

**Ribble Valley  
Borough Council**



# **Core Strategy**

**Proposed Revisions  
to Key Statements &  
Development  
Management  
Policies**

**Part of the Local  
Development Framework  
Evidence Base for the Core  
Strategy**

**June 2011**



**RibbleValley**  
Local Development Framework

## RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY 16th JUNE, 2011  
title: CORE STRATEGY- KEY STATEMENT AND DEVELOPMENT MANAGEMENT  
POLICIES – PROPOSED REVISIONS  
submitted by CHIEF EXECUTIVE  
principal author PHIL DAGNALL

### 1 PURPOSE

1.1 To inform the Council regarding the outcomes of the recent consultations on the Core Strategy, and how they are influencing the development of the document. The Core Strategy is a fundamental part of the Local Development Framework (LDF) which will ultimately become a part of the Borough's statutory plan and guide the location of future development.

1.2 Relevance to the Council's ambitions and priorities:

- Council Ambitions – The document that is the subject of this report, as part of the LDF Core Strategy, relates to Council ambitions of making people's lives safer and healthier and also helping to protect and enhance the local environment.
- Community Objectives – The matters covered in this report will contribute to the objectives of building safer communities, and ensuring that there is a suitable supply of sites for employment and appropriate housing
- Corporate Priorities – This paper will help improve the evidence base of the Local Development Framework thereby assisting performance and consistency.
- Other Considerations – None.

### 2 BACKGROUND

2.1 The Core Strategy is a central planning document within the Local Development Framework (LDF) that will ultimately replace the current District Wide Local Plan and become part of the statutory plan for the Borough into the future. It is produced following a prescribed series of consultations related to relevant regulations within government legislation. This document concerns some of the responses to the Regulation 25 consultation stage (also termed as the "Issues and Options" stage) that was held in the latter half of 2010 and how they have affected the development of parts of the document.

2.2 The Issues and Options version of Core Strategy contained a Vision for the area, a series of Strategic Objectives, a set of "Key Statements" on a variety of themes such as sustainability, housing, the local economy and others, a set of Development Strategy Options and finally a series of Development Management (DM) policies that elaborate on the Key Statements. These Development Management policies will eventually replace the current detailed policies in the District Wide Local Plan that are used at

present by RVBC planning management staff. They will thus become the new guidelines in the local assessment of future planning applications once the Core Strategy is formally adopted.

- 2.3 Following the 2010 consultation, which was widely consulted on, just under 750 individual responses were received from a wide variety of sources including local residents, local and national organisations, local authorities and national agencies on different parts of the document. These were all entered into our LDF database.
  - 2.4 As an initial part of the assessment of these responses a Schedule has been drawn up listing, underneath each of the Key Statements, and then each of the Development Management policies, each of the responses made, including the organisations of the respondent and a summary of the response, including any specific changes proposed. Then, for each Key Statement and Development Management Policy there is a discussion of each point made and a recommendation as to which responses should be taken into the document as potential amendments and why. Below this discussion, for each of the Key Statements, and any associated explanatory text considered to need amending is the original version of the text followed by the amended version underlined. For the Development Management (DM) policies the same overall format is followed except that the amendments are underlined within the overall the original text. This detailed Schedule is available in hard copy in the Members' Room.
  - 2.5 This report deals solely with how these responses have influenced two parts of the Core Strategy. These parts are the Key Statements and their associated explanatory text and the Development Management (DM) policies (the latter within Appendix 4 of the Regulation 25 Core Strategy document). How the consultation has affected other elements of the Core Strategy will be reported on elsewhere in other documents.
- 3 Appendix 1 of this report includes in Section 3 below just the amended versions of the Key Statements drawn from the detailed schedule and those DM policies that have been amended, with underlined amendments. Some DM policies either have not been amended or received no consultation responses. These policies have therefore been retained unamended and only referred to by their title.
    - 3.1 In general terms many of the Key Statements have been amended to varying degrees with perhaps the most changes to the Sustainability Key Statement. In addition there have been changes to many of the DM policies, some minor though there are significant changes to DME5 Renewable Energy and a proposal for completely new DME6 Water Management policy. Also the DME1 Trees policy has received more clarification and DMH1 Affordable Housing Criteria has had additions made reflecting recent changes to policy
    - 3.2 The original Regulation 25 consultation version of the Core Strategy on which the comments below were based is available as a hard copy in the Members Room, together with a hard copy of the Appendix 1 Schedule of this report. In addition the original Core Strategy consultation document is available through a link on the council's website at:

[http://www.ribblevalley.gov.uk/info/200180/planning\\_policy/429/welcome\\_to\\_planning\\_policy/13](http://www.ribblevalley.gov.uk/info/200180/planning_policy/429/welcome_to_planning_policy/13)

#### **4 RISK ASSESSMENT**

4.1 The approval of this report may have the following implications:

- Resources – No immediate implications.
- Technical, Environmental and Legal – The Core Strategy is a statutory requirement of the planning process.
- Political – No direct political implications.
- Reputation – The Council would wish to be seen to take note of the consultation responses to this important planning document and amend the draft in light of relevant comment as a part of its long term planning development.

#### **5 RECOMMENDED THAT COMMITTEE**

5.1 Agree the proposed changes and that the changes are subject to a period of consultation.

5.2 That the Chief Executive is asked to report the outcome of the consultation before the policies are incorporated into the Core Strategy.

#### **CHIEF EXECUTIVE**

For further information please ask for Phil Dagnall, extension 4570.

## APPENDIX 1

### AMENDED KEY STATEMENTS AND DEVELOPMENT MANAGEMENT POLICIES

Please note that for each Key Statement the original text is presented as whole paragraphs, followed by the amended version of the whole paragraph underlined .

