

# **Carnforth Neighbourhood Plan 2020 - 2031**

## **Submission Plan**

### **Report to Lancaster City Council of the examination into the Carnforth Neighbourhood Plan**

by Independent Examiner, Peter Biggers BSc Hons MRTPI

October 2022

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## Summary and overall recommendation

Following my examination of the Carnforth Neighbourhood Plan (CNP), including a site visit to the neighbourhood area on 22 August 2022, it is my view that, subject to modifications, the CNP reflects the views of the community and will set out a clear vision and suite of policies for the neighbourhood area.

My report highlights a number of areas where I consider the wording of the Plan as submitted is not in accordance with one or more of the Basic Conditions.

For the most part, the reason for this is that the policies do not wholly meet the requirement of the National Planning Policy Framework at paragraph 16 where it states that policies should be: *“clearly written and unambiguous so it is evident how a decision maker should react to development proposals”*, and the advice in the Planning Practice Guidance where it states that: *“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence”*.

I have therefore recommended a number of modifications to the Plan that should be made before the Plan can proceed to referendum. These are intended to ensure that, first and foremost, the Plan can meet the Basic Conditions.

In proposing the modifications, I have tried to ensure that the integrity and value of the CNP and its vision is retained and that the intention of neighbourhood planning, where the community’s wishes should be central to the Plan, is honoured.

By its nature, the examination has to be rigorous. Any criticism is not at all to undermine the significant community effort that has gone into the Plan. Rather, the purpose of the examination is to ensure that the Neighbourhood Plan meets the Basic Conditions and is as robust as possible and that it can better play its part in planning decisions and managing change in Carnforth in the future in an effective way.

In addition to the recommended modifications, it should also be noted that there may be a number of consequential changes, for example to referencing and numbering, that will inevitably be needed as a result of making the modifications. It will also be necessary to ensure all references to current local planning documents and the stage reached in the plan making process are up to date. I have identified a number of these, but not necessarily highlighted all these consequential changes and these amendments need to be made in finalising the Plan for referendum.

Subject to the recommended modifications in the report being completed, I am satisfied that:

- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;

- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority;
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations;
- prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the plan.

The CNP also complies with the legal requirements set out in paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990.

With the modifications in place, the CNP will meet the Basic Conditions and can proceed to a referendum.

When that referendum takes place, I also recommend that the Carnforth Neighbourhood Area, which covers the administrative area of the Council, is taken as the area for the referendum.

Peter Biggers BSc Hons MRTPI

Independent Examiner

6 October 2022

# 1. Introduction

## Background context

- 1.1. This report provides the findings of the examination into the Carnforth Neighbourhood Plan (referred to as the CNP throughout this report).
- 1.2. The CNP was produced by Carnforth Town Council (CTC) and its Steering Group in consultation with the local planning authority for the neighbourhood area – Lancaster City Council (LCC). The local community, interested parties and local stakeholders were also consulted as set out in Section 3 below.
- 1.3. Carnforth Town Council's administrative area comprises Carnforth itself and a rural hinterland lying between the M6 motorway and the coast. Carnforth is in the district of Lancaster approximately 6 miles to the north of Lancaster and bordered roughly by the A6 and local roads to the south, the M6 to the east, the River Keer to the north, and Morecambe Bay to the west. A good proportion of the built form in the designated neighbourhood area is concentrated along the A6, which runs parallel to the M6 though other less connected housing developments are located to the South West off Crag Bank Road, to the north east off North Road, and to the South off Kellet Road. Part of the Carnforth Business Park is within the Carnforth Neighbourhood Plan area.
- 1.4. The north - south rail corridor and Lancaster canal act as constraints to Carnforth's development by restricting linkages from the main A6 corridor to these less connected housing developments, as well as preventing general connectivity within the area. The canal is crossed over only once by a single-track road bridge, while the rail corridor splits the neighbourhood area into east and west sections.
- 1.5. Despite the impact of the rail corridor, Carnforth railway station and town centre acts as a hub for the surrounding area, with retail, public space, and other amenities available within a five-minute walk from the station. The railway station offers services to Barrow in Furness, Carlisle and the Cumbrian Coast to the north and west, Lancaster, Preston and Greater Manchester to the south, and Leeds and West Yorkshire in the East.
- 1.6. Carnforth Neighbourhood Area equates to an area of approximately 609 hectares covering all of the administrative area of the Town Council and with a population of 5560 on the electoral roll living in 2455 dwellings (2011).
- 1.7. This examiner's report provides a recommendation as to whether or not the CNP should go forward to a referendum. Were it to go to referendum and achieve more than 50% of votes cast in favour of it, then the CNP would be 'made' by LCC. In the event of a successful referendum result, the CNP would immediately carry full weight in the determination of planning applications in the neighbourhood area.

## Appointment of the independent examiner

- 1.8. I was appointed as an independent examiner by LCC, with the consent of CTC, following a competitive procurement process through NPIERS with whom I am a panel member, to conduct the examination and provide this report as an independent examiner. I am independent of the qualifying body and the Local Planning Authority. I do not have any interest in any land that may be affected by the CNP, nor do I have any professional commissions in the area currently. I hold appropriate qualifications and experience and have planning and development experience, gained over 40 years across the public and private planning sectors. I am a Member of the Royal Town Planning Institute.

## Role of the independent examiner

- 1.9. It is the role of the independent examiner to consider whether a neighbourhood plan meets the 'Basic Conditions'. The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (TCPA) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004 (PCPA). They are that \*:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- d) The making of the neighbourhood plan contributes to the achievement of sustainable development;
- e) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority;
- f) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations;
- g) Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the plan.

\* NB Basic Conditions b) and c), relating to listed buildings and conservation areas, are also included in the Basic Conditions but as these only concern neighbourhood development orders they are not included in this report.

- 1.10. Pursuant to Basic Condition g) above, Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, effective from 28 December 2018, prescribes the following additional Basic Condition for the purpose of paragraph 8(2)(g) of Schedule 4B to the TCPA 1990:

*"The making of the neighbourhood development plan does not breach the*

*requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017”.*

Regulation 106(1) of Chapter 8 states that : “*a qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under Regulation 105 (that assessment is necessary where the neighbourhood plan is likely to have a significant effect on a European site or a European offshore marine site either alone or in combination with other plans or projects) or to enable it to determine whether that assessment is required*”.

1.11. In examining the Plan, I have also considered whether the legislative requirements are met, namely:

- The Neighbourhood Plan has been prepared and submitted for examination by a qualifying body as defined in section 61F of the TCPA as applied to neighbourhood plans by section 38A of the PCPA.
- The Neighbourhood Plan has been prepared for an area that has been designated under section 61G of the TCPA as applied to neighbourhood plans by section 38A of the PCPA.
- The Neighbourhood Plan meets the requirements of section 38B of the PCPA (the Plan must specify the period to which it has effect, must not include provisions relating to ‘excluded development’, and must not relate to more than one neighbourhood area) and
- The policies relate to the development and use of land for a designated neighbourhood area in line with the requirements of the PCPA section 38A.

1.12. I have examined the CNP against the Basic Conditions and legislative requirements above and, as independent examiner, I must make one of the following recommendations:

- a) that the Plan should proceed to referendum, on the basis that it meets all legal requirements;
- b) that the Plan, once modified to meet all relevant legal requirements, should proceed to referendum;
- c) that the Plan does not proceed to referendum, on the basis that it does not meet the relevant legal requirements.

1.13. If recommending that the Plan should go forward to referendum, I am also then required to consider whether or not the Referendum Area should extend beyond the Carnforth Neighbourhood Area to which the Plan relates. I make my recommendation on the Referendum Area at the end of this report (See Section 8).



- 1.14. The role of the independent examiner is not to comment on whether the Plan is sound or how the Plan could be improved, but rather to focus on compliance with the Basic Conditions.

## 2. The Examination Process

- 2.1. It is a general rule that neighbourhood plan examinations should be held without a public hearing; that is by written representations only. However, according to the legislation, when the examiner considers it necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case, a public hearing may be held.
- 2.2. I have considered the representations received at the Regulation 16 publicity stage. Whilst there were a number, I am satisfied that there is no need for a public hearing in respect of the CNP and the matters are considered below. I confirm that all Regulation 16 representations on the Plan have been taken into account in undertaking this examination. Where appropriate, I have made specific reference to the person's or organisation's comments in Section 6 of this report.
- 2.3. I undertook an unaccompanied site visit around the neighbourhood area on 22 August 2022, during which I looked at its overall nature, form, character and appearance and at those areas affected by policies in the Plan in particular.
- 2.4. Subsequent to my reading for the examination and the site visit, I asked a number of factual clarifying questions of CTC, as qualifying body, and LCC relating to the context and intent of policies and proposals of the Plan. This exchange was carried out by email and the questions and the responses received from the Councils are set out in Appendix 1 to this report and have been uploaded to the Neighbourhood Plan webpages on the LCC website. I am grateful to the Councils for responding on these matters.
- 2.5. In undertaking this examination, I have considered each of the following documents in addition to the Submission Version of the CNP:
- National Planning Policy Framework (Jul 2021)
  - National Planning Practice Guidance 2014 (as amended)
  - Town and Country Planning Act 1990 (as amended)
  - The Planning and Compulsory Purchase Act 2004 (as amended)
  - The Localism Act 2011
  - The Neighbourhood Planning Act 2017
  - The Neighbourhood Planning (General) Regulations (2012) (as amended)
  - Carnforth NP Basic Conditions Statement (Nov 2021)
  - Carnforth NP Consultation Statement and Appendices (Nov 2021 and Aug 2022)
  - Carnforth NP Strategic Environmental Assessment Screening Determination Statement (May 2021)

- Carnforth NP Habitats Regulation Assessment Screening Determination Statement (May 2021)
- Carnforth Baseline Assessment (Troy Planning Aug 2019)
- Carnforth NP Design Code AECOM (2020)
- Carnforth NP Housing Needs Assessment AECOM (Mar 2020)
- Carnforth Local Green Space Report (Troy Planning Aug 2020)
- Carnforth Local List (Troy Planning May 2020)
- Design Standards and Practices for Walking and Cycling in Carnforth (PJA Feb 2021)
- Carnforth Neighbourhood Area Designation Report – (25 April 2018)
- Representations received during the Regulation 16 publicity period post submission – (4 February 2022 to 18 March 2022)

### 3. Public Consultation

#### Background

- 3.1. An accessible and comprehensive approach to public consultation is the best way to ensure that a neighbourhood plan reflects the needs, views and priorities of the local community.
- 3.2. CTC submitted a Consultation Statement, as required by Regulation 15 of the Neighbourhood Planning (General) Regulations, to LCC in February 2022.
- 3.3. Public consultation on the CNP commenced with early discussions about a neighbourhood plan in 2018. This early consultation was followed by various consultation stages, including the two formal stages required by the Regulations:
  - The pre-submission consultation under Regulation 14 for 8 weeks from 26 July 2021 to 20 September 2021 and
  - The publicity stage, as required by Regulation 16, (the consultation period post submission of the Plan) from 4 February 2022 to 18 March 2022
- 3.4. The Regulation 16 stage resulted in consultation responses from 9 respondents raising multiple points. The representations raised are considered as necessary within my assessment of the Plan in Section 6 below.

#### Carnforth Neighbourhood Plan Consultation

- 3.5. The CNP Neighbourhood Planning Steering Group was set up in 2018 and has carried out consultation with the community and stakeholders throughout the process of plan preparation. The communication methods used included the Carnforth Express Newsletter, the local paper (the Lancaster Guardian), local radio,

the Town Council's Neighbourhood Plan website, together with the LCC website, notice boards and posters, leaflets, email drops and Facebook and Twitter, as well as the offer of events, drop-ins and questionnaires. Copies of the Pre-Submission Draft Plan and Submission Plan together with supporting documents were provided locally in Carnforth library and at the CTC offices as well as being uploaded to the websites and links provided via email.

