contribute towards maintaining and enhancing the district's unique character through the appropriate location of uses, sympathetic design, the use of local materials,</p>	<p>new development is of a high quality which responds positively to its context.</p> <p>Core Strategy Policy SC 5 requires new development to be of a quality which reflects and enhances the positive characteristics of its Surroundings. Policy E 1 protects and enhances heritage and resists development which would have a detrimental effect on environmental quality and public amenity.</p> <p>Emerging Local Plan Policy SP7 recognises the importance of local character and encourages development to improve and enhance these features. Policy EN1 protects conservation areas and Policy EN2 protects designated heritage assets.</p>

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	<p>locations, creates landmark buildings of genuine and lasting architectural merit.</p> <p><b>Policy E 1 ENVIRONMENTAL CAPITAL</b></p> <p>Purpose: To improve the District's Environment</p> <p>The Council will safeguard and enhance the District's Environmental Capital by applying national and regional planning policies and: .....</p> <ul style="list-style-type: none"> <li>• Protecting and enhancing nature conservation sites, urban greenspaces, allotments, landscapes of national importance, listed buildings, conservation areas and archaeological sites; ....</li> <li>• Resisting development</li> </ul>	<p>boundary planting, open space provision, layout and sustainable construction techniques.</p> <p><b>Policy EN1: Conservation Areas</b></p> <p>The Council has 37 conservation areas within the district that have been identified for their architectural and historical importance. These are the following:</p> <p><b>Wennington</b></p> <p>Development proposals in these designated areas will be considered against their impacts on the local character of the area and, in particular Policies DM38 and DM39 of the Development Management DPD.</p> <p><b>Policy EN2: Designated</b></p>	

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	<p>which would have a detrimental effect on environmental quality and public amenity;</p> <ul style="list-style-type: none"> <li>• Ensuring that development in the city of Lancaster and other historic areas conserves and enhances their sense of place;</li> </ul> <p>.....</p>	<p><b>Heritage Assets</b> The Council has identified a range of designated heritage assets on the Local Plan Policies Map, which include the following type of asset: LISTED BUILDINGS* REGISTERED PARKS AND GARDENS SCHEDULED ANCIENT MONUMENTS *Due to the number and local nature of Listed buildings these are not shown on the printed version of the Local Plan Policies Map. However, they are viewable on the online version of the map.</p>	
Policy WEN4 - New Housing	<p><b>Policy SC 3 RURAL COMMUNITIES</b></p> <p>Purpose: To Build Healthy Sustainable Communities By</p>	<p><b>Policy SP2: Lancaster District Settlement Hierarchy</b> The Council will support proposals for development in the settlements set out</p>	NDP Policy WEN4 sets out locally detailed criteria to guide new housing development over the Plan period. The most up to date

Wennington NDP Policies	Lancaster Core Strategy 2003 - 2021 Adopted July 2008	A Local Plan for Lancaster District 2011-2031 Part One: Strategic Policies and Land Allocations DPD Publication Version	General Conformity
	<p>Empowering Rural Communities To Develop Local Vision And Identity, Identify And Meet Local Needs And Manage Change In The Rural Economy And Landscape.</p> <p>An allowance of 10% of new homes and 5% of employment is made to accommodate development to meet local needs in villages. This will be focused in villages that have five basic services. (v) <b>(Wennington is not included in the list)</b></p> <p>Development outside these settlements will require exceptional justification.</p> <p>In Rural Areas and in smaller, more remote villages in particular, the Council will work with the Local Strategic Partnership, Parish Councils and other local stakeholders to:</p> <ul style="list-style-type: none"> <li>• Help Parish Councils to</li> </ul>	<p>below, provided that they are of a nature and scale that is proportionate to the role and function of that settlement or where they have been specifically identified in this plan to meet the strategic growth needs of the district. The role of each settlement category will play in the future growth of the district is explained below:</p> <p>....</p> <p><b>4. Rural Villages</b> – these settlements will accommodate development that meets evidenced local needs only.</p> <p><b>Policy SP3: Development Strategy for Lancaster District</b></p> <p>....</p> <p>Development in other rural villages will only be supported</p>	<p>local housing needs survey did not demonstrate any current need but there may be a need at some point in the future during the plan period.</p> <p>Core Strategy Policy SC 3 sets out that development in such areas as Wennington will require exceptional justification. The Council will work with local groups to protect local character and identify housing needs and opportunities. Policy SC 4 aims to achieve housing that genuinely addresses identified local housing need.</p> <p>Emerging Local Plan Policy SP2 identifies Wennington as a Rural Village in the proposed settlement hierarchy where settlements will accommodate development that meets local needs only (this is also noted in Policy SP3). Policy H2</p>