For each Development Management policy the amendments are underlined within the full original text

#### ENVIRONMENT CHAPTER

##### 1.1 Green Belt Key Statement (original) No change proposed

- 1.2 The overall extent of the green belt will be maintained to safeguard the surrounding countryside from inappropriate encroachment. The development of new buildings will be limited to the purposes of agriculture, forestry, essential outdoor sport and recreation, cemeteries and for other uses of land which preserve the openness of the green belt and which do not conflict with the purposes of the designation

##### 1.3 Landscape Key Statement (original)

- 1.4 The landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. Any development will need to contribute to the conservation of the natural beauty of the area
- 1.5 The landscape and character of those areas immediately adjacent to the Forest of Bowland Areas of Outstanding Natural Beauty will be protected and conserved and wherever possible enhanced.
- 1.6 As a principle the council will expect development to be in keeping with the character of the landscape, reflecting local vernacular style, scale, style, features and building materials.

##### 1.7 Landscape (amended version)

- 1.8 The landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. Any development will need to contribute to the conservation of the natural beauty of the area

The landscape and character of those areas that contribute to the setting and character of the Forest of Bowland Areas of Outstanding Natural Beauty will be protected and conserved and wherever possible enhanced.

As a principle the council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.

**1.9 Para 5.2.3 (original)**

Over 75% of the area is designated as an Area of Outstanding Natural Beauty and outside these statutory areas the borough comprises extensive areas of open countryside much of which has an intrinsic value that contributes to the quality of the landscape in the borough. The Council considers that it is important to ensure development proposals do not serve to undermine the inherent quality of the landscape. Particular regard, consistent with the designation as AONB, will be given to matters of design and impact with an expectation that the highest standards of design will be required. The Council will also seek to ensure that the open countryside is protected from inappropriate development.

**1.20 Para 5.2.3 (amended)**

Over 75% of the area is designated as an Area of Outstanding Natural Beauty and outside these statutory areas the borough comprises extensive areas of open countryside much of which has an intrinsic value that contributes to the quality of the landscape in the borough. In addition the founding principle of landscape character is that all landscapes have a value. The Council considers that it is important to ensure development proposals do not serve to undermine the inherent quality of the landscape. Particular regard, consistent with the designation as AONB, will be given to matters of design and impact with an expectation that the highest standards of design will be required. The Council will also seek to ensure that the open countryside is protected from inappropriate development. Developers should adopt a non- standardised approach to design which recognises and enhances local distinctiveness, landscape character, the quality of the built fabric, historic patterns and landscape tranquillity.

**1.21 Sustainable Development Key Statement (original)**

1.22 It is expected that proposals for development will demonstrate how sustainable development principles and sustainable construction methods will be incorporated.

1.23 All development should optimise energy efficiency by using new technologies and minimising the use of energy through appropriate design, layout, material and landscaping.

1.24 On larger schemes, planning permission will only be granted for developments on sites that deliver a proportion of renewable or low carbon energy on site, incorporate recycled or reclaimed materials or minimise the use of energy by using energy efficiency solutions and technologies. Where developments fail to achieve any of these, it must be demonstrated why this cannot be achieved.

**1.25 Sustainable Development and Climate Change (amended version)**

The Council will seek to ensure that all development meets an appropriate recognised sustainable design and construction standard where viable to do so, in order to address both the causes and consequences of climate change. In particular, all development will be required to demonstrate how it will contribute towards reducing the Borough's carbon footprint.

In adapting to the effects of climate change it is expected that proposals for development will demonstrate how sustainable development principles and sustainable construction methods, such as the use of sustainable drainage systems, will be incorporated.

All development should optimise energy efficiency by using new technologies and minimising the use of energy through appropriate design, layout, material and landscaping and address any potential issues relating to flood risk.

On larger schemes, planning permission will only be granted for developments on sites that deliver a proportion of renewable or low carbon energy on site based on targets elaborated within the relevant Development Management policy and also incorporate recycled or reclaimed materials or minimise the use of energy by using energy efficiency solutions and technologies. Where developments fail to achieve any of these, it must be demonstrated why this cannot be achieved.

**1.26 Para 5.2.4 (original)**

It is important that energy and natural resource provision is considered at this stage. The SA scoping report highlighted that there is a very high quality environment in the borough, which needs to be preserved and enhanced. However it also highlighted that in terms of energy provision (including renewables) policies in the Core Strategy will need to be carefully considered and balanced with the need to ensure that the environment of the Borough is not adversely affected. The key statement sets out how energy provision (including renewables) will be considered at planning application level.

**1.27 Para 5.2.4 (amended)**

It is important that energy and natural resource provision is considered at this stage. The SA scoping report highlighted that there is a very high quality environment in the borough, which needs to be preserved and enhanced. However it also highlighted that in terms of energy provision (including renewables) policies in the Core Strategy will need to be carefully considered and balanced with the need to ensure that the environment of the Borough is not adversely affected. The key statement sets out how energy provision (including renewables) will be considered at planning application level. Reference should also be made to relevant policies within the Lancashire Minerals and Waste Development Framework Core Strategy and the Minimising and managing Our Waste in New developments Supplementary Planning Document.

**1.28 3.1.4 Biodiversity (original)**

Development proposals that adversely affect a site of recognised importance will only be permitted where material factors outweigh the conservation considerations or where the anticipated negative impact can be mitigated. These are as follows:

- Sites of Special Scientific Interest (SSSIs)
- Local Nature Reserves (LNRs)
- County Biological Heritage sites (CBHs)

### 1.29 **Biodiversity (amended version)**

The Council will seek wherever possible to conserve and enhance the area's biodiversity and geodiversity and to avoid the fragmentation and isolation of natural habitats and help develop green corridors.

Development proposals that adversely affect a site of recognised environmental or ecological importance will only be permitted where a developer can demonstrate that the negative effects of a proposed development can be mitigated. It will be the developer's responsibility to identify and agree an acceptable scheme, accompanied by appropriate survey information, before an application is determined. There should, as a principle, be no net loss of biodiversity.