- 3.6. Evidence gathering for the plan commenced in 2018 with information evenings and a survey of the local community to help identify issues and concerns and to develop the vision and objectives. A vision, values and objectives document was produced and consulted on in September 2019. The four week consultation period included drop in events and 80 people attended. Evidence gathering to inform the preparation of the Plan continued through 2019/20 with the completion of a baseline assessment, a business survey (36 surveys were sent out and 13 were returned), a housing needs assessment, design coding and other specialist assessments.
- 3.7. The Consultation Statement sets out the form and content of these early consultations. It is clear that sufficient opportunities were available to the community to be involved and that the consultations gave a good basis for the preparation of the Plan. A draft of the CNP was prepared and submitted for a Health Check in February 2021. Based on the results of this the draft plan was revised and submitted for SEA and HRA screening in May 2021.
- 3.8. The pre-submission draft of the Plan was signed off by the Parish Council and as required by Regulation 14, the consultation ran for six weeks (with a 2 week extension reflecting the summer holiday timing) from 26 July 2021 to 20 September 2021.
- 3.9. The CNDP was made available online on the Parish and LCC websites, and links to the Plan were provided via email to statutory consultees and local stakeholders and hard copies of the plan available locally. The Plan was publicised in the Lancaster Guardian, in the Carnforth Express and by posters on notice boards and on social media. Four drop-in events were arranged and 100 people attended. 39 responses from residents and stakeholders were received and 8 responses from consultees.
- 3.10. Following the pre-submission stage and the analysis of results, the Plan was revised, approved for submission and submitted by the Parish Council to LCC on 2 February 2022.
- 3.11. The Neighbourhood Planning Regulations are part and parcel of Basic Condition a), and Regulation 15 (2) sets out clearly what the Consultation Statement should include. Having reviewed the Consultation Statement, in particular the tables setting out the representations at the Regulation 14 stage and how these were answered, as well as the appendices to the statement, I was not satisfied that the Consultation Statement was compliant with Regulation 15 in that it did not clearly set out who had been consulted. The Town Council was asked to revise the statement and this was

submitted to me in August 2022. The statement now demonstrates who was consulted, how they were consulted, what the main issues and concerns were, and what action has been taken in response to these to arrive at the Submission Draft Plan. As such this revised version meets the requirements of regulation 15 and the revised statement has been uploaded to the LCC Neighbourhood Plan web page.

## **4. Preparation of the Plan and legislative requirements**

4.1. In terms of the procedural tests set out above my findings are:

### Qualifying body

4.2. Carnforth Town Council (CTC), as the duly elected lower-tier council, is the qualifying body for preparation of the Plan.

4.3. I am satisfied that the requirements set out in the Localism Act (2011) and in section 61F(1) and (2) of the TCPA (as applied to neighbourhood plans by section 38A of the PCPA) have been met.

### Plan Area

4.4. An application was made by CTC on 20 December 2017 to designate the Carnforth Neighbourhood Area. The area sought covered the whole Town Council's administrative area. This neighbourhood area was approved by LCC on 25 April 2018.

4.5. This satisfies the requirement under section 61G (1) (2) and (3) of the TCPA (as applied to neighbourhood plans by section 38A of the PCPA) and Regulations 5, 6 and 7 of the Neighbourhood Planning (General) Regulations as amended.

### Plan period

4.6. A neighbourhood plan must specify the period during which it is to have effect. The CNP clearly states on the title page and in the introduction in section 1 that it covers the period 2020-2031.

4.7. The plan period aligns with the end point of the Lancaster Local Plan (LLP), which set out the strategic policies for the neighbourhood area. The intended time period satisfies the requirements of section 38B of the PCPA as amended.

## Excluded development

- 4.8. The Plan does not include policies or proposals that directly relate to any of the categories of excluded development: county matters (mineral extraction and waste development), nationally significant infrastructure, or any matters set out in Section 61K of the TCPA 1990. The CNP, as proposed to be modified in Section 6 below, relates solely to the neighbourhood area and no other neighbourhood area, and there are no other neighbourhood development plans in place within the neighbourhood area. This satisfies the requirements of section 38B of the PCPA, as amended.

## Development and use of land

- 4.9. The Neighbourhood Plan should only contain policies relating to the development and use of land. Subject to the modifications proposed below in Section 6, the CNP policies would be compliant with this requirement of section 38B of the PCPA, as amended.

## Plan publication following submission

- 4.10. LCC undertook a validation check of the CNDP following its submission in February 2022. The Council was satisfied that the Plan could proceed to be publicised under Regulation 16 and proceed to this independent examination.

## 5. The Basic Conditions

### National policy and advice

- 5.1. The main document that sets out national policy is the National Planning Policy Framework (the NPPF). A revised version of the NPPF was published in July 2021. Although preparatory work for the CNP commenced under the previous 2019 version of the NPPF in preparing the CNP for submission, references to the NPPF were updated to reflect the new 2021 NPPF. I have based my consideration of the extent to which the CNP meets Basic Condition a) against NPPF 2021, along with legislation and regulations.
- 5.2. The NPPF explains that neighbourhood plans should support the delivery of strategic policies and set out non-strategic policies and plan positively to shape, direct and help to deliver sustainable development that is outside the strategic elements of the Local Plan.
- 5.3. The NPPF also makes it clear that neighbourhood plans should be aligned with the strategic needs and priorities of the wider local area. In other words, neighbourhood

plans must be in general conformity with the strategic policies of the development plan. They should not promote less development than that set out in the strategic policies of the development plan or undermine those strategic policies.

- 5.4. The NPPF indicates that plans should contain policies that are clearly written and unambiguous, so that it is clear how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area.
- 5.5. National advice on planning is set out in the Planning Practice Guidance (PPG), which includes specific advice regarding neighbourhood plans. I have considered the advice of the PPG as part of assessing the Plan against Basic Condition a).

## Sustainable development

- 5.6. A qualifying body must demonstrate how a neighbourhood plan would contribute to the achievement of sustainable development. The NPPF as a whole constitutes the Government's view of what sustainable development means in practice for planning. The NPPF explains that there are three overarching objectives to sustainable development - economic, social and environmental.
- 5.7. There is no legal requirement for a formal Sustainability Appraisal (SA) to be carried out in respect of neighbourhood plans. However, SA is an established method of demonstrating how a neighbourhood plan will contribute to achieving sustainable development.
- 5.8. In this case, a high level sustainability assessment in tabular form is included in the Basic Conditions report (Table 7) which considers the plan policies against the suite of sustainability objectives (reflecting the environmental, social and economic dimensions of sustainability) used in the preparation of the Local Plan for Lancaster District. The table includes sufficient information to confirm, at a high level, that the effect of the policies of the Plan would be generally positive in terms of sustainability. I consider the contribution of specific policies to sustainable development below in Section 6.

## General conformity with the development plan

- 5.9 The CNP has been prepared in the context of the Local Plan for Lancaster District 2011-2031 Part One: Strategic Policies and Land Allocations DPD Adoption Version, July 2020. (LPLD-PT1) and the Local Plan for Lancaster District 2011-2031 Part Two: Review of the Development Management DPD Adoption Version, July 2020 (LPLD-PT2) and the CNP must be in general conformity with the strategic policies.
- 5.10 The PPG provides the following definition of general conformity:

“When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with;
- the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;
- whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy;
- the rationale for the approach taken in the draft neighbourhood plan or order and the evidence to justify that approach.”

5.11 Although only adopted in 2020 the Council has embarked on an immediate review and update of LPLD-PT1 and LPLD-PT2 to ensure they fully respond to the Climate Emergency. This review is now at an advanced stage with the reviewed plan submitted to the Planning Inspectorate for examination. Whilst CTC has sought to ensure that the CNP reflects the direction of travel in the LPLD Review it is the currently adopted LPLD that must be considered in respect of the Basic Conditions. I consider the extent to which the policies and proposals of the CNP are in general conformity with the strategic policies of the LPLD in detail in Section 6 below.\*

\* The Development Plan for the area also includes the Joint Lancashire Waste and Minerals DPD but I have not referred to this as the AWSNP cannot influence these matters.

## European Union (EU) obligations

5.12 A neighbourhood plan must be compatible with EU obligations, as incorporated into UK law, in order to be legally compliant. Notwithstanding the United Kingdom’s departure from the EU, these obligations continue to apply unless and until repealed or replaced in an Act of Parliament.

## Strategic Environmental Assessment and Habitat Regulations Assessment

5.13 Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment has a bearing on neighbourhood plans. This Directive is often referred to as the Strategic Environmental Assessment (SEA) Directive. Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively) aim to protect and improve Europe’s most important habitats and species and can have a bearing on neighbourhood plans.

- 5.14 Regulation 15 of the Neighbourhood Planning Regulations, as amended in 2015, requires either that a SEA is submitted with a neighbourhood plan proposal or a determination obtained from the responsible authority (LCC) that the Plan is not likely to have ‘significant effects.’
- 5.15 The initial screening opinion prepared by LCC in consultation with the statutory bodies 2021 found that there was the possibility of significant effects but recommended that if an additional environmental protection policy and a section on monitoring and review was added then the environmental effects would not be significant. Accordingly, the CNP was amended to include a new policy (CNDP EC1) and a section confirming how the policies would be monitored. The revised screening opinion then concluded that full SEA was not required because the CNP did not allocate land for development. The larger development sites in Carnforth had already been considered and assessed through the Local Plan SEA or through EA as part of the planning application process and any additional development permissible under the policies of the CNP itself would be small scale. Also because of the plan’s environmental focus, including the new protective policy, there was unlikely to be any significant adverse effects. Moreover, it is likely that any impacts from the small scale and local development that might take place through the plan would be offset by the positive benefits of the policies within the Neighbourhood Plan seeking to achieve more sustainable development.
- 5.16 Regarding Habitats Regulations Assessment (HRA), the test in the additional Basic Condition under Regulation 32 now essentially mirrors that in respect of SEA. It requires an Appropriate Assessment to be carried out where a plan is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) or a determination obtained from the responsible authority (LCC) that the plan is not likely to have a ‘significant effect’. A screening opinion was similarly carried out by LCC in May 2021 and a determination prepared.
- 5.17 Three European sites – Morecambe Bay and Duddon Estuary SPA, Morecambe Bay SAC and Morecambe Bay Ramsar Site are within the Neighbourhood Area and a further 7 European sites are within 15 kilometres of the Neighbourhood Area. In respect of 4 of the designated sites there is not considered to be any potential impact pathways and the sites were discounted. As with the SEA, screening concluded, that there was the potential for significant impacts unless an additional environmental protection policy was included in the plan. The HRA screening was redone with the additional policy in place and the conclusion of the Council’s determination was that the Neighbourhood Plan either alone or in combination with other plans and programmes would not have a significant effect on any European sites. Consequently, the CNP is not considered to require Appropriate Assessment under Article 6 or 7 of the Habitats Directive.
- 5.18 Both the determinations regarding SEA and HRA have been confirmed by Natural England, the Environment Agency and Historic England as statutory consultees. I



have no reason to reach a different view to the statutory consultees.

## **European Convention on Human Rights (ECHR)**

- 5.19 The Human Rights Act 1998 encapsulates the Convention and its articles into UK law.
- 5.20 An Equalities and Human Rights Impact Assessment has not been specifically carried out for the CNP. Instead, the Sustainability Appraisal included in the Basic Conditions Statement includes a number of social /community sustainability objectives relevant to equalities and concludes the CNP performs satisfactorily.
- 5.21 The potential impacts of the CNP in relation to the relevant Articles of the Convention are as follows:
- 5.22 In respect of Article 1 of the first protocol - the right of everyone to the peaceful enjoyment of possessions - although the CNP includes policies that would restrict development rights, this does not have a greater impact than the general restrictions on development rights provided for in national law. 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.
- 5.23 In respect of Article 6 of the Convention's Rights and Freedoms - the right to a fair hearing in determination of an individual's rights and obligations - the process for preparing the CNP is fully compatible with this Article, allowing for consultation on its proposals at various stages, and incorporating this independent examination process.
- 5.24 In respect of Article 14 of the Convention's Rights and Freedoms - the enjoyment of rights and freedoms without discrimination on any ground - the policies and proposals of the CNP have been developed in consultation with the community and wider stakeholders to produce as inclusive a document as possible.
- 5.25 I conclude that, given the nature of the plan policies and proposals, it is unlikely there would be any detrimental impact on the 'protected characteristics' set out in the Equality Act and, generally, the Plan would bring positive benefits. Whilst the Plan does not directly address needs in respect of particular protected characteristics within the plan area, the CNP is not prejudicial to any group in its policies.
- 5.26 No concerns or objections on the grounds of human rights or equalities have been raised during the consultation stages of the Plan. I am satisfied on the basis of the above that, across the Plan as a whole, no sectors of the community are likely to be discriminated against. The policies together would generally have public benefits and encourage the social sustainability of the neighbourhood.
- 5.27 I am satisfied therefore that the Plan does not breach, and is otherwise compatible

with, the ECHR.