Wennington NDP Policies	Lancaster Core Strategy 2003 - 2021 Adopted July 2008	A Local Plan for Lancaster District 2011-2031 Part One: Strategic Policies and Land Allocations DPD Publication Version	General Conformity
	<p>develop as local community leaders and engage in spatial planning and Local Strategic Partnership processes;</p> <ul style="list-style-type: none"> <li>• Protect, conserve and enhance rural landscapes and the distinctive characteristics of rural settlements;</li> <li>• Identify housing needs and opportunities for meeting them and ensuring that any housing permitted is directly related to those needs;</li> </ul> <p>.....</p> <p><b>Policy SC 4 MEETING THE DISTRICT'S HOUSING REQUIREMENTS</b></p> <p>Purpose: To set out the Principles which will ensure that Housing Needs are met, through Housing Allocations and through determining Planning Applications, in a way which builds Sustainable Communities.</p>	<p>where it is clearly demonstrated that it is meeting proven local needs.</p> <p>....</p> <p><b>Policy H2: Housing Delivery in Rural Areas of the District</b></p> <p>The Council will support the delivery of housing in rural villages on the allocated sites identified below subject to meeting the relevant policies contained within the Local Plan. These sites are identified on the Policies Map. <i>(None in Wennington)</i></p> <p>Within the settlements of Arkholme, Cockerham, Caton &amp; Brookhouse, Dolphinholme, Halton, Slyne-with-Hest, <b>Wennington</b> and Wray the Council expects, via the Neighbourhood Plan process, the respective Parish Council's</p>	<p>requires neighbourhood plan areas to plan proactively for housing growth with their communities.</p>

Wennington NDP Policies	Lancaster Core Strategy 2003 - 2021 Adopted July 2008	A Local Plan for Lancaster District 2011-2031 Part One: Strategic Policies and Land Allocations DPD Publication Version	General Conformity
	<p>.... The Council will aim to maximise the opportunities offered by the development of new dwellings to:</p> <ul style="list-style-type: none"> <li>• Redress imbalances in the local housing market;</li> <li>• Achieve housing that genuinely addresses identified local housing need; and,</li> <li>• Secure units of “in-perpetuity” affordable housing.</li> </ul>	to proactively and positively plan for housing growth within their communities in the context of this DPD.	
Policy WEN5 – Supporting the Rural Economy	<p><b>Policy ER 6 DEVELOPING TOURISM</b></p> <p>Purpose: To maximise the potential of Tourism to regenerate the Local Economy.</p>	<p><b>Policy SP4: Priorities for Sustainable Economic Growth</b></p> <p>The district is home to a range of important businesses and organisations that provide a</p>	NDP Policy WEN5 sets out the local criteria for the development of small scale business and live / work units, and facilities linked to the visitor economy to support appropriate rural economic

Wennington NDP Policies	Lancaster Core Strategy 2003 - 2021 Adopted July 2008	A Local Plan for Lancaster District 2011-2031 Part One: Strategic Policies and Land Allocations DPD Publication Version	General Conformity
	<p>The Council will promote and enhance tourism development in the District by:</p> <p>....</p> <ul style="list-style-type: none"> <li>• In the District's COUNTRYSIDE, encouraging agricultural diversification to create quiet recreation and small scale sensitively designed visitor attractions and accommodation in the District's countryside, promoting new walking and cycling routes including long-distance routes and linkages to national networks;</li> </ul> <p>....</p> <p><b>Policy SC 3</b> <b>RURAL COMMUNITIES</b></p> <p>Purpose: To Build Healthy Sustainable Communities By Empowering Rural Communities To Develop Local Vision And</p>	<p>strong economic base in terms of job creation and investment, this base needs to be protected and supported.</p> <p>The Council will also seek to support sustainable economic growth within the district particularly where it meets the following priorities:</p> <p>.....</p> <ul style="list-style-type: none"> <li>• Support for sustainable economic growth in the rural economy to ensure that the needs of rural businesses can be supported.</li> </ul>	<p>development.</p> <p>Core Strategy Policy ER 6 supports agricultural diversification to provide small scale visitor accommodation and Policy SC 6 sets out that the Council will work with parish councils to identify local employment needs, encourage appropriate employment development within villages and promote and market sensitive tourist attractions, accommodation.</p> <p>Emerging Local Plan Policy SP4 supports sustainable economic growth in the rural economy to ensure that the needs of rural businesses can be supported.</p>