These sites are as follows:

- Sites of Special Scientific Interest (SSSIs)
- Local Nature Reserves (LNRs)
- County Biological Heritage sites (CBHs)
- Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)
- Geodiversity Heritage Sites
- Ancient Semi Natural Ancient Woodlands
- Lancashire Biodiversity Action Plan priority habitats and species
- European Directive on Protected Species and Habitats - Annexe 1 Habitats and Annexe II Species

### 1.30 **Para 5.2.5 (original)**

The requirement for the consideration of biodiversity is highlighted by the SA scoping report which drew attention to how the borough contains a wealth of biodiversity sites of international, national, regional and local importance for nature conservation and the need to conserve and enhance biodiversity is an integral part of economic, social and environmental development. It also highlighted that the condition of the SSSIs needs to be improved and opportunities should be sought to deliver biodiversity enhancements through the Core Strategy. The state of the sites is monitored annually and will continue to be reported on within the AMR.

### 1.31 **Para 5.2.5 (amended version)**

The intricate network of biodiversity provides the support systems that sustain human life and is therefore an integral part of long term sustainability, locally, nationally and on a global scale. Local authorities have a duty to conserve biodiversity under national planning policy and Ribble Valley Borough Council is a signatory to the Lancashire Biodiversity Action Plan, which identifies a raft of habitats and species considered to be of conservation importance at regional level. It also identifies key partners responsible for delivering the action plan, including both statutory and non-statutory habitats/species.

In addition the SA scoping report drew attention to the Borough's wealth of biodiversity sites and the need to conserve and enhance biodiversity as an integral part of economic, social and environmental development. It also highlighted the need for the condition of the SSSIs in the area to be improved and that opportunities should be sought to deliver



biodiversity enhancements through the Core Strategy. The condition of relevant sites is monitored annually and will continue to be reported within regular monitoring.

**1.32 3.1.5 Archaeology and Historic Heritage Key Statement (original)**

There will be a presumption in favour of the preservation of important archaeological remains and their settings. Conservation Area Appraisals will be kept under review to ensure that any development proposals are in keeping with the historic character of the area. Any development proposals that affect Listed Buildings or their setting will be given careful consideration in line with the Development Management policies.

**1.33 Heritage Assets (amended version)**

There will be a presumption in favour of the preservation of heritage assets and their settings where they are recognised as being important.. Conservation Area Appraisals will be kept under review to ensure that any development proposals are in keeping with the historic character and architectural interest of the area. Any development proposals that adversely affect a designated heritage asset or its setting will be given careful consideration in line with the Development Management policies.

**1.34 Para 5.2.6 (original)**

The SA Scoping report highlighted a need to protect and enhance the historic environment of Ribble Valley. The LDF evidence base provides up to date information on the historic environment such as up to date conservation area appraisals, which include information on issues such as listed buildings and buildings of townscape merit. There is a rolling programme to keep these appraisals up to date. It is clear through LDF evidence base work and reports such as the SA scoping report that Ribble Valley has a high quality environment (including historic environment) that must be preserved and enhanced.

**1.35 Para 5.2.6 (amended version)**

The SA Scoping report highlighted a need to protect and enhance the historic environment of Ribble Valley. The LDF evidence base provides up to date information on the historic environment such as up to date conservation area appraisals, which include information on issues such as listed buildings and buildings of townscape merit. There is a rolling programme to keep these appraisals up to date. It is clear through LDF evidence base work and reports such as the SA scoping report that Ribble Valley has a high quality environment (including historic environment) that must be preserved and enhanced. The historic environment should continue to inform and inspire new development of high quality.

**2.1 3.2.1 Housing Provision Key Statement (original)**

- 2.2 Land for residential development will be made available for an average annual completion rate of at least 161 dwellings per year in accordance with baseline information.
- 2.3 The Council will identify through the "Strategic Housing Land Availability Study", sites for residential development that are deliverable over a five-year period. By reference to the housing land monitoring report and where appropriate Strategic Housing Land Availability Assessments, the Council will endeavour to ensure housing land is identified for the full 15 year period and beyond.
- 2.4 A 'plan-monitor-manage' approach will be adopted and the AMR will be the key tool in tracking the five-year rolling land supply.

**2.5 Housing Provision (amended version)**

Land for residential development will be made available for an average annual completion rate of at least 161 dwellings per year over the period 2008 to 2028 in accordance with baseline information.

The Council will identify through the relevant "Strategic Housing Land Availability Study" (SHLAA), sites for residential development that are deliverable over a five-year period. By reference to the housing land monitoring report and where appropriate Strategic Housing Land Availability Assessments, the Council will endeavour to ensure housing land is identified for the full 15 year period and beyond.

A 'plan-monitor-manage' approach will be adopted and a monitoring report will be the key tool in tracking the five-year rolling land supply.

**2.6 Para 6.1.2 (original)**

The main aim is to ensure that over the plan period, sufficient housing of the right type will be built in the most suitable locations, where possible will aim to address meeting identified local needs.

**2.7 Para 6.1.2 (amended version)**

The main aim is to ensure that over the plan period, sufficient housing of the right type will be built in the most suitable locations endeavouring to make the best use of previously developed land where suitable and where possible aiming to address meeting identified local needs.

**2.8 Para 6.1.4 (original)**

These figures will be treated as a minimum target unless otherwise determined. A phased approach to the release of land will be adopted as the most suitable way forward in delivering development land. Further detail on this will be given in the Housing and Economic DPD.

**2.9 Para 6.1.4 (amended version)**

These figures will be treated as a minimum target unless otherwise determined. A phased approach to the release of land will be adopted as the most suitable way forward in delivering development land. Further detail on housing allocations will be given in the Housing and Economic DPD.

