

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

meeting date: THURSDAY 10 MARCH 2022
title: CONSULTATION ON LANCASTER CLIMATE EMERGENCY LOCAL PLAN REVIEW
submitted by: NICOLA HOPKINS – DIRECTOR OF ECONOMIC DEVELOPMENT & PLANNING
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1 PURPOSE

- 1.1 To inform members of the current consultation on the Lancaster Local Plan Review – Regulation 19 consultation draft Development Plan Documents.
- 1.2 To inform members of the key points and objectives of the above consultation documents, highlight any potential cross-boundary issues and the Council's response in compliance with our general duty to co-operate.
- 1.3 Relevance to the Council's ambitions and priorities:
 - Community Objectives – To support our key service centres and protect the viability and vitality of our market towns.
 - Corporate Priorities – The Authority has a legal duty to engage constructively, actively and on an ongoing basis in the context of strategic cross boundary matters.
 - Other Considerations – None

2 BACKGROUND

- 2.1 Lancaster City Council covers the geographical areas of Lancaster and Morecambe, including smaller settlements located within proximity to the M6 motorway. In addition, the district covers two Areas of Outstanding National Beauty (AONB) including Arnside and Silverdale and the Forest of Bowland. The latter of these designations is the location of a shared boundary between Lancaster and the Ribble Valley.
- 2.2 In January 2019, Lancaster declared a climate emergency and in doing so set out a range of ambitions and actions around Climate Change and lowering carbon emissions. This declaration came too late to influence the plan-making process given that an existing plan in production was submitted to Government prior to this point, and so adoption of that plan in July 2020 was predicated on the basis that Lancaster would enter into an immediate review of its Local Plan specifically in relation to Climate Change. This enables them to address Climate Change mitigation in more detail, including their commitment to work towards a net zero-carbon goal by 2030.
- 2.3 Since this point, an initial scoping consultation to help Lancaster decide which policies should be revisited has been undertaken, and from July to September 2021 a formal public consultation under Regulation 18 of the Planning Act took place to help shape the draft Development Plan Documents.

- 2.4 Local planning authorities are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries. Throughout the production of their new plan, Lancaster have sought to work with neighboring authorities including the Ribble Valley to undertake this duty. Details of communication between Lancaster and other authorities to this point, including the Council [Ribble Valley], can be found within the published Statement of Common Ground. This can be viewed through the link below:

<https://planningdocs.lancaster.gov.uk/NorthgatePublicDocs/01009957.pdf>

- 2.5 The views of Ribble Valley Borough Council are now sought on publication versions of Lancaster's strategic and development management Development Plan Documents as part of Regulation 19 stage, which offers an opportunity for comment on these documents prior to their submission to the Government. Specifically, the consultation seeks responses on whether the DPD's are both legally compliant and sound. Information on Lancaster's Local Plan and the associated documents can be viewed through the following link:

<https://www.lancaster.gov.uk/planning/planning-policy/local-plan-review>

3 ISSUES

- 3.1 Given that Lancaster City Council have an up-to-date plan recently adopted, and that this current review seeks only to address matters in relation to Climate Change and the actions and ambitions of the Council's 2019 Climate Emergency declaration, the scope of proposed change is particularly narrow. Many of the strategic matters within Lancaster's new plan remain unchanged compared with those already adopted by Lancaster in 2020. Addressing these strategic issues was subject to its own duty to co-operate process which was found to be sound at examination.
- 3.2 On this basis, the purpose of discussions as part of the current duty to co-operate process between Lancaster City Council and others (including the Council) has been to ensure that the proposed changes within the draft publications do not result in new issues with neighboring authorities or other stakeholders, as well as focusing on how Local Plan policy is seeking to evolve in the context of climate change. In addition, this process has also acted as an opportunity to reflect on whether the implementation of the plan has resulted in unintended cross-boundary issues.

Statement of Common Ground (SoCG)

- 3.3 As mentioned, the Council has previously co-operated with Lancaster City Council during the production of their recently adopted plan and as there have since been no further concerns arising, the Council and Lancaster have sought only to further co-operate on strategic matters specifically changed by the new policies introduced or significantly changed as a part of this review. In this respect there are four key strategic matters which have been addressed through the duty to co-operate process, which are listed below.