- 5.28 I am not aware of any other European Directives which apply to this particular neighbourhood plan and no representations at pre- or post-submission stage have drawn any others to my attention. Taking all of the above into account, I am satisfied that the CNP is compatible with EU obligations and therefore with Basic Conditions f) and g).

## **6 The Neighbourhood Plan – Assessment**

- 6.1 The Neighbourhood Plan is considered against the Basic Conditions in this section, following the structure and headings in the Plan. Given the findings in Section 5 above that the Plan as a whole is compliant with Basic Conditions f) (EU obligations) and g) (Other prescribed conditions including that under Regulation 32), this section largely focusses on Basic Conditions a) (Having regard to national policy), d) (Contributing to the achievement of sustainable development) and e) (General conformity with strategic policies of the development plan).
- 6.2 Where modifications are recommended, they are clearly marked as such and set out in bold print.

### **The general form of the Plan**

- 6.3 The structure of the CNP is generally logical and clear with early sections setting the context in respect of the background to the neighbourhood area, the current policy directions and the key issues facing the area, before setting out the vision and objectives and the policy sections.
- 6.4 The Plan distinguishes between the policies themselves and their justification by boxing and shading the policies. Each policy is accompanied by supporting text setting out the context, rationale and intent.
- 6.5 The NPPF at paragraph 16 requires the Plan to be “clearly written and unambiguous so it is evident how a decision maker should react to development proposals” and to “serve a clear purpose avoiding unnecessary duplication of policies that apply to a particular area”.
- 6.6 Neighbourhood plans are not to include matters that do not relate to the development and use of land. The CNP, as with many neighbourhood plans, has in the course of its preparation attracted many comments and proposals from the community that they would like to see the Town Council take action on, but which are not directly to do with the development and use of land. Whilst CTC has acknowledged that these ‘community actions’ are not matters that the Neighbourhood Plan can directly address, they are nevertheless presented in the body of the Plan and are part of it (albeit in different coloured boxes), potentially

leading to confusion. The detail should be separated out and relocated in an appendix to the Plan with only paragraph markers remaining in the text referring to the appendix.

- 6.7 In order to provide a clear and unambiguous plan this also requires the mapping to be clear. In the printed and digital versions the plans need to be enlarged to be full page plans extending the full extent of the page so that they and their keys are as clear as possible. In addition, a number of policies require an understanding of the spatial extent within which the policy will apply, namely the Carnforth built up area, the town centre boundary, the Carnforth regeneration priority area and the conservation area. As these are referred to within CNP policies there should be an additional policies map provided setting out the extent of these areas so that users of the plan are aware where policy requirements will apply.

<b>Recommendation 1</b>	
1A	<p>Amend the section “The Structure of the Plan” paragraph 1.6 as follows:  <i>“Within sections 4-8 each topic area includes some introductory and explanatory text followed by a policy as follows:</i></p> <div data-bbox="316 405 572 465" style="border: 1px solid black; background-color: #92d050; padding: 2px; margin-bottom: 10px;"> <p><b>Policy Box</b></p> </div> <p><i>The Town Council in preparing the plan has identified a number of Town Projects and community aspirations in response to issues identified which relate to specific policies in the Neighbourhood Plan and whilst these are not formally part of the plan itself they are identified as follows and set out in detail in Appendix 1 to the plan.”</i></p> <div data-bbox="316 712 916 772" style="border: 1px solid black; background-color: #add8e6; padding: 2px; margin-bottom: 10px;"> <p><b>Project / aspiration</b></p> </div> <p>Delete the detailed content of the blue project boxes and use the blue boxes solely to record the title of the project / aspiration and forward reference it to a new Appendix 1 to the plan entitled “<i>Carnforth Community Projects and Aspirations</i>”</p> <p>Introduce the new Appendix 1 with the following text :</p> <p><i>“The Town Council in preparing the plan has identified a number of Town Projects and community aspirations in response to issues identified in relation to:</i></p> <p><i>Leisure and Tourism</i>  <i>Cycle infrastructure</i>  <i>Market Street and Town Centre public realm improvements</i>  <i>Improving town wide accessibility</i>  <i>Local Green Spaces</i>  <i>Remediation of disused tip adjacent to Midland Terrace.”</i></p> <p>The appendix should then set out the detail of these projects currently contained in the blue boxes.</p>
1B	<p>Enlarge the mapping used within the plan so that it occupies a whole page and is as large as possible within the constraints of the A4 format.</p>
1C	<p>Add a new Policies Map showing the urban boundary of Carnforth, the town centre boundary, the Carnforth regeneration priority area and the Conservation Area boundary appropriately keyed with the policies that refer to these boundaries keyed also.</p>

## Carnforth Today

- 6.8 This section provides a brief introduction to the Neighbourhood Area and the issues facing it.
- 6.9 This is largely a factual section and for the most part there is no need for any changes. The section is unnecessarily repetitive of the Consultation Statement at paragraphs 2.7 and 2.8 but in as much as this does not involve any conflict with the Basic Conditions I make no formal recommendation to modify the section.

## The Development Plan

- 6.10 Section 2 of the CNP sets out the relationship of the neighbourhood plan to the development plan (the *Local Plan for Lancaster District*) comprising the Strategic Policies and Land Allocations DPD (LPLD-PT1) and the Development Management DPD (LPLD-PT2) adopted in 2020 and the strategic policies relevant to Carnforth. It also sets out the context of the review of the plan underway in response to the climate emergency. Again, this is a largely factual section of the plan and for the most part it raises no issues in respect of the Basic Conditions save in two respects.
- 6.11 At the start of the section at paragraph 2.13 the plan paraphrases the first Basic Condition and states that the neighbourhood Plan should be ‘in line with’ national guidance. This is incorrect. The Basic Condition states that “*Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan*”. Therefore the text should reflect this specific meaning.
- 6.12 The plan includes a subsection in section 2 ‘Reviewing the Neighbourhood Plan’. The neighbourhood plan only extends until 2031 in line with the LPLD which means that the CNP by the time it is ‘made’ will at best only have a life term of 8 years maximum. The Town Council was asked as part of the examiner’s questions what its intentions were with regard to this short life span and CTC in response has confirmed its commitment to monitoring the plan and early review. Accordingly, and in view of the short lifespan, a statement to this effect should be included in paragraph 2.29.

<b>Recommendation 2</b>	
<b>2A</b>	<b>In line 1 of Paragraph 2.13 delete the words ‘in line with’ and replace with the words “<i>having regard to</i>”</b>
<b>2B</b>	<b>Revise the first sentence in paragraph 2.29 to read:</b>

<p><b>“Notwithstanding the <i>current</i> defined period of the Neighbourhood Plan to 2031.....review of the Local Plan <i>now well advanced, triggered by the declaration of the climate emergency, that the Neighbourhood Plan will be likely to be reviewed early.</i></b></p>
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## Carnforth Tomorrow

- 6.13 Section 3 of the Plan sets out the vision and the objectives designed to deliver the vision and provide the basis for the policies.
- 6.14 Being able to demonstrate the thread from issues to vision and objectives and from objectives to policies is an important part of evidencing the Neighbourhood Plan as required in the PPG. There is a clear thread from the section on Carnforth Today to the vision and objectives and to policies.
- 6.15 The vision looks to ensure that the town develops as a vibrant but also sustainable centre where the distinct character of the town is conserved and enhanced. It aims to ensure new growth meets local needs with Carnforth becoming more self-sufficient. In this way the town looks to become an even more attractive destination for visitors.
- 6.16 The Plan has regard to the PPG advice that it *“provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next 10, 15, 20 years in ways that meet identified local need and make sense for local people”*.
- 6.17 The vision and objectives also encapsulate and generally reflect the spatial vision set out in the LPLD-PT1 at Section 3 including that for Carnforth and the specific objectives set out in Section 4 (SO1 - SO5). Similarly, the CNP objectives directly reflect the three objectives set out in the LPLD-PT2 Section 3 setting out development management objectives. The impact of pursuing the vision and objectives of the Neighbourhood Plan would contribute to the achievement of sustainable development in the neighbourhood area.
- 6.18 Ordinarily, as the vision and objectives have been set through discussion with the community, I would be reluctant to amend these. However, given that neighbourhood plans must deal only with the development and use of land I am not persuaded that Objective 08 respects this and therefore it does not meet Basic Condition a). This relates to the use of the words ‘community events’ in the objective. Events are unlikely to involve the development and use of land and therefore a minor clarification should be made to Objective 08 to refer instead to ‘community facilities’.

<b>Recommendation 3</b>	
<b>3A</b>	<p><b>Amend Objective 08 as follows:</b></p> <p><i>“To promote, preserve and support community facilities and opportunities for their development”.</i></p> <p><b>Note – make the same amendment to Objective 08 in the objective box on page 43.</b></p>

6.19 With this modification the vision and objectives of the CNP would meet the Basic Conditions.

## **Planning Policies**

6.20 Section 4-8 of the Plan set out the policies contained in the Plan.

### **Section 4 – Heritage and design**

6.21 Generally, this section of the CNP is aimed at protecting the built heritage and ensuring that new development reflects the local character and built form.

#### **Policy CNDP HD1: Conserving the historic environment**

6.22 This first policy of the plan considers the matter of conserving and enhancing heritage assets. Given that the NPPF at section 16 and LPLD policies provide effective control in respect of heritage assets, it is important, if it is to meet Basic Conditions a) and e), that the CNP doesn't needlessly repeat policy coverage but also that it does not introduce confusion resulting in argument regarding the policy intent.

6.23 I am satisfied that generally and particularly in respect of the second part of the policy, it does not simply repeat higher order plans but sets out the requirements local to Carnforth. However, I am not satisfied that the policy is entirely clear as to where it is to apply. I presume from the reference at the 2<sup>nd</sup> bullet point in the first section of CNDP HD1 to the local list that it is to apply to all heritage assets regardless of whether they are designated or non-designated. If this is the intention this should be made clear at the start of the Policy. Additionally, in setting out the requirement in the 3<sup>rd</sup> bullet regarding loss or harm to significance, the Policy is not clear and unambiguous.

<b>Recommendation 4</b>	
<b>4A</b>	<p><b>Modify line 1 of Policy CNDP HD1 to read:</b></p> <p><b>“Proposals relating to designated and non-designated heritage assets will be supported where they: .....”</b></p> <p><b>Delete bracketed reference to the local list in the 2<sup>nd</sup> bullet point.</b></p>
<b>4B</b>	<p><b>Reword the 3<sup>rd</sup> bullet to read:</b></p> <p><b>“Avoid the total loss of significance <i>and</i> avoid or minimise harm to heritage assets through alterations or new developments (<i>including in their setting</i>) except where this accords with <i>National and Local Plan</i> requirements”</b></p>

## Policy CNDP HD2: Locally Designated Heritage Assets

- 6.24 Following on from the identification of locally important buildings in the Carnforth Conservation Area Appraisal the CNP looks to ensure protection of these by incorporating them in Policy HD2. The identification of local heritage assets as set out in the plan and referenced at Appendix 1 is advantageous and has regard to the NPPF at section 16 giving local property owners and developers (who are often oblivious to any heritage value) advance notice of the significance of the assets and assisting decision makers to understand impacts of development on the assets. It is also in general conformity with Policy DM41 of LPLD-PT 2.
- 6.25 However what is not clear from the CNP, given the absence of any substantive supporting text, is how this list has been arrived at and how this activity relates to LCC’s list of local heritage assets: for example whether the selection criteria used have been informed by LCC’s approach and whether LCC agree with those assets identified. In view of this uncertainty as part of the Examiner’s clarifying questions I asked both Councils to clarify the position.
- 6.26 LCC has confirmed that the methodology used is consistent with that used by the City Council and that it agrees with the properties identified as NDHA. However, this needs to be set out in the plan and additional supporting text provided at paragraph 4.8 to make clear the selection criteria and that these are consistent with those used by LCC and that the buildings and structures identified are agreed by the Council.
- 6.27 Of greater concern is that in respect of the last paragraph of the Policy it imposes a test that is different to that in the NPPF. Section 16 of the NPPF requires that a balanced judgement is reached having regard to the scale of any harm or loss and the significance of the heritage asset. If this Policy is to meet Basic Condition a) it needs to offer clear and unambiguous advice to developers, property owners and decision makers.