**2.10 Para 6.1.5 (original)**

It should be recognised that at present the Council has resolved to continue to apply the housing figures set out in the Regional Strategy. These figures have been tested through Public Examination, have been previously supported by the Council and are evidence based. Pending the full formal abolition of Regional Strategies and changes to legislation the Council have decided that the housing figures should continue to provide a framework against which development may be measured. This approach accords with Government guidance.

**2.11 Para 6.1.5 (amended version)**

In the Regulation 25 consultations of 2010 the Council retained the overall housing supply figures set out and evidenced in the Regional Spatial Strategy (RSS), as these had been tested through a Public Examination. However, after taking into account the Government's proposed abolition of the RSS, and the time that had elapsed since the RSS figures were established, the Council has resolved to commission new research that will inform a future overall housing provision figure. Pending this review the Council will continue to apply the adopted requirement of 161 dwellings per year for planning purposes. This figure remains underpinned by an evidence base that has been tested and looks to the period to 2021. The Council, in setting the plan period for the Core Strategy at 2008 to 2028 has consequently projected the figure of 161 forward, however it is acknowledged that in the longer term further review will be undertaken as a part of the process.

**2.12 Para 6.1.11 fourth para (original)**

The SHLAA model also indicates that there is the potential for 1010 dwellings (equating to 27.7ha of land) that could be developed within years 6-10 and 3,603 dwellings (equating to 100ha of land) that could be developed within 11-15 years from the time of the SHLAA being undertaken. The SHLAA therefore shows that based on the regionally determined annual housing figure (of 161/yr), there is approximately 62 years supply of residential land available in the borough that is deliverable and developable over the 15-year period. 54%<sup>1</sup> of this is deliverable and is therefore included within the 5-year land supply. The model showed that at the planned target of 161 dwellings per year there is ample scope to identify the most suitable sites to deliver housing in the area.

**2.13 Para 6.1.11. fourth para (amended)**

The SHLAA model also indicates that there is the potential for 1010 dwellings (equating to 27.7ha of land) that could be developed within years 6-10 and 3,603 dwellings (equating to 100ha of land) that could be developed within 11-15 years from the time of

the SHLAA being undertaken. The SHLAA therefore shows that based on the regionally determined annual housing figure (of 161/yr), there is approximately 62 years supply of residential land available in the borough that is deliverable and developable over the 15-year period. 54%<sup>1</sup> of this is deliverable and is therefore included within the 5-year land supply. It should be emphasised that the SHLAA is a survey of theoretical potential housing land not a statement of actual planned sites and that the theoretical 62 years supply is well above what will actually be needed to address actual evidenced housing numbers". The model showed that at the planned target of 161 dwellings per year there is ample scope to identify the most suitable sites to deliver housing in the area.

**2.14 3.2.2 Housing Balance Key Statement (original) No amendment proposed**

Planning permission will only be granted for residential development providing that it can be demonstrated that it delivers a suitable mix of housing that accords with the projected future household requirements and local need across the Ribble Valley as a whole as evidenced by the Strategic Housing Market Assessment.

Determination of planning applications for residential development will be informed by the most recent Housing Needs Survey, the Memorandum of Understanding on Affordable Housing and the most recent adopted Strategic Housing Market Assessment to identify the type, tenure and size of residential dwellings required at different locations throughout the borough.

**2.15 Para 6.1.6 (original)**

A mix of housing which meets the needs of the Ribble Valley has been demonstrated as the most suitable option from the LDF evidence base. The identified need, and projection of future need, will be informed by the SHMA and subsequent updates. The most recent SHMA and Housing Needs Survey should always be used in determining if the proposed development meets the identified need

**2.16 Para 6.1.6 (amended version)**

A mix of housing aimed at addressing the various different needs of local people in Ribble Valley has been demonstrated as the most suitable option from the LDF evidence base. The identified need, and projection of future need, will be informed by the SHMA and subsequent updates. The most recent SHMA and Housing Needs Survey should always be used in determining if the proposed development meets the identified need

2.17 The issue of Local Needs Housing is currently being considered and additional information will be presented to Members when this work has been progressed.

**2.18 3.2.3 Affordable Housing Key Statement (original)**

Affordable housing is broadly defined as that which is accessible to people whose income does not enable them to afford to buy or rent property suitable for their needs in the open housing market.

Within the settlement boundaries of Clitheroe and Longridge, on housing developments of 10 units or more dwellings (or sites of 0.5 hectares or more, irrespective of the number of dwellings) an element of affordable, local needs housing will be required on

all schemes. The Council will seek affordable housing provision at 30% of units on the site.

In all other locations in the borough, on developments of 5 or more dwellings (or sites of 0.2 hectares or more irrespective of the number of dwellings) the council will require 30% affordable units on the site.

The Council will only consider a reduction in this level of provision, to a minimum of 20% only where supporting evidence, including a viability appraisal fully justifies a lower level of provision to the council's satisfaction.

All affordable housing provided must be made available to those in housing need and will remain affordable in perpetuity.

Developers will be expected to provide affordable housing on site as part of the proposed development unless Ribble Valley Borough Council and the developer both agree that it is preferable to make a financial or other contribution towards the delivery of affordable housing on another site.

## **2.19 Affordable Housing (amended version)**

Affordable housing is broadly defined as that which is accessible to people whose income does not enable them to afford to buy or rent property suitable for their needs in the open housing market.

Within the settlement boundaries of Clitheroe and Longridge, on housing developments of 10 units or more dwellings (or sites of 0.5 hectares or more, irrespective of the number of dwellings) an element of affordable, local needs housing will be required on all schemes. The Council will seek affordable housing provision at 30% of units on the site.