Wennington NDP Policies	Lancaster Core Strategy 2003 - 2021 Adopted July 2008	A Local Plan for Lancaster District 2011-2031 Part One: Strategic Policies and Land Allocations DPD Publication Version	General Conformity
	<p>Identity, Identify And Meet Local Needs And Manage Change In The Rural Economy And Landscape.</p> <p>An allowance of 10% of new homes and 5% of employment is made to accommodate development to meet local needs in villages. This will be focused in villages that have five basic services. (v) At present these are: <b>(Wennington is not on the list)</b></p> <p>Development outside these settlements will require exceptional justification.</p> <p>In Rural Areas and in smaller, more remote villages in particular, the Council will work with the Local Strategic Partnership, Parish Councils and other local stakeholders to:</p> <p>.....</p> <ul style="list-style-type: none"> <li>• Identify local employment needs and opportunities for meeting them;</li> </ul>		



Wennington NDP Policies	Lancaster Core Strategy 2003 - 2021 Adopted July 2008	A Local Plan for Lancaster District 2011-2031 Part One: Strategic Policies and Land Allocations DPD Publication Version	General Conformity
	<ul style="list-style-type: none"> <li>• Encourage appropriate employment development within villages including home-working, particularly by supporting increased broadband availability;</li> <li>• Promote and market sensitive tourist attractions, accommodation and catering with particular emphasis on the potential of farm diversification;</li> </ul> <p>....</p>		
Policy WEN6 – Transport and Accessibility	<p><b>Policy E 2 TRANSPORTATION MEASURES</b></p> <p>Purpose: To support the District’s regeneration, improve residents quality of life and minimise the environmental impacts of traffic.</p> <p>The Council will minimise the need to travel by car by:</p> <ul style="list-style-type: none"> <li>• Focusing development on town centres and locations which offer a choice of modes of transport and</li> </ul>	<p><b>Policy SP10: Improving Transport Connectivity</b></p> <p>Lancashire County Council has prepared and published a Highways and Transport Masterplan for Lancaster district. The core elements of this masterplan are to address existing issues with the local and strategic transport network and to identify future improvements necessary to facilitate strategic</p>	<p>NDP Policy WEN6 seeks to address traffic problems in the village related to the narrow local highway network and lack of safe pavements for pedestrians, in order to encourage walking and cycling. The rural transport hub is noted in line with the Lancaster Highways and Transport Masterplan.</p> <p>Core Strategy Policy E2 seeks to minimise the need for travel</p>

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	<p>resisting major development in car dependent locations;</p> <ul style="list-style-type: none"> <li>• Improving walking and cycle networks, creating links and removing barriers and ensuring that development is integrated with pedestrian and cycle networks;</li> <li>• Protecting land for strategic transport improvements such as the Heysham-M6 Link;</li> <li>• Monitoring vehicle technological change and providing for low-emission vehicles;</li> <li>• Reducing local traffic impacts through the Lancaster Air Quality Management Plan;</li> </ul> <p>...</p> <p>The Council will work with partners to promote the following transportation measures:</p> <p>....</p> <ul style="list-style-type: none"> <li>• Better public transport</li> </ul>	<p>development growth within the district. The improvements set out in the masterplan expect greater promotion of a variety of sustainable methods of transport rather than over reliance on the private car to make local journeys.</p> <p>The Council has played a key role in the preparation of this masterplan and fully supports the aspirations contained within it. The Council will continue to assist and support the delivery of important and necessary transport infrastructure within the district, whether this be to address current issues or where it is critical in the delivery of strategic growth of homes and jobs.</p> <p><b>Policy T2: Cycling and Walking Network</b></p>	<p>by car and to improve walking and cycling networks.</p> <p>Emerging Local Plan Policy SP10 notes Highways and Transport Masterplan for Lancaster district which aims to address existing issues and identify improvements to the network. Policy T2 encourages walking and cycling and Policy T4 notes the local rail linkages.</p>