<b>Recommendation 5</b>	
<b>5A</b>	<p><b>Reword the last paragraph to Policy CNDP HD2 as follows:</b></p> <p><b>Development proposals affecting.....shall be permitted only if, <i>having regard to the scale of any harm or loss and the significance of the heritage asset, the balanced judgement is that they would preserve the historic or architectural interest of the asset</i></b>”</p>
<b>5B</b>	<p><b>In the supporting text to policy CNDP HD2 at paragraph 4.8 add a section that explains how the local list was derived, the selection criteria used and where the evidence on what is significant about each asset is clearly set out. Complete the additional text with the following sentence:</b></p> <p><b><i>“The identification of these assets is supported by Lancaster City Council.”</i></b></p>

6.28 Policy CNDP HD2 as modified would meet Basic Conditions a), d) and e).

### Policy CNDP HD3 : Design

6.29 Policy CNDP HD3 seeks to ensure high quality in specific and detailed elements of a development’s design. It has been informed by the Carnforth Design Code which sits alongside the CNP.

6.30 Given the focus of the NPPF at section 12 seeking a high quality of design, and encouraging the use of design guides and codes, Policy HD3 has regard to national policy.

6.31 In respect of the relevant strategic policies, Policy DM29 of the LPLD-PT2 sets out the key design principles which will apply to development in the district. Although these principles are comprehensive, they remain broad brush and therefore Policy HD3, although overlapping to a degree, sets out locally-specific principles and is complementary to Policy DM29. Policy HD3 therefore generally conforms to the strategic policy and develops design guidance to be applied locally through the Carnforth Design Code. Moreover, the outcome of applying the Policy will secure more sustainable development. As such the principle of the Policy meets Basic Conditions a), d) and e).

6.32 In order to ensure the policy is clear and unambiguous as required by the NPPF and PPG the only modification I would recommend is that the bullet points reflect the main design principles in the code and the code references are included. The section of the Design Code on building height and roofline for example is not included in the Policy.

6.33 A Regulation 16 representation proposes the addition of a completely new section to

Policy CNDP HD3 around creating sociable and inclusive neighbourhoods, outward looking layouts and good connectivity and integration to the existing settlement. Whilst I acknowledge that in large part the addition may be relevant to the circumstances in Carnforth and the CTC have indicated they would have no objection to its inclusion, at this stage in the plan process it would result in a substantive change to the policy, which has not been the subject of consultation and which is not simply necessary to meet the Basic Conditions. My advice therefore is that the CTC retain these proposed additions and similar suggested additions to be considered in reviewing the CNP in the future.

<b>Recommendation 6</b>	
<b>6A</b>	<b>Add as a new 3<sup>rd</sup> bullet the following: “<i>New buildings should be sympathetic to the height and roofline design of nearby development (Design Codes BH-UR and BH-VR)</i>”</b>
<b>6B</b>	<b>Add the relevant Design Code references to each bulleted design principle as per the example at Recommendation 6A.</b>

6.34 With these modifications in place Policy CNDP-HD3 will meet the Basic Conditions.

## **Section 5 Economy**

6.35 This section of the plan deals with the local economy and includes policies to support sustainable leisure and tourism development, managing employment-related development within and outside established employment areas and supporting and managing town centre development in Carnforth.

### **Policy CNDP E1: Leisure and Tourism**

6.36 The first policy of the Economy section looks to encourage the sustainable development of leisure and tourism business in the town subject to certain criteria and specifically the retention of the Carnforth Community Pool.

6.37 The NPPF at Section 6 seeks to build a strong sustainable economy supporting the development of local business and, in that context, Policy CNDP E1 has regard to national policy. The policy is also in general conformity with the thrust of the development strategy and employment policies of LPLD-PT1 and the development management policies in LPLD-PT2 which seek to provide for economic growth in Carnforth and the other centres of the district.

6.38 The LPLD spatial strategy looks to concentrate development in the main centres including Carnforth but the nature of tourist and leisure-related development is that it is a business type that also supports the economy in rural areas. It is therefore assumed that the Policy criteria does relate to the whole neighbourhood plan area

but the way the Policy is set out is not clear in this regard. The positioning of the paragraph regarding development outside the built-up area would suggest that the second set of bullet points in the Policy applies to the rural area only. Because of this confusion CTC was asked to confirm the intention. Its response at Appendix 1 below confirms that the intention is that both sets of bullets apply to development within and outside the built-up areas. Accordingly, I recommend that the order of the Policy is modified so that the second paragraph is relocated to become the third paragraph preceding the paragraph on the Carnforth Community Pool. However, if that is done the actual purpose of the first and second set of bullets would be unclear. A careful reading of the Policy would suggest that the first set of bullets relate to the development of existing facilities, whilst the second set relates to new facilities. If this interpretation is correct, then a further adjustment in the second paragraph is required where it specifies that small scale development will be supported. The bulleted caveats that follow already include control to ensure development is of an appropriate scale to the character of the area and therefore limiting new facilities to small-scale only is unnecessary.

- 6.39 There is, also, a further minor issue with the Policy in terms of it being clear and unambiguous as required by the NPPF and PPG and therefore the ability to fully meet Basic Condition a). The second paragraph uses the terms ‘where appropriate’ and ‘may be required’ which are imprecise and unclear to a developer. The paragraph should be reworded to present more positive wording to provide certainty.
- 6.40 This section of the plan includes two blue box project aspirations. As per my Recommendation 1 the detail from these boxes should be removed to the new Appendix 1 and simply the project title and a reference retained in the body of the plan.
- 6.41 A regulation 16 representation suggests that the control over the change of use of community assets should include the caveat ‘that no other community use is viable’. However, I am not persuaded that the additional clause is either necessary or entirely relevant. In the first instance this is because, regarding the pool, it is unlikely that there would be an alternative community use. Secondly the Policy wording means that the asset involved may not be a community asset per se and thirdly, because the last bullet point in the policy already requires the proposed alternative use to provide equal or greater benefits for the local economy and community.

<b>Recommendation 7</b>	
<b>7A</b>	<p><b>Relocate the second paragraph of Policy CNDP E1 to follow after the bullets to the current third paragraph and before the clause on the Carnforth Community Pool</b></p> <p><b>Change the first line of this relocated clause to Policy CNDP E1 to read:</b>  <b><i>“Tourist development outside the built up area will also be</i></b></p>

	<p><b><i>assessed.....</i></b></p> <p><b>Change the word ‘may’ in the third line of the relocated clause to the word “<i>will</i>”.</b></p>
<b>7B</b>	<p><b>In paragraph 1 line 3 replace the words ‘Applicants for new build development’ with the words “<i>The development of existing facilities....</i>”</b></p>
<b>7C</b>	<p><b>In the current 3<sup>rd</sup> paragraph line 1 delete the words ‘small scale’ and replace with the word ‘new’.</b></p>
<b>7D</b>	<p><b>Remove the detail from the Project Aspiration boxes to leave only the title and a forward reference to the appendix e.g.:</b></p> <p><b><i>“See detail at Appendix 1 Ref CNDP E(a)”</i></b></p>

## Policy CNDP E2: Employment

- 6.42 Policy CNDP E2 prioritises the development of employment in the established employment areas in the northern part of Carnforth around the railway lines and in the east next to the M6 interchange but it also allows employment related development outside these areas where it is compatible with surrounding uses.
- 6.43 This is compatible with and has regard to the national policy set out in paragraph 82 of the NPPF. Moreover, the requirement in the last paragraph of the policy encouraging employment uses to prioritise accessibility has regard to the policy objectives in section 9 of the NPPF. The focus on the established employment areas is in general conformity with policy EC1 of the LPLD-PT1 which identifies five established employment areas in Carnforth (EC1.1 – EC1.5). Provision for smaller employment-generating development outside the established employment areas is also in general conformity with the approach in Policies DM14 and DM15 of LPLD-PT2 particularly that on small business generation in Policy DM15.
- 6.44 Supporting employment growth in Carnforth will encourage a sustainable future for the town ensuring that those living in the town can work locally.
- 6.45 A Regulation 16 representation proposes the addition of a completely new section to Policy CNDP E2 around providing for home working and encouraging small businesses. Whilst I acknowledge that, particularly in the post-pandemic world, working from home has become widespread, the additional text would take the policy in a new direction. Although the CTC have indicated they would have no objection to the inclusion of the additional text, at this stage in the plan process it would result in a substantive change to the policy, which has not been the subject of consultation and which is not simply necessary to meet the Basic Conditions. My advice therefore is that the CTC retain the proposed addition and similar suggested additions to be considered in reviewing the CNP in the future. The representation

also suggests that a clarification of terminology is necessary where the policy refers to 'active transport modes'. This terminology mixes concepts as the term is actually 'active travel' (meaning travel by physically active means eg walking and cycling). The policy would therefore be more clearly expressed as 'via active travel and other sustainable transport modes'. The clarification is a helpful one and the text should be amended.

- 6.46 Other than this change there is no need for any modification as the policy meets basic Conditions a) d) and e).

<b>Recommendation 8</b>	
<b>8A</b>	<b>In the last line of Policy CNDP E2 delete the words 'via active transport modes' and replace with the words "<i>via active travel and other sustainable transport modes</i>"</b>

### Policy CNDP E3: Local centre

- 6.47 Despite the title to the Policy this section of the plan actually relates to the town centre of Carnforth and its development. The Policy seeks to support development within the town centre subject to three criteria.
- 6.48 The policy has regard to the policy objectives of the NPPF in section 7 and in particular paragraph 86. Carnforth is identified as a market town and its town centre defined in Policy TC1 of the LPLD-PT1. Policy DM16 of the LPLD-PT2 allows for development of town centre uses subject to criteria. Policy DM16 is quite detailed but Policy CNDP E3 is complementary to it and sets out what is locally specific to Carnforth.
- 6.49 Maintaining a strong town centre and retaining facilities and services within it is important to the achievement of a sustainable community and in that respect the Policy will assist in the delivery of a sustainable future. The principle of the Policy therefore meets the basic Conditions a), d) and e).
- 6.50 There are, however, three modifications necessary to the Policy to meet the requirement of the NPPF and PPG that policies should be clear and unambiguous. First, the mixed terminology in this section between references to town and local centres is confusing. The LPLD ascribes specific meanings to the terms 'town centre' and 'local centre' and muddling them in the CNP must be resolved. The CTC was asked to clarify whether the reference to 'local centre' was simply a typographical error or whether it wished to draw a distinction. The Council has confirmed the term used should be 'town centre'.
- 6.51 Secondly, for the policy to operate successfully developers, property owners and

decision makers must understand the spatial extent of the town centre. I acknowledge that this is set out in the LPLD but the CNP in referring to the town centre in its own Policy needs to be self-contained. In the same way the reference to the ‘regeneration policy area’ in the last paragraph (which the CTC has confirmed in its response to Examiner’s clarifying questions should be the Regeneration **Priority** Area in Central Carnforth) should be set out in a Policies Map as per Recommendation 1 above.

- 6.52 A Regulation 16 representation proposes the addition of a completely new section to Policy CNDP E3 around the evening and night time economy in the town centre, the use of vacant buildings, requirements of development generally and supporting the enhancement and development of community facilities in the centre. These constitute extensive additions to the Policy and whilst there would be some merit in their inclusion, at this stage in the plan process, it would result in substantive changes to the Policy, which have not been the subject of consultation and which are not simply necessary to meet the Basic Conditions. My advice therefore is that the CTC retain these proposed additions and similar suggested additions to be considered in reviewing the CNDP in the future.