The Council will use open book viability assessments, provided at the developer's cost, within its consideration of affordable housing provision

In all other locations in the borough, on developments of 5 or more dwellings (or sites of 0.2 hectares or more irrespective of the number of dwellings) the council will require 30% affordable units on the site.

The Council will only consider a reduction in this level of provision, to a minimum of 20% only where supporting evidence, including a viability appraisal, fully justifies a lower level of provision to the council's satisfaction.

All affordable housing provided must be made available to those in housing need and will remain affordable in perpetuity.

Developers will be expected to provide affordable housing on site as part of the proposed development unless Ribble Valley Borough Council and the developer both agree that it is preferable to make a financial or other contribution towards the delivery of affordable housing on another site.

## **2.20 3.2.4 Gypsy and Traveller Accommodation Key Statement (original)**

(No comments were made about this Key Statement and therefore it remains unchanged)

The Council will identify as appropriate, sites to meet the needs of Gypsy and Travellers based upon up to date Gypsy and Traveller Accommodation Needs Assessment.

Specific sites to meet the identified need will be included within the Housing and Economic Development DPD.

## **ECONOMY CHAPTER**

### **3.1 3.3.1 Business and Employment Development Key Statement (original)**

Land will be made available for employment use in order to support the health of the local economy and sustainable job creation. In considering the development of land for economic development and in determining where this land will be located, priority will be given to the use of appropriate Brownfield sites to deliver employment-generating uses including a preference for the re-use of existing employment sites before alternatives are considered.

New sites will be identified in accord with the development strategy where the health of the local economy support such release. Opportunities to identify land as part of appropriate mixed-use schemes within any strategic land release will be considered favourably.

Developments that contribute to farm diversification, strengthening of the rural economy or that promote town centre vitality and viability will be supported in principle.

Proposals that result in the loss of existing employment sites to other forms of development will need to demonstrate that there will be no adverse impact upon the local economy.

### **3.2 Business and Employment Development (amended version)**

The Council, in line with the evidence it has gathered, will aim to allocate an additional 9 hectares of land for employment purpose in appropriate and sustainable locations during the lifetime of this plan.

Land will be made available for employment use in order to support the health of the local economy and wider sustainable job creation. The expansion of existing businesses will, wherever appropriate, be considered favourably.

In considering the development of land for economic development and in determining where this land will be located, priority will be given to the use of appropriate Brownfield sites to deliver employment-generating uses including a preference for the re-use of existing employment sites before alternatives are considered.

New sites will be identified in accord with the development strategy where the health of the local and, in relevant cases, the wider economy support such release. Opportunities

to identify land as part of appropriate mixed-use schemes within any strategic land release will be considered favourably.

Developments that contribute to farm diversification, strengthening of the wider rural and village economies or that promote town centre vitality and viability will be supported in principle.

Proposals that result in the loss of existing employment sites to other forms of development will need to demonstrate that there will be no adverse impact upon the local economy.

The Council considers, in line with neighbouring authorities and other bodies, that the BAe Samlesbury site should be regarded as a regionally significant employment site with considerable potential to accommodate a variety of advanced knowledge based industries in the future.

**3.3 Para 7.1.4 (original)**

The areas of Clitheroe, Longridge and Whalley would be the preferred locations for new employment development (excluding rural and home based employment which are district wide). The potential for appropriate land to be brought forward as part of strategic land releases will also be considered particularly where this will contribute to greater sustainability. Growth at the BAe Salmesbury site is anticipated to grow as a regionally significant site over the plan period and this will also provide an opportunity for economic growth in the wider Ribble Valley.

**3.4 Para 7.1.4 (amended version)**

The larger settlements of Clitheroe, Longridge and Whalley would be the preferred locations for new employment development (excluding rural and home based employment which are district wide). It is recognised that suitable locations that are well related to the A59 corridor will also have the potential to deliver economic growth through the delivery of appropriate sites. The potential for appropriate land to be brought forward as part of strategic land releases will also be considered particularly where this will contribute to greater sustainability. Growth at the BAe Samlesbury site is anticipated to occur given that it is a regionally significant site. This will also provide an opportunity for wider economic growth in Ribble Valley over the plan period.

**3.5 Para 7.1.8 (original)**

Despite the findings around retention of spend overall, Whalley was shown to be the best performing centre in terms of vitality and viability; Longridge seems to be doing less well. Clitheroe, however, was identified as showing early signs of decline. This will be important to address relatively quickly if the centre is to provide a strong service centre function. Particular concerns identified by retailers, amongst other things was a lack of national retailer representation as an attraction within the town. As such, this will continue to place Clitheroe at a disadvantage to the retail economies of neighbouring centres such as Preston, Blackburn, Burnley, Accrington and Nelson.

**3.6 Para 7.1.8 (amended)**

Despite the findings around retention of spend overall, Whalley was shown to be the best performing centre in terms of vitality and viability; Longridge seems to be doing less well. Clitheroe, however, was identified as showing early signs of decline. This will be important to address relatively quickly if the centre is to provide a strong service centre function. Particular concerns identified by retailers, amongst other things was a lack of national retailer representation as an attraction within the town. As such, this will continue to place Clitheroe at a disadvantage to the retail economies of neighbouring centres such as Preston, Blackburn, Burnley and Accrington.

**3.7 3.3.2 Development of retail, shops and facilities Key Statement (original)**

Development that supports the retail function of the service centres of Clitheroe, Longridge and Whalley will be supported in principle. The council will put in place detailed development plans as appropriate to provide a strategic framework to guide the future development of the centres and support appropriate sustainable growth.

**3.8 Development of retail, shops and facilities (amended version)**

Development that supports and enhances the vibrancy, consumer choice and vitality and unique character of the area's important retail and service centres of Clitheroe, Longridge and Whalley will be supported in principle.

The council will put in place detailed development plans as appropriate to provide a strategic framework to guide the future development of the centres and support appropriate sustainable growth

The Council will also continue to require robust evidence that much needed smaller retail and other facilities in the more rural parts of the area are no longer viable before considering other forms of use.