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	<p>between Heysham, Morecambe, Lancaster City Centre and University, more 'Quality Bus' services and, after completion of the Heysham/M6 link, more road space for buses, and other innovative solutions;</p> <ul style="list-style-type: none"> <li>• Innovative rural transport initiatives such as Carnforth Connect;</li> <li>• Investment in local freight and passenger rail services and additional halts.</li> </ul>	<p>The Council are committed to supporting and promoting the role of cycling and walking in the district, building on previous successes of Lancaster's role as a Cycling Demonstration Town providing safe and secure facilities.</p> <p><b>Policy T4: Public Transport Corridors</b></p> <p>....</p> <p>In relation to rail services, the Council will work collaboratively to investigate opportunities to improve regional rail linkages from both Morecambe and Carnforth.</p>	
Policy WEN7 – Reducing Surface Water Flooding	<p><b>Policy SC 1 SUSTAINABLE DEVELOPMENT</b></p> <p>Purpose: to ensure that new development proposals are as sustainable as possible, minimise greenhouse gas emissions and are adaptable to the likely effects of</p>	<p><b>Policy SP8: Protecting the Natural Environment</b></p> <p>Lancaster district is not immune to the effect of Climate Change, in particular the associated risks from</p>	<p>NDP Policy WEN7 requires development to address surface water flooding which is a known issue in the Wennington area.</p> <p>Core Strategy Policy SC 1</p>

Wennington NDP Policies	Lancaster Core Strategy 2003 - 2021 Adopted July 2008	A Local Plan for Lancaster District 2011-2031 Part One: Strategic Policies and Land Allocations DPD Publication Version	General Conformity
	<p>Climate Change. In assessing whether a development proposal or allocation is as sustainable as possible, the Council will apply the following principles; ... Location (Core Strategy and Allocations):</p> <ul style="list-style-type: none"> <li>• The site can be developed without incurring unacceptable flood risk or drainage problems;</li> </ul> <p>....</p> <p>Design Construction and Use (Development Control Policies)</p> <ul style="list-style-type: none"> <li>• The proposal has an acceptable impact on drainage systems and uses Sustainable Drainage Systems (SUDS) where appropriate;</li> </ul> <p>....</p> <p><b>Policy SC 7</b></p>	<p>extreme weather events and increasing levels of rainfall. The Local Plan has been prepared in consultation with the Environment Agency, Lancashire County Council (the Lead Local Flood Authority for Lancaster district) and United Utilities to ensure that flood risk issues are clearly considered and flood resilience addressed. The impacts of future growth will not create new flooding issues or exacerbate existing problems and seeks to reduce flood risk overall.</p> <p>The Council will continue to work with all relevant partners to address issues of flood risk, whether from river, sea or other sources, to implement schemes that will reduce overall flood risk or better manage the continuing effects of Climate</p>	<p>requires sites to be developed without incurring unacceptable flood risk and for proposals to use SuDS where appropriate. Policy SC 7 sets out that proposals will be assessed in accordance with the sequential test.</p> <p>Emerging new Local Plan Policy SP8 requires flood risk issues to be clearly considered and addressed in proposals.</p>

Wennington NDP Policies	Lancaster Core Strategy 2003 - 2021 Adopted July 2008	A Local Plan for Lancaster District 2011-2031 Part One: Strategic Policies and Land Allocations DPD Publication Version	General Conformity
	<p><b>DEVELOPMENT AND THE RISK OF FLOODING</b></p> <p>Purpose: To build Sustainable Communities by ensuring that new Homes, Workplaces and Public Areas are not exposed to unacceptable levels of Flood Risk.</p> <p>....</p> <p>Development proposals and allocations will be assessed in line with the search sequence set out in Planning Policy Statement 25 on Development and Flood Risk. Proposals and Development Control Policies relating to flood defence and flood management should ensure beneficial outcomes for the natural environment.</p>	<p>Change. Development proposals in areas of known flood risk will be expected to consider their direct and indirect impacts on flooding and include appropriate mitigation measures to ensure water is managed correctly.</p>	