<b>Recommendation 9</b>	
<b>9A</b>	<b>Change all references to ‘local centre’ in Policy CNDP E3 and in its supporting text to “town centre”.</b>
<b>9B</b>	<b>Delete the words ‘regeneration policy area’ in Line 2 of the last paragraph to Policy CNDP E3 and replace with the words “Regeneration Priority Area of Central Carnforth.....”</b>
<b>9C</b>	<b>In preparing the Policies Map recommended in Recommendation 1 include the Town Centre boundary and the Regeneration Priority Area boundary for Central Carnforth together with the policy reference CNDP E3.</b>

## Policy CNDP E4 – Shopfront Design

- 6.53 Specifically as part of seeking improvements to the quality of the town centre the CNDP seeks to encourage good shopfront design. This has regard to the NPPF’s encouragement of high quality design and, whilst Policy DM21 of LPLD-PT2 includes design advice regarding shopfronts, I am satisfied that Policy CNDP E4 is complementary to the Local Plan policy adding detail from the Carnforth Design Code. As a result the Policy does not merely cover the same ground as the Local Plan but adds local specificity.
- 6.54 The Policy meets Basic Conditions a), d) and e) and there is no need for any modification other than a small typographical correction (See Appendix 2 below).

## Section 6 Access and Movement

- 6.55 Section 6 of the CNP seeks to do what it can at a local level to encourage more sustainable transport options and to reduce the detrimental impacts on air quality of the dependence on petrol and diesel engine vehicles by providing for electric vehicle charging in new developments.
- 6.56 Both Lancashire County Council Highways and Transport Team and LCC officers have raised concerns regarding the Project / Aspirations boxes CNDP AM(a) and (c) in particular regarding their practicality and justification and their impact on the viability of development. The Transport Team also queries which policy Project / Aspiration CNDP AM(c) relates to.
- 6.57 It appears there is some confusion between what is a policy and what is a project in the CNP. The Town Council explains in its response to the Regulation 16 representations that *“the latter are initiatives the Town Council would like to explore further with partners and which are not necessarily ‘land-use and development’ related policies. The projects and suggestions within these have been identified through the process of working on the Neighbourhood Plan, but are not intended to commit partner organisations (or indeed developers) to their delivery. Rather, the Town Council would like to explore the feasibility and potential for such schemes.*
- 6.58 The concern raised by Lancashire County Council rather reinforces the importance of not including the detail of the projects / aspirations within the neighbourhood plan and instead include only the subject title and reference and a cross reference to the appendix where the detail can be found. I acknowledge that in treating the projects differently and putting them in different coloured boxes CTC has tried to clarify the difference but they remain, de facto, part of the plan, perhaps contributing to the County Council’s confusion – thus my recommendation at Recommendation 1 to resolve this. Regarding the matter of which policy that project CNDP AM(c) relates to, the plan has not included a policy regarding town wide connectivity and the project / aspiration is simply one that should be explored further.

### Policy CNDP AM1: Active Travel

- 6.59 Policy CNDP AM1 seeks to ensure that new development proposals incorporate measures to promote sustainable and active travel. Inasmuch as key objectives of section 8 of the NPPF on promoting healthy and safe communities and section 9 promoting sustainable transport are about maximising pedestrian permeability, Policy CNDP AM1 has regard to the NPPF. However, as with other policies, CNDP AM1 is not wholly compliant with the need for policies to be clear and unambiguous.
- 6.60 Paragraphs 1 and 3 of the Policy state that the requirements should apply ‘where appropriate’ and in paragraph 2 that a safe pedestrian environment should be

provided 'where possible'. Moreover, in respect of paragraph 2 the wording suggests that it is natural surveillance that is the objective when in fact it should be a safe pedestrian and cyclist environment that should be the objective with natural surveillance one means of securing that. This lack of clarity in policy wording provides imprecise guidance for developers in Carnforth and is likely to be used to justify non-compliance. The starting point should be that provision for sustainable travel is the expectation in new development.

- 6.61 With these clarifications made Basic Condition a) would be met. The Policy would be in general conformity with the LPLD-PT1 at Policy SP9 which seeks to maintain strong communities including promoting the role of sustainable transport modes amongst other things. Through Policy T2 LCC will promote more walking and cycling and Policy CNDP AM1 is therefore in general conformity. It also conforms with Policies DM60 and DM61 of the LPLD-PT2 which seek to enhance accessibility and transport linkage and promote walking and cycling respectively. Again, these LPLD-PT2 policies are more detailed but I am satisfied that Policy CNDP AM1 adds to the strategic policies by being locally specific. By securing more sustainable modes of transport for new development the Policy would contribute to the achievement of sustainable development. Basic Conditions d) and e) are therefore also met.
- 6.62 A Regulation 16 representation proposes the addition of new text to Policy CNDP AM1 proposing the use of sustainable mobility targets, appropriate provision for cycles and mobility aids in housing developments, and use of CIL funds to improve footpaths and cycle paths. These additions to the policy would require extensive redrafting and whilst there would be some merit in their inclusion, at this stage in the plan process, it would result in substantive changes to the policy, which have not been the subject of consultation and which are not simply necessary to meet the Basic Conditions. My advice therefore is that the CTC retain these and similar suggested additions to be considered in reviewing the CNP in the future.

<b>Recommendation 10</b>	
<b>10A</b>	<b>In paragraph 1 of Policy CNDP AM1 delete the words 'where appropriate' in line 2. Start the last sentence "<i>Paths provided should be direct....</i>"</b>
<b>10B</b>	<b>Reword paragraph 2 to read: <i>"Proposed new development should provide a safe pedestrian and cycle environment including by natural surveillance of public spaces and routes"</i>.</b>
<b>10C</b>	<b>In paragraph 3 delete the words 'where appropriate' at the end.</b>
<b>10D</b>	<b>Relocate the detail of the blue box project aspiration CNDP AM(a) to the new Appendix 1.</b>



## Policy CNDP AM2: Charging points for electric vehicles

- 6.63 The CNP is concerned to reduce air pollution in the centre of Carnforth as a result of heavy levels of traffic which has to navigate through the town. Aware that this is not a matter the CNP can directly influence, the plan instead seeks to ensure that the necessary charging infrastructure is in place in public parking and residential developments through Policy CNDP AM2. The result of this will be that the switch to cleaner electric vehicles is provided for and facilitated. Additionally, the CTC wish to ensure through a community project that the town centre is made more user friendly for pedestrians and events in the town centre and that the impacts of heavy traffic in Market Street, in particular, is controlled. Whilst I acknowledge the importance of the project, as with the other blue box projects the detail needs to be relocated to the appendix although in this case the project title and first paragraph could be retained in the blue box together with the cross reference to the detail in the new appendix.
- 6.64 With regard to the Policy itself, it has regard to the provisions in the NPPF at paragraph 107 encouraging the provision of EV infrastructure in development. The CNDP states that paragraphs 105 and 110 of the NPPF make this requirement but that is not actually the case. Paragraph 105 only talks in general terms about the need to reduce emissions and improve air quality and paragraph 110 does not specifically mention EV infrastructure either. The CNDP supporting text needs to accurately report on the NPPF and needs to be amended.
- 6.65 LPLD-PT2 Policy DM29 on Key Design Principles sets out the general requirement for EV infrastructure to be provided so policy CNDP AM2 is in general conformity with the LPLD. The policy adds detail specific to the local area so does not merely repeat the local plan requirements.
- 6.66 Policy CNDP AM2 will assist in achieving more sustainable forms of development that are less reliant on fossil-fueled cars.
- 6.67 As with Policy CNDP AM1 however, Policy CNDP AM2, by the way in which it is worded, is not clear and unambiguous as required by the NPPF and PPG. Paragraphs 1 and 2 of the Policy again use imprecise wording – ‘where it is appropriate’ and ‘wherever possible’. This lack of clarity in policy wording fails to provide guidance for developers in Carnforth and is likely to be used to justify non-compliance.
- 6.68 LCC officers have raised concerns at the Regulation 16 stage that Policy CNDP AM2 does not add anything additional to what is now required by Building Regulations and that generally the proposals regarding traffic and its impact on the town centre are not well developed. However, the Policy will allow provision to be made for EV charging at the planning application stage and thus for it to be designed in from the start rather than as an afterthought at the Building Control stage. It would appear from the Regulation 16 comments that the matter of traffic management in Carnforth town centre is currently in development and as physical proposals have

not yet been agreed, if the CNP is to provide more guidance, this would more appropriately be a matter for a future review.

6.69 With the modifications below the conflict with Basic Condition a) would be resolved and Policy CNDP AM2 would meet all Basic Conditions.

<b>Recommendation 11</b>	
<b>11A</b>	<b>Reword the beginning of paragraph 1 of Policy CNDP AM2 to read:</b>  <b>“Where public parking is provided in new development encouragement should be given.....”</b>
<b>11B</b>	<b>Delete the words ‘Wherever possible’ at the start of Paragraph 2.</b>
<b>11C</b>	<b>Reword the first sentence of Paragraph 6.13 of the supporting text to read:</b>  <b><i>“Paragraph 105 of the NPPF notes the importance of managing development to reduce emissions and improve air quality and paragraph 107 notes that parking spaces for electric charging and other ultra-low emission vehicles should be provided.”</i></b>
<b>11D</b>	<b>Relocate the detail from the blue box project aspirations CNDP AM(b) and CNDP AM(c) to the new appendix retaining the titles plus reference to the appendix in the blue boxes on page 36 and 38.</b>  <b>In respect of CNDP AM(b) the first paragraph can also be retained within the blue box.</b>

## Town Centre Connectivity

6.70 The last part of the section on Access and Movement deals with proposals to tackle the poor connectivity within Carnforth. While this has been currently included as a blue box project in the submitted plan CNDP AM(c), the road proposals if progressed to actual schemes should have routes safeguarded at the appropriate time in any future review of the neighbourhood plan.

6.71 I note that Lancashire County Council has indicated in its Regulation 16 representations that the road link proposals have not been agreed but, as these are not included in the plan but rather in a proposed project / aspiration for further discussion and which is now to be included in an appendix, I do not consider this raises any conflict with the Basic Conditions.

## Section 7 – Housing

6.72 Section 7 of the Neighbourhood Plan sets out the approach to housing provision in

Carnforth and ensures an appropriate mix in the housing supply.

## Policy CNDP H1 - Housing

- 6.73 Given the strategic policy background in LPLD-PT1 Policy SP2 and LPLD-PT2 Policy DM4 where Carnforth is identified as a highly sustainable location for development the local Plan allocated a major site at Lundsfield Quarry. Although not allocated, a further large site has come forward for residential development off Scotland Road during the preparation of the CNP. Accordingly, CTC has taken the decision that the CNP does not need to make further formal provision in the form of further allocations. As part of the examiner's clarifying questions LCC was asked whether the housing provision in Carnforth in terms of allocated sites and extant permissions represented a reasonable share of the district's housing provision. LCC has responded confirming that this is considered sufficient to meet an appropriate amount of the district housing requirement, given the constraints around Carnforth.
- 6.74 The CNP at Policy CNDP H1 does however set out the circumstances in which housing additional to these major sites will be supported within the boundary of the Carnforth urban area with a focus on provision to meet local housing need including affordable housing.
- 6.75 Policy CNDP H1 has regard to the NPPF at section 5 particularly paragraph 69 encouraging the use of small and medium sized sites and section 11 of the NPPF encouraging the effective use of land including, specifically, previously developed land.
- 6.76 This policy approach is in general conformity with LPLD-PT1 Strategic Policies SP2 regarding the settlement hierarchy and SP3 on the distribution of development as well as Policy SP6 on housing provision. It is also consistent with the approach to development in the urban areas at Policy H1 which encourages provision of smaller sites.
- 6.77 The focusing of housing development within Carnforth as a sustainable market town is likely to contribute significantly to achieving more sustainable development.
- 6.78 A Regulation 16 representation proposes the addition of new text to Policy CNDP H1 proposing provision of walking and cycling links, green amenity spaces, houses that will provide live/work units and sufficient off-site parking and provision for service deliveries. These additions to the policy would require extensive redrafting and, whilst there would be some merit in their inclusion, at this stage in the plan process, it would result in substantive changes to the policy, which have not been the subject of consultation and which are not simply necessary to meet the Basic Conditions. My advice therefore is that the CTC retain these and similar suggested additions to be considered in reviewing the CNP in the future.
- 6.79 The policy as it stands meets Basic Conditions a), d) and e) and there is no need for

any modification.