**3.9 3.3.3 Visitor Economy Key Statement (original) (No changes proposed)**

Proposals that contribute to and strengthen the visitor economy of Ribble Valley will be encouraged, including the creation of new accommodation and tourism facilities through the conversion of existing buildings or associated with existing attractions. Significant new attractions will be restricted, except in circumstances where they would deliver overall improvements to the environment and benefits to local communities and employment opportunities.



**4.1 3.4.1 Planning Obligations Key Statement (original)**

Planning Obligations will be used as a mechanism to deliver development that contributes to the needs of local communities and sustainable development. Contributions can either be in kind or in the form of financial contribution with a clear audit trail of how any monies will be spent and in what time frame.

Obligations will be negotiated on a site-by-site basis. The council has resolved to seek contributions in the following order of priority:

Affordable Housing

Improvements required for highway safety that cannot be covered by planning condition or S278 Agreement

Open Space

Education

Where there is a question of viability the council will require an open book approach to be taken when agreeing development costs, and developers will be required to meet the Council's costs for independent evaluation.

**4.2 Planning Obligations (amended)**

Planning Obligations will be used as a mechanism to deliver development that contributes to the needs of local communities and sustainable development. Contributions can either be in kind or in the form of financial contribution with a clear audit trail of how any monies will be spent and in what time frame.

Obligations will be negotiated on a site-by-site basis. The council has resolved to seek contributions in the following order of priority:

Affordable Housing (also taking into consideration the detailed Affordable Housing Key Statement )

Improvements required for highway safety that cannot be covered by planning condition or S278 Agreement

Open Space

Education

Where there is a question of viability the council will require an open book approach to be taken when agreeing development costs, and developers will be required to meet the Council's costs for independent evaluation. The Council will develop, as appropriate, a Community Infrastructure Levy approach to infrastructure delivery.

#### **4.3 Para 8.1.2 (original)**

In terms of delivery, The Council will lead the implementation of the Core Strategy, however this cannot be done in isolation from other services and service providers. Others that may be involved in the implementation include:

- The Ribble Valley Local Strategic Partnership
- Individuals, land-owners and private developers
- Parish Councils
- Community Groups
- Lancashire County Council
- Regenerate (the Pennine Lancashire Development Company)
- PLACE (the partnership of Pennine Lancashire authorities)
- Relevant government departments and agencies such as, GONW, the Environment Agency, the Highways Agency, Natural England and English Heritage
- Statutory Undertakers (gas, water, sewerage, electricity, telecommunications) and Public Transport Operators

#### **4.4 Para 8.1.2 (amended)**

In terms of delivery, The Council will lead the implementation of the Core Strategy, however this cannot be done in isolation from other services and service providers. Others that may be involved in the implementation include:

- The Ribble Valley Local Strategic Partnership
- Individuals, land-owners and private developers
- Parish Councils
- Community Groups
- Lancashire Partnership
- Lancashire County Council
- Regenerate (the Pennine Lancashire Development Company)
- PLACE (the partnership of Pennine Lancashire authorities)
- Relevant government departments and agencies such as, the Environment Agency, the Highways Agency, Natural England and English Heritage
- Statutory Undertakers (gas, water, sewerage, electricity, telecommunications) and Public Transport Operators

#### **4.5 Para 8.1.7 (original)**

Matters appropriate for Planning obligation contributions can include:

- Affordable housing
- Flood Defence
- Biodiversity (habitat creation and protection)
- Open space (including sport, leisure and potentially allotments)
- Regeneration initiatives
- Public realm and public art schemes
- Transport
- Libraries

- Children Centres
- Minerals and Waste Developments
- Countryside Access
- Natural Heritage
- Crime and Disorder
- Culture and Heritage
- Education
- Utilities
- Health and waste management
- Inland waterways
- Youth and Communities
- Landscape Character and Design

#### **4.6 Para 8.1.7 (amended)**

Matters appropriate for Planning obligation contributions can include:

- Affordable housing
- Flood Defence
- Biodiversity (habitat creation and protection) and Geodiversity
- Open space (including all typologies of sport, leisure, green infrastructure and potentially allotments)
- Regeneration initiatives
- Public realm and public art schemes
- Transport
- Libraries
- Children Centres
- Minerals and Waste Developments
- Countryside Access
- Natural Heritage
- Crime and Disorder
- Culture and Heritage
- Education
- Utilities
- Health and waste management
- Inland waterways
- Youth and Communities
- Landscape Character and Design

#### **4.7 Para 8.1.6 (original)**

It is anticipated that planning obligations will become widely used under the plan, as identified in the development strategy as a key delivery tool. Given the current uncertainty around the Proposed Community Infrastructure Levy it is considered more appropriate to look to the system of planning obligations to secure the necessary infrastructure that will be required to enable development to be accommodated. These will be used in order to deliver the services and improvements associated with new development. Planning applications will ensure that developers will contribute to these necessary improvements as part of the application process.

**4.8 Para 8.1.6 (amended)**

It is anticipated that planning obligations will become widely used under the plan, as identified in the development strategy as a key delivery tool. It is considered more appropriate to look to the system of planning obligations to secure the necessary infrastructure that will be required to enable development to be accommodated. These will be used in order to deliver the services and improvements associated with new development. Planning applications will ensure that developers will contribute to these necessary improvements as part of the application process. However it should also be borne in mind that it is currently the Government's intention to move towards a development tariff system or Community Infrastructure Levy based approach but that the exact details of this are yet to be fully clarified. The Council is currently considering this as a means of delivering necessary infrastructure.

**4.9 3.4.2 Transport Considerations Key Statement (original) No change proposed**

New development should wherever possible be located to minimise the need to travel. Also it should incorporate good access by foot and cycle and have convenient links to public transport to reduce the need for travel by private car.