### 3.6 f. Be Compatible with EU Obligations

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

**The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010(2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007(3)) (either alone or in combination with other plans or projects).**

### **Strategic Environmental Assessment (SEA)**

To meet the 'basic conditions' which are specified by law a Neighbourhood Development Plan must be compatible with EU obligations. Furthermore, as at 9th February 2015 Regulation 15 of the 2012 Neighbourhood Planning Regulations was amended to require that when a plan is submitted to the Local Planning Authority it should include either an environmental report prepared in accordance with the applicable regulations or where it has been determined as unlikely to have significant environmental effects, a statement of reasons for the determination.

A SEA Screening Report was prepared by Lancaster City Council in January 2018 to determine whether or not the content of the Wennington Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

Section 4. of the Report, Screening Outcome sets out the following:

*"4.1 Initial internal screening of the Neighbourhood Plan concludes that it is unlikely that the Neighbourhood Plan would result in a significant environmental effect. It is however recognised that the Neighbourhood Plan is being brought forward in advance of the Strategic Policies and Land Allocations document and as such does not benefit from higher level appraisal. That said the strong focus of the Neighbourhood Plan on the protection of the environment, heritage assets and lack of allocations make it unlikely to result in significant effects.*

*4.2 In order to ensure compliance with the SEA regulations it is recommended that a monitoring and implementation framework be included within the Plan to ensure that the effects of the plan are appropriately monitored and to identify what actions will be undertaken where implementation is not occurring as planned. Responsibility for actions should also be identified.*

*4.3 A number of additional recommendations are also included within the above table.*

*4.4 Subject to these amendments the council is satisfied that the Plan is unlikely to result in significant effects.*

*4.5 The views of the three statutory bodies is requested before this can be confirmed."*

**The responses are provided in Table 4.**

**Table 4 Responses to Strategic Environmental Assessment Screening Statement**

Consultation Body	Response
<b>Environment Agency</b>	<p><b>From:</b> NWNorthPlanning &lt;<a href="mailto:CLPlanning@environment-agency.gov.uk">CLPlanning@environment-agency.gov.uk</a>&gt;  <b>Sent:</b> 23 January 2018 11:08  <b>To:</b> Richards, Rebecca  <b>Subject:</b> RE: Wennington Neighbourhood Plan</p> <p>Dear Rebecca,</p> <p>Thank you for the opportunity to comment on the draft SEA Screening Report and draft HRA Screening Report for Wennington Neighbourhood Plan</p> <p>We have reviewed the reports, and agree that, in this instance, a SEA and HRA are not required.</p> <p>Regards</p> <p><b>Planning Advisor - Sustainable Places Team Cumbria and Lancashire</b></p> <p>( 02030251356  8 <a href="mailto:clplanning@environment-agency.gov.uk">clplanning@environment-agency.gov.uk</a>  * <b>Environment Agency</b> Ghyll Mount, <a href="#">Gillan Way, Penrith 40</a> Business Park, Penrith, Cumbria , CA11 9BP  Part time: Mon, Tues, Wed, Thurs.</p>
<b>Natural England</b>	<b>From:</b> Consultations (NE) [ <a href="mailto:mailto:consultations@naturalengland.org.uk">mailto:consultations@naturalengland.org.uk</a> ]






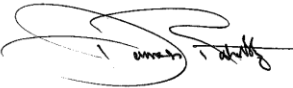


Consultation Body	Response
	<p><b>Sent:</b> 19 January 2018 14:59  <b>To:</b> Richards, Rebecca &lt;<a href="mailto:rrichards@lancaster.gov.uk">rrichards@lancaster.gov.uk</a>&gt;  <b>Subject:</b> Wennington Neighbourhood Plan - NE response</p> <p><b>Our Ref: 236267</b></p> <p>Dear Rebecca Richards</p> <p>Thank you for your consultation regarding the Wennington Neighbourhood plan, Draft screening report dated 15 January 2018.</p> <p><b>Strategic Environmental Assessment (SEA) Screening</b>  It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.</p> <p>Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance. The guidance highlights three triggers that may require the production of an SEA, for instance where:</p> <ul style="list-style-type: none"> <li>•a neighbourhood plan allocates sites for development</li> <li>•the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan</li> <li>•the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.</li> </ul> <p>We have checked our records and based on the information provided, we can confirm that</p>