## Policy CNDP H2: Housing Mix

- 6.80 Policy CNDP H2 seeks to ensure that housing provision meets the requirements established in the Housing Needs Assessment including the provision of affordable homes and has regard to the policy objective in section 5 of the NPPF to provide for a range of housing to meet community needs. Although the Carnforth Housing Needs Assessment establishes specific requirements in respect of housing size the policy is expressed flexibly and in that regard is in line with the NPPF.
- 6.81 As Policy DM3 of the LPLD-PT2 sets out in detail arrangements in respect of affordable housing the CNP does not seek to duplicate policy coverage in this respect. Policy CNDP H2 instead looks to ensure a mix of housing provision targeted at meeting local housing needs including that in respect of affordable housing. It is in general conformity with Policy DM1 of the LPLD-PT2 which in general terms calls for a mix in the housing provision. Policy CNDP H2 will help achieve a sustainable community where housing needs are met.
- 6.82 The only minor issue with the Policy relates again to the need to be clear and unambiguous as set out in the NPPF and PPG. The last paragraph of the Policy seeks to ensure that the density of development reflects densities in the character area in which it is set (the character areas having been established in the Design Code). Not only does this clause (essentially a design clause) appear at odds with the policy objective of CNDP H2 to secure a housing mix but it also directly overlaps with the second bullet point requirement in Policy CNDP H1. It is unnecessary and confusing that it is a requirement in both policies and should be deleted from Policy CNDP H2.

<b>Recommendation 12</b>	
<b>12A</b>	<b>Delete the last paragraph in Policy CNDP H2</b>

- 6.83 With this modification, Policy CNDP H2 would meet the Basic Conditions.

## Section 8 Environment and Community

- 6.84 Section 8 of the plan includes a suite of four policies designed to ensure development in the neighbourhood area responds positively to selected environmental concerns

### Policy CNDP EC1: Local biodiversity landscape and character

- 6.85 The neighbourhood area has a rich and valued natural environment with a number of

important natural assets including European sites and an attractive landscape character. The Policy was added in response to concerns raised when the draft CNP was first screened to assess whether strategic environmental assessment or habitats regulation assessment was required. The Policy CNDP EC1 sets out what is expected of development schemes to protect and enhance biodiversity and sets out the requirement in respect of biodiversity net gain (BNG). The last part of the Policy sets out the requirement for how developments are expected to respond to the landscape character of the Carnforth area.

- 6.86 The NPPF at section 15, particularly paragraphs 174 and 179, encourages plans to protect and enhance landscapes and promote the conservation, restoration and enhancement of priority habitats, to pursue measurable net gains for biodiversity and to prevent development contributing to pollution, which Policy CNDP EC1 responds to.
- 6.87 In respect of the NPPF and PPG guidance that planning policy should be clear and unambiguous, there is a minor instance in Policy CNDP EC1 where this is not achieved. The Policy states in paragraph 3 that there should be a net gain in biodiversity to be delivered on site '**wherever possible**'. Any developer would be unclear as to what was expected of them in this regard. In any event the policy goes on to caveat the statement by saying 'unless undeliverable' so the use of 'wherever possible' is superfluous and should be removed.
- 6.88 The strategic context in respect of protecting the natural environment is set out in Policy SP8 of LPLD-PT1 which seeks to protect, maintain and enhance the District's natural environment and biodiversity whilst Policy EN7 focusses on designated sites. Whilst Policy DM44 of the LPLD-PT2 provides more detail on how biodiversity is to be protected and enhanced and Policy DM46 controls development and landscape impact and there is some overlap with both in CNDP EC1, the Policy does add local context and does not merely replicate the Local Plan policies. Policy CNDP EC1 is arguably complementary to the strategic policies and in general conformity and Basic Condition e) is met.
- 6.89 Given that the twin objectives of the policy are to protect and enhance biodiversity, and protect landscape character Policy CNDP EC1 will have a positive effect in achieving sustainable development and in particular environmental sustainability.
- 6.90 Although in both the NPPF and the Local Plan the twin issues of biodiversity and landscape character are to some extent linked there would be some benefit in separating out the two strands in Policy CNDP EC1 to create shorter, less complex policies. However, as this is not strictly necessary to meet the Basic Conditions, I make no formal recommendation in this regard and it is a matter that CTC could consider further in a future review of the CNDP.
- 6.91 Finally United Utilities in its Regulation 16 representation has raised a concern that the wording of Policy CNDP EC1 setting out the requirement for a 10% net gain in

biodiversity lacks flexibility. United Utilities appear to be particularly concerned that in respect of development related to their infrastructure that it may not always be possible to provide BNG on site. However, Policy CNDP EC1, even as proposed to be amended above to remove the term ‘wherever possible’, still expressly includes the caveat “*unless undeliverable in which case proposals for net gain will be sought off-site within the neighbourhood area*”. This provides the flexibility United Utilities appear to seek and I am not persuaded that there is a need for any modification to the Policy.

<b>Recommendation 13</b>	
<b>13A</b>	<b>Delete the words ‘wherever possible’ from line 4 of Paragraph 3 to Policy CNDP EC1.</b>

6.92 With this modification Policy CNDP EC1 would meet Basic Conditions a), d) and e).

## Local Green Spaces and Improving Parks and Spaces

### Policy CNDP EC2: Development adjacent to parks

- 6.93 This section of the plan deals with protecting and improving green spaces The Plan considers that the LPLD policies already afford considerable protection to open spaces and at this stage the CNP does not consider a protective policy is necessary but CTC in its projects and aspirations does set out an intention to identify Local Green Spaces in accordance with the provision for these spaces set out in the NPPF.
- 6.94 Again through a project / aspiration CTC seek to secure the improvement to open space in particular the remediation of the disused tip at Midland Road and Policy CNDP EC2 seeks to ensure development adjacent to open spaces is designed to take spaces into account and protect them and encourage linkage to them.
- 6.95 This approach has regard to section 8 of the NPPF. It is also in general conformity with LPLD-PT1 Policies SP9 and SC3 which look to maintain strong communities and protect open space respectively. Again, the Policy is in general conformity with Policy DM27 of the LPLD-PT2 seeking to protect and expand open space.
- 6.96 However, again in terms of the NPPF and PPG requirements for policies to be clear and unambiguous, Policy CNDP EC2 in a couple of minor respects lacks clarity. The Policy at the end again uses the phrase ‘as appropriate’ which fails to give precise guidance to developers. The Policy would be much clearer in regard to what is expected of developers with this phrase removed. In line 2 of the Policy it would also be clearer if the word ‘these’ was replaced by the words ‘development proposals’.
- 6.97 The improvement of parks and open spaces will contribute to the achievement of

sustainable development and as a result the plan approach meets the basic conditions a), d) and e).

<b>Recommendation 14</b>	
<b>14A</b>	<b>Relace the word ‘these’ with the words “<i>development proposals</i>” in line 2 of Policy CNDP EC2</b>
<b>14B</b>	<b>Delete the words ‘as appropriate’ at the end of Policy CNDP EC2.</b>

### Policy CNDP EC3: Sustainable housing

- 6.98. As stated in section 5 of the examination report above, LCC has already commenced a review of the LPLD in response to the climate emergency. The CNP in anticipation of the emerging LPLD wishes to ensure that housing development, in particular in Carnforth, is as sustainable as possible through the application of Policy CNDP EC3.
- 6.99 Section 12 and 14 of the NPPF together require developments to achieve sustainability in their design with section 12 encouraging the development of design guidance and codes. Accordingly, the principle of Policy CDNP EC3 generally has regard to national policy.
- 6.100 However again I have concerns about how clear and unambiguous the policy is and therefore whether it meets Basic Condition a). The policy does not state that the objective is to achieve high standards of sustainability. It simply presents a number of standards to be applied to applications at the design stage without making clear that these standards must more importantly be applied to the completed development. Moreover, it does not explain what would happen in the event that standards are no longer in place. Usually such policies will refer to the successor standards. There is therefore a need for the first part of the Policy to be clarified.
- 6.101 Policy SP8 of the LPLD-PT1 seeks to protect the environment from climate change encouraging the maximising of energy efficiency in new developments amongst other things while Policy DM30 of the LPLD-PT2 sets out principles to ensure development is sustainable including the reduction of energy consumption and the use of renewables and community led energy schemes. The principles in Policy DM30 are fairly comprehensive in their scope but the Policy does not refer to standards and the modified Policy CNDP EC3 in clearly stating the standards which CTC wish development to reach is locally specific and complementary to Policy DM30.
- 6.102 The outcome of applying the modified policy to housing development will deliver more sustainable development.

- 6.103 In respect of Policy CNDP EC3, Regulation 16 representations from United Utilities also express concern regarding how the plan approaches foul and surface water drainage, Sustainable Drainage Systems (SuDS) and water efficiency. United Utilities propose that Policy CNDP EC3 is extended to include policy cover in respect of these matters to align with the equivalent policies in the emerging Climate Emergency Local Plan Review Part 2 DM30B Water efficiency and DM34 Surface Water Run Off and Sustainable Drainage.
- 6.104 These emerging policies which are at an advanced stage, being now at examination, are very detailed and the NPPF and PPG make it clear that it is neither necessary nor desirable to repeat policy at different levels of the planning policy hierarchy and changing Policy CNDP EC3 in the manner proposed by United Utilities (largely a replication of the emerging reviewed policies set out in the Climate emergency LDLP Review Regulation 19 document) would be inappropriate. In any event it would make more sense to wait until the review of the LPLD is complete and then take the opportunity in a review of the CNP to provide more detailed local policy guidance on these matters, if required, at that stage. However, as the second part of Policy CNDP EC3 sets out the kind of sustainability requirements expected of housing developments there is no reason why water efficiency, foul and surface water management and sustainable drainage should not be added to the list.

<b>Recommendation 15</b>	
<b>15A</b>	<p><b>Reword Policy CNDP EC3 to read:</b></p> <p><b><i>“New housing developments are encouraged to meet high standards of sustainability and accord with one or more of the following standards or their successor standards at the design and completion stages:</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>BREEAM Standards</i></b></li> <li>• <b><i>‘Passivhaus’ Standard</i></b></li> <li>• <b><i>Home Quality Mark</i></b></li> </ul> <p><b><i>Housing proposals should show how resource efficiencies.....”</i></b></p>
<b>15B</b>	<p><b>Insert into the last line of Policy CNDP EC3 after landscaping:</b></p> <p><b><i>“....sustainably sourced building materials, water efficiency measures and foul and surface water management utilising sustainable drainage systems.”</i></b></p>

- 6.105 With these modifications, Policy CNDP EC3 will meet Basic Conditions a), d) and e).



## Policy CNDP EC4: Dark skies

- 6.106 The CNP is concerned at the impact of potential light pollution of dark skies and seeks through Policy CNDP EC4 to protect the night sky from unnecessary light pollution.
- 6.107 The NPPF at paragraph 185 seeks to “*limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation*”. In this respect the Policy has had regard to National Policy.
- 6.108 Policy DM 29 of the LPLD-PT2 setting out key design principles refers to impacts of pollution but not specifically dark skies and Policy CNDP EC4 therefore raises no issues of general conformity.
- 6.109 The limiting of light pollution and its impacts on night skies generally helps to achieve more sustainable development. The policy meets the Basic Conditions a), d) and e) and there is no need for modification.

## Section 9– What happens next.

- 6.110 Section 9 of the plan sets out the next steps in preparing the plan. The text raises no issues in respect of the Basic Conditions and the only change needed is to update the text to reflect the stage reached. However, in making these updates care should be taken if referring to the Basic Conditions (as is currently the case at Paragraph 9.3) that the conditions are correctly expressed and all are referenced and not just the Basic Condition relating to the Development Plan.

<b>Recommendation 16</b>	
<b>16A</b>	<b>Reword the text in Section 9 to reflect the stage reached and ensure that the Basic Conditions are accurately reflected if being referred to – ie the text at paragraph 9.3 line 3 should make clear that the Basic Condition quoted is that the CNDP is in general conformity with the strategic <u>policies</u> of the local development plan</b>

## 7 Other Matters

### Air quality

- 7.1 A Regulation 16 representation proposes that a new policy on air quality is added to section 6 of the plan on access and movement. I am not persuaded that this is actually necessary in the neighbourhood plan because this matter is covered certainly at a high level in the LPLD-PT2 in Policy DM31 and in the Climate

Emergency Local Plan Review now at examination. In view of advice in the NPPF and the PPG that it is not necessary for policy to be repeated at different levels of the planning policy hierarchy, it would be inappropriate to duplicate policy coverage. In any event adding entirely new policy content at this stage in the process is not possible without the current plan being withdrawn, put through a further consultation process and resubmitted for examination. It would be more appropriate to consider these matters further in a future review of the CNDP once the revised local plan is adopted when more locally specific policy guidance in respect of air quality can be added if required.