- **Addressing the Climate Emergency Declaration (Strengthening the Climate Change Agenda)**
- **New Policy Requirements Arising**
- Maintaining Consistency with the Silverdale and Arnside AONB DPD

- Lancaster South Area Action Plan DPD

- 3.4 As part of the duty to co-operate process, officers of the Council met with Lancaster's planning department on 11th May 2021 to discuss the strategic matters outlined above. Of these cross-boundary matters, it was agreed that strengthening the Climate Change Agenda and New Policy requirements arising were viewed as the only matters where opportunities for shared practices or the potential for strategic cross-boundary issues may arise.
- 3.5 The approach of local authorities to addressing Climate Change through the plan-making process is unique by nature of authorities seeking to address their own ambitions and aspirations, tailoring their approach to local circumstances. Notwithstanding this, there are common areas of ambition in relation to the Climate Change agenda.
- 3.6 The Council has recognised the need for mitigation and adaptation measures to address Climate Change issues, as demonstrated through the Ribble Valley Climate Change Strategy. Lancaster City Council have therefore proposed the following actions as part of the Statement of Common Ground:
- “Action A: To work with neighbouring and other local planning authorities to address common issues around Climate Change through their respective plan-making processes, recognizing that at any one-time different authorities may be proceeding with different plans with different aims and objectives not necessarily related to climate change and taking into account the relative stage of plan-making that each local authority is currently at. The application of planning policies around the issue of Climate Change will be tailored to local ambitions and local circumstances.*
- Action B: That where there is shared ground and aligned plan making ambitions in relation to the preparation of planning policies, local planning authorities will seek to work in a collaborative and proactive manner, whether this be through shared-working or shared-evidence, to achieve effective use of resources and, where possible, a consistent approach to issues.”*
- 3.7 These two actions seek to acknowledge the shared issues between the Council and Lancaster which do exist, whilst setting expectations on the circumstances through which co-operation on these matters would become possible.
- 3.8 Members will be aware that the Council is currently undertaking a Local Plan Review in which Climate Change will require specific attention to comply with national guidance and to be found sound at examination. Action B, as proposed, provides the opportunity to utilize relevant evidence, resources, and best practice from Lancaster's Climate Emergency Plan Review where appropriate to contribute to the Council's own Climate Change policies currently under development.
- 3.9 Appropriate wording has been negotiated with Lancaster City Council to protect the Council's interests such that the SoCG could be agreed in line with the two actions set out in paragraph 3.6. It is considered that there are no outstanding cross-boundary issues involving the Ribble Valley at this time which Lancaster City Council have failed to address.

- 3.10 On-going engagement with Lancaster will continue as part of the joint legal duty to co-operate and the Authority will ensure members are informed appropriately of key developments throughout this process.

Response to Regulation 19 Consultation

- 3.11 The Statement of Common Ground accompanies pre-submission versions of Lancaster's Development Plan Documents, which the Council are now invited to comment on as part of a formal consultation prior to the submission of this Local Plan to the Planning Inspectorate. This focuses on whether the Plan is seen to be legally compliant and sound.
- 3.12 Given that the Council and Lancaster continue to work together to address cross-boundary issues as evidenced through the Statement of Common Ground, at this time there are no further representations to make on behalf of the Ribble Valley as part of the current consultation.
- 3.13 Notwithstanding this, officers will continue to monitor the progress of this plan and where it is felt a further representation is necessary, members will be informed.

4 RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications:
- Resources – There is provision within existing resources to work with neighbouring authorities in preparing and responding to emerging Local Plans.
 - Technical, Environmental and Legal – Neighbouring authorities have a legal duty to cooperate on any strategic matters.
 - Political – There is significant interest in any potential development pressures upon existing key service centres, villages, and infrastructure within the Borough.
 - Reputation – Climate Change is a growing issue of significance in the local community.
 - Equality & Diversity – No issues identified.

5 RECOMMEND THAT COMMITTEE

- 5.1 Endorse the actions set out at paragraph 3.6 as part of our legal duty to co-operate and identify any additional comments they wish to make as part of the ongoing Regulation 19 Consultation.
- 5.2 Agree that the Local Plan Working Group monitor the Lancaster City Council Climate Emergency Local Plan Review and that this Committee be kept informed.



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BACKGROUND PAPERS

None.

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