Consultation Body	Response
	<p>in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.</p> <p>We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.</p> <p>Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SEA is necessary.</p> <p>Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.</p> <p><b>Habitats Regulations Assessment (HRA) Screening</b></p> <p>Natural England agrees with the report's conclusions that the Wennington Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.</p> <p>Kind regards,</p>

Consultation Body	Response
	<p data-bbox="810 277 1077 544">Natural England Consultation Service Hornbeam House Crewe Business Park Electra Way, Crewe Cheshire, CW1 6GJ</p> <p data-bbox="810 592 1397 703">Enquiries line: 0300 060 3900 Email: <a href="mailto:consultations@naturalengland.org.uk">consultations@naturalengland.org.uk</a> <a href="http://www.gov.uk/natural-england">www.gov.uk/natural-england</a></p> <p data-bbox="810 751 2011 820"><b>We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.</b></p> <p data-bbox="810 868 1957 936">In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.</p> <p data-bbox="810 984 1995 1251"><b>Natural England offers two chargeable services - the Discretionary Advice Service, which provides pre-application and post-consent advice on planning/licensing proposals to developers and consultants, and the Pre-submission Screening Service for European Protected Species mitigation licence applications. These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.</b></p> <p data-bbox="810 1299 1767 1367">For further information on the Discretionary Advice Service see <a href="#">here</a> For further information on the Pre-submission Screening Service see <a href="#">here</a></p>

Consultation Body	Response

Consultation Body	Response
<p><b>Historic England</b></p>	<div data-bbox="1106 331 1357 389">  <p>Historic England</p> </div> <div data-bbox="913 453 1160 603"> <p>Rebecca Richards Planning &amp; Housing Policy Team Regeneration and Planning Service Lancaster City Council PO Box 4, Town Hall Lancaster LA1 1QR</p> </div> <div data-bbox="1294 453 1527 517"> <p>Our ref: PL00285062 &amp; 285082 Your ref: E-mail 15<sup>th</sup> January 2018 Telephone: 07500 121974</p> </div> <div data-bbox="913 657 1039 676"> <p>29<sup>th</sup> January 2018</p> </div> <div data-bbox="913 746 1016 762"> <p>Dear Rebecca,</p> </div> <div data-bbox="913 788 1299 807"> <p><b>Re: Wennington Draft Neighbourhood Plan and SEA.</b></p> </div> <div data-bbox="913 833 1559 1027"> <p>Thank you for consulting Historic England about your Neighbourhood Plan. As the Government's adviser on the historic environment, Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. We have reviewed the information you have provided, however, and we do not consider that there is a need for Historic England to be involved in the development of the strategy for your area at this time. There are, however, a number of designated heritage assets in the neighbourhood area including 9 buildings listed in Grade II and the Wennington Conservation Area; I have provided some general advice below.</p> </div> <div data-bbox="913 1056 1559 1251"> <p>It is important that your plan properly identifies any heritage assets in the designated area, and that it includes a positive strategy to safeguard those elements which contribute to their significance. This will ensure that they can be enjoyed by future generations living in the area, and make sure the plan is in line with the requirements national planning policy. To this end, we would recommend that you contact the conservation officer at Lancaster City Council. They will be the best placed person to assist you in the development of the Neighbourhood Plan with respect to the historic environment and can help you to consider and clearly articulate how a strategy can address the area's heritage assets.</p> </div> <div data-bbox="913 1279 1536 1327"> <p>Your local authority might also be able to provide you with more general support in the production of your Neighbourhood Plan, including the provision of appropriate maps and</p> </div> <div data-bbox="873 1366 940 1423">  </div> <div data-bbox="1003 1366 1464 1433"> <p>Historic England, Suite 3.3, Canada House, 3 Chepstow Street, Manchester M1 5FW Telephone 0161 242 1416 <a href="http://HistoricEngland.org.uk">HistoricEngland.org.uk</a> Please note that Historic England operates an access to information policy. Correspondence or information which you send us may therefore become publicly available.</p> </div> <div data-bbox="1518 1366 1603 1410">  </div> <div data-bbox="913 1513 1559 1596"> <p>supporting documentation. There are also funding opportunities available from Locality that could allow the community to hire appropriate expertise to assist in such an undertaking. This could involve hiring a consultant to help in the production of the plan itself, or to undertake work that could form the evidence base for the plan. More information on this can be found</p> </div>