## United Utilities - Regulation 16 representation

- 7.2 As part of its Regulation 16 representation United Utilities propose that two additional policies are added to the CNDP. The first of these relates to control over the impact of development on existing businesses and community facilities and in particular on strategic infrastructure such as the Waste Water Treatment Facility to the west of Carnforth. The second relates to climate change. There is not the policy content in the CNDP that would allow minor additions to be made to cover these matters. Adding entirely new policy content at this stage in the process is not possible without the current plan being withdrawn, put through a further consultation process and resubmitted for examination. In any event, specifically with regard to the Waste Water Treatment Facility, this is well removed from the Carnforth built up area and certainly not close to any proposed housing. The addition of extra policy control at present would seem to be unnecessary.
- 7.3 Moreover the Climate Emergency Review of the LPLD-PT2 is extremely detailed with respect to proposed policies to deal with the impacts of climate change particularly in policies DM30 – DM36. As the Climate Emergency Local Plan Review is now at an advanced stage being at examination and in view of advice in the NPPF and the PPG that it is not necessary for policy to be repeated at different levels of the planning policy hierarchy it would be inappropriate to duplicate policy coverage now. It would be more appropriate to consider these matters further in a future review of the CNDP once the revised local plan is adopted should specific local control prove necessary.

## LCC Environmental Health - Regulation 16 representation

- 7.4 I have dealt with what appear to be the concerns of Environmental Health regarding the submitted plan in section 6 above. However, the department has also raised a large number of comments regarding the pre-submission draft in an annotated copy of the plan as it was at that stage.
- 7.5 It is not the purpose of this examination to reconsider earlier versions of the policies of the plan but to consider the extent to which the policies of the submitted plan

meet the Basic Conditions which I have done. I have not therefore considered any comments relating to the Regulation 14 version of the plan.

- 7.6 The Environmental Health Team has also raised concerns regarding the monitoring indicators at Appendix 3 that the plan could and perhaps should include metrics to monitor the delivery of plan policy requirements e.g. around CO2, cycling trips, EV car use, pollution reduction targets, kilometres of cycle path created, cycle parking provision, traffic flows etc. and include proportionality for developers with regard to expected contributions to deliver planned infrastructure.
- 7.7 No monitoring indicators are proposed in the representation and in any event detailed indicators can be developed over time starting from the simple base set out in Appendix 3. I do not consider that the absence of detailed targets means the CNP fails to meet the Basic Conditions and detailed targets can be developed for the implementation stage.

## Typographical and formatting corrections

- 7.8 There are a number of typographical/grammatical errors in the Plan which ought to be corrected. In addition to proposing modifications to ensure the Plan meets the Basic Conditions the only other area of amendment that is open to me as the examiner is to correct such errors. I have identified these in Appendix 2, and, in modifying the Plan as set out above and finalising it for the referendum, these typographical amendments should be made.

### Recommendation 17

<b>17A</b>	<b>Make typographical and grammatical corrections as set out in Appendix 2 at the end of this report.</b>
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## 8 Referendum

- 8.1 Subject to the recommended modifications set out above being completed, it is appropriate that the Carnforth Neighbourhood Development Plan should proceed to a referendum.
- 8.2 I am required to consider whether the Referendum Area should be synonymous with the Carnforth Neighbourhood Area or extended beyond it.
- 8.3 The neighbourhood area covers the administrative area of Carnforth Town Council. The CNDP policies and proposals themselves will not affect surrounding areas to any degree and therefore I do not consider that extension of the area would be warranted.

8.4 Accordingly, I consider that it is unnecessary to recommend any other Referendum Area than the neighbourhood area and no representations have been submitted seeking an alternative approach.

<b>Recommendation 18</b>	
<b>18</b>	<b>I recommend to Lancaster City Council that the Carnforth Neighbourhood Development Plan, modified as specified above, should proceed to a referendum based on the Carnforth Neighbourhood Area as approved by the City Council on 25 April 2018.</b>

Peter D Biggers BSc Hons MRTPI - Independent Examiner – 6 October 2022

## Appendix 1 - Examiner's Clarifying Questions and Information Requests put to Carnforth Town Council and Lancaster City Council

### Questions and Information Requests to Lancaster City Council (August 2022)

LCC 1:

Q - Have the SEA and HRA screening findings been endorsed by all the three statutory consultees?

*A - Historic England, Natural England and the Environment Agency have accepted the conclusions of the SEA and HRA.*

LCC 2:

Q - Is the CNDP capable of meeting a reasonable share of the District housing requirement?

*A - The Local Plan allocates a site at Lundsfield Quarry, Carnforth (Policy SG11) for 205 homes. Planning permission has been granted for up to 158 dwellings at Land Between Brewers Barn and the A601(M) (Ref: 16/00335/OUT) and for 213 dwellings at Land East of Scotland Road (Ref: 18/00356/OUT & 21/00694/REM). This is considered sufficient to meet an appropriate amount of the district housing requirement, given the constraints around Carnforth.*

LCC 3:

Q - Is the Riverside Place Development on the A6 on the edge of Carnforth what is referred to in the documents as the Scotland Road site for 213 dwellings?

A - Yes.

### Town Council Questions

CTC1:

Given that at this juncture there are only 9 years for the plan to run what are CTC's proposals and commitment to an early review of the Neighbourhood Plan?

*Having committed people and resources to developing the Carnforth Neighbourhood Plan over the last four years, under challenging circumstances, Carnforth Town Council has already demonstrated its commitment to seeing the Plan through to being 'made' and to keep it under regular review.*

*To this end, a framework for monitoring each of the objectives and aspirations has been developed and incorporated into the Carnforth Neighbourhood Plan – See Appendix 3.*

*Each objective and aspiration has been shared amongst Carnforth Town Council's three committees and included within their revised Terms of Reference agreed at the Annual Meeting of Carnforth Town Council in May 2022. Each committee has been made responsible for reporting on progress and reviewing their designated elements of the Carnforth Neighbourhood Plan, at least quarterly, for reporting to full Council.*

*Before the local elections in May 2023, Carnforth Town Council has made a commitment to developing a rolling three year capital strategy and business plan, that will set out (amongst other things) the Council's ongoing commitment to reviewing the Carnforth Neighbourhood Plan.*

CTC2:

Which statement is correct regarding the designation of the neighbourhood area? The Foreword to the plan states that application was made to designate on 25<sup>th</sup> April 2018. The plan at paragraph 1.3 states that it was formally designated on that date.

*Lancaster City Council formally accepted the Carnforth Neighbourhood Plan Designation on 25th April 2018*

CTC3:

In section 5 Town Centre – why is the section entitled Town Centre (which aligns with the Local Plan retail hierarchy) and yet the policy CNDP E3 refers to it as a Local Centre?

*This is a typographical error. The Policy title and references in it should read 'Town Centre' for consistency with the terminology used in the Local Plan.*

CTC4:

Does the Town Council or Steering Group wish to respond to any of the Regulation 16 Publicity Stage representations, in particular the more substantive points made by United Utilities, Lancashire County Council, Environmental Health - Lancaster City Council and Dr Caglar Koksak?

*The Regulation 16 responses have been read with interest. The Steering Group is grateful to the Examiner for providing the opportunity to respond. Taking these in turn:*

#### *United Utilities*

*The response from United Utilities is extensive. Our comments are ordered in line with the response and sub-sections identified within this:*

- Landscaping and Public Realm Improvements: The Steering Group welcomes the suggestions made though notes that Policy DM34 of the Local Plan (Part 2) establishes requirements for applicants to meet in respect of surface water run-off and sustainable drainage. Without wishing to duplicate that policy, the Steering Group suggests that note can be added in the supporting text (of the policies mentioned in the response) to surface water management opportunities within the public realm and cross-referencing Local Plan policies. This could also cross-reference the emerging SPD on Flood Risk and Sustainable Drainage being prepared by Lancaster City Council which includes requirements in respect of the design of sustainable drainage.*
- Sustainable Drainage – Foul Water and Surface Water: The Steering Group is happy to incorporate the suggested wording in Policy CNDP EC3 as suggested, though noting that the Local Plan (Part 2) at policies DM33 – DM35 establish requirements for applicants to meet although not specifically requiring production of*

*'a foul and surface water management strategy to protect water resources'. It is though noted that the review of the Local Plan and the associated SPD being prepared by Lancaster City Council in respect of Flood Risk and Sustainable Drainage does appear to require such strategies and, indeed, goes further than the adopted Local Plan policy. Insofar as duplication with the Local Plan is avoided, and these requirements are not considered to be an additional burden on applicants, the Steering Group is happy to include this requirement in the Plan – potentially by including similar text to that suggested by United Utilities, or by cross reference to the emerging SPD. The Steering Group welcomes your views and any suggested modifications.*

- *Water Efficiency: Policy DM35 of the Local Plan (Part 2) already requires non-domestic buildings to meet the BREEAM 'excellent' rating. It is not considered necessary to duplicate in the Neighbourhood Plan. In terms of water efficiency standards for residential buildings, it is the Steering Groups understanding that the requirement for meeting standards that exceed Building Regulations can only be established through the Local Plan rather than Neighbourhood Plans. The Steering Group is happy to include wording along the lines of that suggested which encourages applicants to meet higher standards but will be guided by your views.*
- *Climate Change: Comments are noted, though the response does not include any recommended policy wording. The Steering Group considers that national policy plus the adopted Local Plan, and review of this, addresses these points.*
- *Biodiversity: The response suggests that flexibility is applied to the location of any biodiversity net gains. This is already provided for in the third paragraph of the policy which states that 'Biodiversity net gain should be delivered onsite wherever possible unless undeliverable, in which case proposals for net gain will be sought off-site within the Neighbourhood Plan area.' The response from United Utilities suggests that off-site provision should allow for net gains to be provided in locations outside of the Neighbourhood Plan area. However, it is not within the scope of the Neighbourhood Plan to establish policies that go beyond the Plan area. The Steering Group considers that words to the effect of 'and or in locations that are of strategic importance for nature' could potentially be added to the end of the paragraph, though would be concerned as to how this would be managed and delivered, and by whom. The Steering Group is happy to be guided by you in this respect.*
- *Development next to Wastewater Treatment Works and Pumping Stations: The comments are noted, including reference to the 'agent of change' principle in the NPPF. Given this requirement is set out in national policy, and that the Plan is not allocating sites (and thus has not considered this within any site assessments) it is not considered necessary to include a specific policy in the Neighbourhood Plan. Furthermore, Policy CNDP H1 of the Plan directs proposals for future development to the settlement boundary and use of previously developed land and infill gaps in the first instance, thus being somewhat removed from the Wastewater Treatment Works.*

## Lancashire County Council

The comments focus around Highways and School Place Planning. Taking these in turn:

- *Highways and Transport: It appears there is some confusion between what is a policy and what is a project – the latter being initiatives the Town Council would like to explore further with partners and which are not necessarily ‘land-use and development’ related policies. The projects and suggestions within these have been identified through the process of working on the Neighbourhood Plan, but are not intended to commit partner organisations to their delivery. Rather, the Town Council would like to explore the feasibility and potential for such schemes. They have been raised as important issues through the work and it is considered appropriate to include them in the Plan as an expression of the community’s manifesto and ambitions for the area. Including them in blue shaded boxes is intended to help differentiate them from the policies. However, and as per responses to comments made by Dr Caglar Koksak below, the Steering Group recognises that more clarity could be provided in the Plan as to the purpose and status of the aspirations, either within the introductory section or ‘next steps’ section of the Plan. This could help further explain the difference between policies and projects, the relationship with the Community Infrastructure Levy and Section 106 agreements.*
- *Schools Provision Planning: Comments in respect of school place planning are noted. The response notes that the Neighbourhood Plan will have a low impact on school places. Given the processes already in place for liaison with the education authority and seeking contributions through the S106 process, it is not considered necessary to include further detail in the Neighbourhood Plan.*