In general schemes offering more sustainable means of transport will be supported. Sites for potential future railway stations at Chatburn and Gisburn will be protected from inappropriate development.

Major applications should always be accompanied by a comprehensive travel plan.

**4.10 Suggested new para 8.1.12 (A) to be inserted between current paras 8.1.11 and 8.1.12**

The Council acknowledge that other bodies, such as Lancashire County Council as the relevant highway authority for the area, will be developing a Local Transport Plan over the next few years and that its accompanying Implementation Plans will have a bearing on the Borough. Comments within the Key Statement regarding such matters as the potential future railway station sites are made without prejudice to these plans The Council will continue to pursue the best transport solutions for the area through liaison with relevant bodies and update its evidence base on such matters where relevant.

**4.11 3.4.3 Development Management Key Statement (original) No change proposed**

To help determine planning applications and deliver the vision and objectives of the Core Strategy, the Council will apply a range of Development Management policies. Key Statements for the Council's Core Development Management Policies are included in the appendices to this Strategy.

**5.1 DEVELOPMENT MANAGEMENT KEY STATEMENTS**

**GENERAL**

**5.2 3.4.1 KEY STATEMENT DMG1: GENERAL CONSIDERATIONS**

In determining planning applications, all development must:

- Be of a high standard of building design
- Be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials
- Consider the potential traffic and car parking implications
- Ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated
- Consider adequate day lighting and privacy distances
- Consider the environmental implications such as SSSIs, County Heritage Sites, Local Nature Reserves, Biodiversity Action Plan (BAP) habitats and species, Special Areas of Conservation and Special Protected Areas, protected species, green corridors and other sites of nature conservation and historic environment value.
- Achieve efficient land use and the re use and remediation of previously developed sites where possible
- Have regard to public safety and secured by design principles
- Consider the density, layout and relationship between buildings, which is of major importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings as well as the effects of development on existing amenities.
- Not adversely affect the amenities of the surrounding area
- Not prejudice future development which would provide significant environmental and amenity improvements.
- Not result in the net loss of important open space, including public and private playing fields without a robust assessment that the sites are surplus to need. On land designated as Essential Open Space, development will not be permitted unless proposals do not compromise the visual quality, openness or recreational value of the site, unless warranted by overriding considerations in the public interest.

In assessing this, regard must be had to the level of provision and standard of public open space in the area, the importance of playing fields and the need to protect school playing fields

to meet future needs. Regard will also be had to the landscape or townscape of an area and the importance the open space has on this.

### **5.3 3.4.2 KEY STATEMENT DMG2: STRATEGIC CONSIDERATIONS**

Development should be in accordance with the Core Strategy development strategy and should support the spatial vision.

- Development proposals in defined settlements should Consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement
- Outside the settlement areas development must meet one of the following considerations:
  - The development should be essential to the local economy or social well being of the area
  - The development is needed for the purposes of forestry or agriculture
  - The development is for local needs housing which meets and identified need
  - The development is for small scale tourism or recreational developments appropriate to a rural area
  - The development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated.
- Within the Open Countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design; use of materials, landscaping and siting. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build.
- In protecting the designated Area of Outstanding Natural Beauty the Council will have regard to the economic and social well being of the area. However the most important consideration in the assessment of any development proposals will be the protection, conservation and enhancement of the landscape and character of the area avoiding where possible habitat fragmentation. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build. Development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the AONB by virtue of its size, design, use of material, landscaping and siting.

### **5.4 3.4.3 KEY STATEMENT DMG3: TRANSPORT AND MOBILITY**

In making decisions on development proposals the local planning authority will, in addition to assessing proposals within the context of the development strategy, attach considerable weight to:

The availability and adequacy of public transport to serve those moving to and from the development

- The relationship of the site to the primary route network and the strategic road network;
- The provision made for access to the development by pedestrian, cyclists and those with reduced mobility;
- Proposals which promote development within existing developed areas at locations which are highly accessible by means other than the private car;
- Proposals which locate major generators of travel demand in existing centres which are highly accessible by means other than the private car;
- Proposals which strengthen existing town and village centres which offer a range of everyday community shopping and employment opportunities by protecting and enhancing their vitality and viability;
- Proposals which locate development in areas which maintain and improve choice for people to walk, cycle or catch public transport rather than drive between homes and facilities which they need to visit regularly;
- Proposals which limit parking provision for developments and other on or off street parking provision to discourage reliance on the car for work and other journeys where there are effective alternatives.

All major proposals should offer opportunities for increased use of, or the improved provision of, bus and rail facilities.

All development proposals will be required to provide adequate car parking and servicing space in line with currently approved standards.

The Council will protect land currently identified on the proposals map from inappropriate development that may be required for the opening of stations at Gisburn and Chatburn.

Any planning application relating to these sites will be assessed having regard to the likelihood of the sites being required and the amount of harm that will be caused to the possible implementation of schemes.

The Council will resist development that will result in the loss of opportunities to transport freight by rail.

This policy recognises that the recent investment in the local railway infrastructure opens up the possibility of carrying more local and long distance freight in a more sustainable way, potentially removing more lorry based traffic from local roads.

In using this policy reference will be made to Guidance of Transport Assessments, Department for Transport

## **5.5 3.4.4 KEY STATEMENT DME1: PROTECTING TREES AND WOODLANDS**

There will be a presumption against the clearance of broad-leaved woodland for development proposes. The Council will seek to ensure that woodland management safe guards the structural integrity and visual amenity value of woodland, enhances biodiversity and provides environmental health benefits for the residents of the borough.

Where applications are likely to have a substantial effect on tree cover, the Borough Council will require detailed arboricultural survey information and tree constraint plans including appropriate plans and particulars. These will include the position of every tree on site that could be influenced by the proposed development and any tree on neighbouring land that is also likely to be with in influencing distance and could also include other relevant information such as stem diameter and crown spread.