Consultation Body	Response
	<p>I strongly recommend that you consider the advice offered in this guidance note, your section on protecting important and valued aspects of setting and evidence on Map 3 could be strengthened.</p> <p>HE Advice Note 3 - site allocations in local plans: <a href="https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans">https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans</a></p> <p>HE Advice Note 7 - local listing: <a href="https://www.historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7">https://www.historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7</a></p> <p>We recommend also the inclusion of a glossary containing relevant terminology contained in Annex 2 of the NPPF, in addition to details about the legislative and policy protections that heritage assets enjoy.</p> <p>Finally, we should like to stress that this advice is based on the information provided by The Wennington Neighbourhood Forum obtained from the link in your correspondence dated 15<sup>th</sup> January. To avoid any doubt, this does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed neighbourhood plan, where we consider these would have an adverse effect on the historic environment.</p> <p><b><u>SEA advice</u></b></p> <p>The Plan documentation is accompanied by a request for a formal Screening Opinion from Historic England in compliance with the <i>Environmental Assessment of Plans and Programmes Regulations</i> 2004. The draft Opinion prepared by your Forum concludes that Strategic Environmental Assessment is not required. We note that the Plan appears to propose no site allocations/policies which would have significant environmental effects upon the historic environment and as such we concur that in this regard Strategic Environmental Assessment is <i>not</i> required.</p> <p>If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.</p> <p>Yours Sincerely</p>  <p>Darren Ratcliffe RIBA Historic Places Adviser</p> <div>  <div> <p>Historic England, Suite 3.3, Canada House, 3 Chepstow Street, Manchester M1 5FW Telephone 0161 242 1416 <a href="http://HistoricEngland.org.uk">HistoricEngland.org.uk</a> Please note that Historic England operates an access to information policy. Correspondence or information which you send us may therefore become publicly available.</p> </div>  </div>

### **Requirement for Habitats Regulations Assessment (HRA)**

Article 6 (3) of the EU Habitats Directive (Council Directive 92/43/EEC) and Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) requires that an appropriate assessment of plans and programmes is carried out with regard to the conservation objectives of European Sites (Natura 2000 sites) and that other plans and projects identify any significant effect that is likely for any European Site. In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in significant negative effects occurring on protected European Sites (Natura 2000 sites) as a result of the plan's implementation.

A Habitat Regulations Assessment Screening Report was undertaken for the Neighbourhood Plan to determine whether a Habitats Regulations Assessment (HRA) is required in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).

The Screening Report was published for consultation with the three consultation bodies, Historic England, Environment Agency and Natural England in January 2018.

The Screening Assessment Report set out a summary of findings:

#### **"6. Screening Conclusion**

6.1 The HRA Screening Report of the Wennington Neighbourhood Plan has considered the potential implications for European designated sites near the Neighbourhood Plan area boundary.

6.2 Whilst initial screening confirms that there will be no likely significant effects on designated sites as a result of implementation of policies it is considered that the Plan would benefit from additional cross referencing to the wider Local Plan specifically Policy DM43 'The Protection and Enhancement of Biodiversity'. Subject to this wording being included the Neighbourhood Plan would not have any likely significant effects on the designated sites identified either alone, or in-combination with other plans or projects.

6.3 The views of the three statutory bodies is required to confirm this conclusion - **see responses in Table 4.**

## **European Convention on Human Rights**

The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below.

The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights (“The Convention”). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely:

Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission Neighbourhood Plan is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK’s statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual’s rights and obligations. The process for Neighbourhood Plan production is fully compatible with this Article, allowing for extensive consultation on its proposals at various stages, and an independent examination process to consider representations received.

Article 14 provides that “The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.” The Parish Council has developed the policies and



proposals within the Plan in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group of individuals.

**3.7 g. Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).**

The prescribed conditions have therefore been met in relation to the Neighbourhood Development Plan (NDP) and prescribed matters have been complied with in connection with the proposal for the Plan.