## Environmental Health – Lancaster City Council

The Steering Group has reviewed the comments made against the pdf version of the Neighbourhood Plan included in the pack of Regulation 16 consultation responses. We respond accordingly:

- *Policy CNDP HD3: Similar comments in respect of cycle storage, the design and layout of development and integration of walking and cycle routes are made by Dr Caglar Koksak, with recommended policy wording also included. Our comments on those are set out further below. In respect of DfT document LTN 1/20 the Steering Group agrees this would be a helpful reference for inclusion, but that this might potentially be better included in Policy CNDP AM1 (Active Travel).*
- *Policy CNDP E3: The wording in the policy is considered commensurate with the Plan. However, further recommendations have been suggested by Dr Caglar Koksak (see below) which the Steering Group is happy to incorporate in the Plan.*
- *Policy CNDP AM1: The policy does not say that developments that do not provide new walking and cycling routes will not be supported as it is recognised that not all development will be able to or need to, e.g.: a small infill development directly accessed via existing highways. In terms of the second sentence, the Steering Group suggest this could be rephrased as ‘New and existing streets, spaces and*



*routes shall be safe and attractive for all to use. Development layouts shall be created with active frontages which allow for the natural surveillance of routes through overlooking.'*

- *Project / Aspiration CNDP AM(a): The Steering Group would be very happy to see the suggested list of new and improved routes become an expectation, but recognises that not all are directly related to land use or development proposals and may be delivered outside of that. As with other responses, the Steering Group would be happy to prepare additional text for inclusion in the Plan that further clarifies the role and status of the project / aspiration boxes.*
- *Policy CNDP AM2: The changes to the Building Regulations are noted, though it is still appropriate to include a policy in the Plan. The Steering Group suggests this is redrafted to read:*

*'Where electric vehicle (EV) charging is proposed, such infrastructure should be located sensitively to ensure that there are no harmful impacts upon pedestrian circulation or the immediate appearance of the street scene and wider townscape. Infrastructure should be designed to minimise visual clutter, hindrance and hazard to pedestrians and other street users.*

*Insofar as planning permission is required, proposals for the retrofitting of existing on and off street parking to include EV charging points is welcome.*

*Wherever possible, public EV charging infrastructure, such as cabling, should be provided in such a way that it can be expanded in the future to provide additional charging points and be upgraded to incorporate faster charging technology.'*

- *Project / Aspiration CNDP AM(b): As with earlier comments, this project is not specifically linked to a development project and is thus included in the Plan as an aspiration rather than a policy. Comments listed in respect of signalling and modal shift etc are aspects of any intervention that the Town Council would like to investigate further with partners.*
- *Project / Aspiration CNDP AM(c): As above, these are aspirations to be explored further. However, concerns about delivery and the highways authority are noted. The text could be rephrased to be less scheme specific (though this would run counter to other comments made), with the last sentence and set of bullet points being rephrased as 'These are subject to discussion with the relevant authorities and feasibility testing, and might include new link roads to and from the A6.'*
- *Policy CNDP H1: In terms of 'good connections', it is suggested that a cross reference back to Policy AM1 and DfT guidance LTN 1/20 might be made here.*

#### Dr Caglar Koksal

- *Recommendation, Policy CNDP HD3: To some extent the suggested policy wording recommended is already included within the Neighbourhood Plan, in a combination of policies CNDP HD3 (Design), AM1 (Active Travel), HD1 (Conserving the Historic Environment), and HN2 (Locally Designated Heritage Assets). However, it is*

*recognised that the suggested wording would help clarify and strengthen Policy CNDP H3, particularly the first two sentences regarding 'outward-looking' and well-integrated development. The Steering Group is not averse to the proposed text being included in the Plan and welcomes your views and any suggested modifications. The references to the setting of heritage assets in the last sentence is already set out in Policy DM30 of the Local Plan (Part 2). It is not considered necessary to repeat in the Neighbourhood Plan.*

- *Recommendation, Policy CNDP E1: The Steering Group is comfortable with the suggested text being added to the Plan, although, and if we are reading the recommendation correctly, it would need to be clear that any alternative would not be for provision of a different facility or use, but rather an existing facility or use that might be adapted, as appropriate, to accommodate the relocation of any building or facility that is subject to proposals that would see that use being lost.*
- *Recommendation, Policy CNDP E2: The Steering Group is comfortable with the suggestion to change the last line of the Policy to read 'via active travel and other sustainable transport modes'. The Steering Group is equally happy with the additional two paragraphs recommended for inclusion and which respond to the changing working patterns experienced as a result of the Covid pandemic. Some changes to enable home working are already allowed under the permitted development route, though it is noted that the recommendation includes the wording 'where permission is required' to overcome this issue.*
- *Recommendation, Policy CNDP E3: The Steering Group considers that the recommended text would help strengthen the policy and help facilitate wider improvements to the town centre and quality of the public realm. The recommended text appears broadly consistent with that in other neighbourhood plans. The Steering Group is happy to include this text in the Plan and welcomes your views and any suggested modifications.*
- *Recommendation, Policy CNDP AM1: There are three parts to this recommendation. In turn:*
  - *Para 1: The Steering Group welcomes the suggested text. However, the draft Plan does not establish any mobility targets and, as such, is unclear how these should be set, what would be asked of applicants and how this would be assessed in an application. It is considered more appropriate to defer this to the review of the Local Plan and production of any Transport Assessments (or similar) required through that (or in response to existing development management policies)*
  - *Para 2: The Steering Group welcomes the additional text and is happy to include this within the Neighbourhood Plan.*
  - *Para 3: The Plan includes a series of blue shaded boxes which establish projects and aspirations that the Town Council would like to see investigated and delivered. These are not necessarily land-use projects but are schemes to which the neighbourhood portion of the Community Infrastructure Levy might be directed. Equally, they are included as projects to test and explore with wider partners, and towards which funding might be made available in the future. It is*

*not considered necessary to include the recommended text in the policy (though the Steering Group would be happy to if you think it would help add clarity). However, the Steering Group does note that further explanation of the blue project boxes would help add clarity to the Plan. This could either be incorporated in the introduction to the Plan (where the purpose of the blue boxes is set out), or as part of the 'Next Steps' in Section 9.*

- *Recommendation, new Air Quality policy: The Steering Group welcomes recommendations in respect of Air Quality. It is though noted that Policy EN9 and DM31 of the Local Plan Part 1 and Part 2 respectively establish the approach that applicants are expected to follow. Subject to your views, and whether inclusion of such a policy would trigger additional consultation and assessment, the Steering Group feels that the Local Plan covers this area.*
- *Recommendation, Policy CNDP H1: There are six parts to this recommendation. In turn:*
  - *Para 1: This text is partly covered by the last bullet point in the policy, by policies CNDP HD3 (Design) and AM1 (Active Travel). The Steering Group is though comfortable with the text and is happy to include in the Plan, and welcomes your views and any suggested modifications.*
  - *Para 2: The Steering Group welcomes the suggested text, though the words 'where appropriate' or 'where practicable' may be added to the end of the sentence, recognising that not all development opportunities may be able to extend an existing network of spaces.*
  - *Para 3: Recommendations have been provided in respect of home working in Policy CNDP E2 and which this appears to be a duplication of.*
  - *Paras 4-6: These cover parking and access arrangements. Standards of provision are set out in the Local Plan (Part 2), to which the Neighbourhood Plan defers. However, in terms of the design of provision and its impacts on the quality of the environment, the Steering Group welcomes the recommendations made which build upon the parking typologies set out in the Carnforth Design Code (Section 5.1.8). The Steering Group would be happy to include the recommended text, with a cross-reference to the Design Code also provided.*

### Other responses

*It is noted that responses to the consultation process were also received from Sport England, Natural England and Historic England. The responses from Sport England and Historic England do not specifically comment on the Neighbourhood Plan. The Steering Group takes this as support for the Plan. The response from Natural England notes that they are pleased that previous comments made have been incorporated into the Plan. Again, this is taken as support for the Plan.*

## **Additional questions of the CTC – September 2022**

CTC5:

Q Policy CNDP E1 – Leisure and Tourism – Is the intention that both sets of bulleted criteria in the policy should apply to both the built up area and the rural area or is the intention that the second set of bullets is specifically related to smaller developments in the rural area only.

*A The intention is that both sets of bullets apply to both urban and rural areas. We appreciate that the ordering of the text makes it appear that the second set of bullets are intended to apply to rural areas only. We suggest that the wording in the policy is reordered, so that the second para (starting 'where appropriate') follows after the second set of bullets.*

CTC 6:

Q Policy CNDP E3 – Is the reference to the 'regeneration policy area' in the last paragraph a reference to the Regeneration Priority Area of Central Carnforth in policy EC5.6 of the local plan?

*A That is correct*

### **Questions to Both Councils**

CTC/LCC1:

In Paragraph 4.8 has LCC been involved in agreeing the basis for the identification of locally-designated heritage assets and does LCC agree with those assets 'listed' in the policy CNDP HD2?

*The basis for identification is consistent with the LCCs methodology and the assets 'listed' are agreed with.*

Peter Biggers

Independent Examiner

August and September 2022

Appendix 2 - Recommendation 17 - Typographical & Factual Corrections		
Page	Location	Correction
4	Foreword Para 3 1 <sup>st</sup> sentence	Reword 1 <sup>st</sup> sentence to read : “Since 25 <sup>th</sup> April 2018 when <i>the Carnforth Neighbourhood Area was designated</i> public meetings and ...”  Reason: The date given is the date of designation and not the date of application as the current Foreword states.
6	Paragraph 1.1 Line 1	Here and elsewhere in section 1 and 9 update references to the Submission Draft Plan and the stage reached in the procedure in modifying the plan for the referendum. Reason – factual updating to reflect stage reached.
6	Paragraph 1.2 Line 2	Add the word ‘ <i>where</i> ’ after the word ‘places’. Reason – to make grammatical sense.
9	Paragraph 2.2 Line 5	Replace the word ‘site’ with the word ‘ <i>town</i> ’. Reason to make geographic sense.
9	Paragraph 2.6 Line 3	Change the word ‘pedestrianization’ to “ <i>pedestrianisation</i> ”. Reason – to reflect English spelling.
11	Paragraph 2.13 Line 4	Correct the date for the NPPF to 2021. Reason – the plan should reflect the most recent version
12	Policy EN4 – last sentence	Should read “ <b>Inappropriate</b> development” – Delete the space. Reason – to correct spelling
13	Paragraph 2.19 Line 1	Delete the word ‘been’ between the words ‘has’ and ‘also’. Reason – to make grammatical sense.
14	Paragraph 2.30 Line 5	Replace the words ‘in the Appendix’ with the words “ <i>in Appendix 3</i> ”. Reason – more than one appendix is involved.
20	Policy CNDP HD1 part 2 1 <sup>st</sup> bullet - Line 2	Delete the words ‘within the conservation area’ after the words ‘built form’. Reason – To remove the repetition. The bullet already states that it relates to within the Conservation Area.
26	Paragraph 5.7 Line 6	Change the words ‘due to be completed in 2021’ to the words “ <i>when completed</i> ”. Reason – 2021 has passed and the path remains uncompleted due to delays as a result of the pandemic. No alternative completion date is offered online.
26	Paragraph 5.7 Line 9	Insert apostrophe in the word ‘towns’ (ie town’s). Reason – to make grammatical sense.

29	Policy CNDP E3 para 1 Line 2 Policy CNDP E3 para 2 line 1	Delete the word 'of' and replace with "in" Change the word 'business' to the word "businesses" Reason – to make grammatical sense.
30	Policy CNDP E4 Paragraph 2 Line 3	Delete the word 'the' before the words 'Conservation Area'. Reason – to make grammatical sense.
32	Paragraph 6.5 line 1	Add comma after the word 'plan'. Reason - to make grammatical sense.
35	Policy CNDP AM2 Line 2	Delete the letter 'd' from the end of the word 'provided'....' Reason - to make grammatical sense.
43	Paragraph 8.1 Line 10	Add the letter 's' to the end of the word 'function'. Reason - to make grammatical sense.
45	Policy CNDP EC1 Paragraph 4 Line 6	Add the letter 's' to the end of the word 'view'. Reason - to make grammatical sense.
48	Policy CNDP EC2 Line 1	Correct the spelling of the word 'exception'. Reason – Incorrect spelling.