The Borough Council will ensure that:

- The visual, botanical and historical value, together with the useful and safe life expectancy of tree cover, are important factors in determining planning applications. This will include an assessment of the impact of the density of development, lay out of roads, access points and services on any affected trees.
- That a detailed tree protection plan is submitted with appropriate levels of detail.
- Site-specific tree protection planning conditions are attached to planning permissions.

### TREE PRESERVATION ORDERS

The Borough Council will make tree preservation orders where important individual trees or groups of trees and woodland of visual, and/or botanical and/or historical value appears to be under threat. The council will expect every tree work application for work to protected trees to be in accordance with modern arboricultural practices and current British Standards.

### ANCIENT WOODLANDS

Development proposals that would result in loss or damage to ancient woodlands will be refused unless the need for, and the benefits of, the development in that location outweigh the loss of the woodland habitat. In addition, in circumstances where a development would affect an ancient woodland, the Borough Council will seek to include appropriate woodland planting and management regimes through planning conditions and agreements.

### VETERAN and ANCIENT TREES

The Borough Council will take measures through appropriate legislation and management regimes to ensure that any tree classified identified as veteran/ancient tree is afforded sufficient level of protection and appropriate management in order to ensure its long term survivability.



## HEDGEROWS

The Borough Council will use the Hedgerow Regulations to protect hedgerows considered to be under threat and use planning conditions to protect and enhance hedgerows through the use of traditional management regimes and planting with appropriate hedgerow species mix.

## FELLING LICENCES

When consulted on felling licence applications, the Council will attempt to minimise the short-term adverse impact on the landscape and ensure replanting schemes contain an appropriate balance of species to safeguard and enhance the biodiversity and landscape value of woodland.

### **5.6 3.4.5 KEY STATEMENT DME2: LANDSCAPE PROTECTION**

Development proposals will be refused which harm important landscape features including

- Traditional stone walls
- Ponds
- Characteristic herb rich meadows and pastures
- Woodlands
- Copses
- Hedgerows and individual trees (other than in exceptional circumstances where satisfactory works of mitigation or enhancement would be achieved, including rebuilding, replanting and landscape management)

In applying this policy reference will be made to a variety of guidance including the Lancashire Historic Landscape Characterisation.

### **5.7 3.4.6 KEY STATEMENT DME3: SPECIES PROTECTION AND CONSERVATION**

Development proposals that are likely to adversely affect the following will not normally be granted planning permission. Exceptions will only be made where it can clearly be demonstrated that the benefits of a development at a site clearly outweigh both local and wider impacts. Planning conditions or agreements will be to secure protection or, in the case of any exceptional development as defined above, to mitigate any harm.

- i. Wildlife species protected by law
- ii. SSSIs
- iii. Priority habitats or species identified in the Lancashire Biodiversity Action Plan
- iv. Local Nature Reserves
- v. County Biological Heritage sites
- vi. Special Areas of Conservation (SCAs)
- vii. Special Protection Areas (SPAs)
- viii. Any acknowledged nature conservation value of sites

### **5.8 3.4.7 KEY STATEMENT DME4: PROTECTING HERITAGE ASSETS**

In considering development proposals the Council will make a presumption in favour of the preservation of important heritage assets and their settings.

### Conservation Areas

Proposals within or closely related to Conservation Areas should not harm the Area. This should include considerations as to whether it is in keeping with the architectural and historic character of the area as set out in the relevant Conservation Area Appraisal. Development in these areas will be strictly controlled to ensure that it reflects the character of the area in terms of scale, size, design and materials and also respects trees and important open space.

In the Conservation Areas there will be a presumption in favour of the preservation of elements that make a positive contribution to the character or appearance of the Conservation Area.

### Listed Buildings

Development proposals on sites within the setting of listed buildings or buildings of special architectural or historic interest, which cause harm to the setting of the building, will be resisted. Any proposals involving the partial or full demolition of listed buildings will be refused unless it can be demonstrated that this is unavoidable.

### Registered Parks and Gardens of Special Historic Interest

Developments within or immediately adjacent to registered parks and gardens will be expected to take their special qualities into account and, where appropriate, to make a positive contribution to them

### Scheduled Monuments

Applications for development that would impact a Scheduled Monument will need to demonstrate that they have taken the particular importance of the monument and its setting into account and that Scheduled Monument Consent has either already been obtained or is likely to be granted

Planning Policy Statement 5 (PPS5) and its associated practice guide, gives additional policy guidance on dealing with both designated and undesignated heritage assets, and will be applied by the Council when determining proposals.

## **5.9 3.4.8 KEY STATEMENT DME5: RENEWABLE ENERGY**

The Borough Council will support the development of renewable energy schemes, providing it can be shown that such developments would not cause unacceptable harm to the local environment or local amenity. In assessing proposals, the Borough Council will have particular regard to the following issues:

- i. The immediate and wider impact of the proposed development on the landscape
- ii. The measures taken to minimise the impact of the proposals on residential amenity
- iii. The potential benefits the proposals may bring
- iv. The visual impact of the proposals, including design, colour and scale

- v. The degree to which nuisance caused by noise and shadow flicker to nearby residential amenities, agricultural operations, recreational areas or the function of the countryside can be minimised.
- vi. National or local targets for generating energy from renewable sources and for reducing carbon emissions

In terms of the use of decentralised and renewable or low carbon energy in new development the authority will request that on new non-residential developments over 1000 m2 and all residential developments of 10 or more units that at least 10% of their predicted energy requirements should come from decentralised and renewable or low carbon sources unless the applicant can demonstrate that this is not feasible or viable. This target will be updated in line with national targets. Implementation of this requirement will be monitored and enforced by the planning authority.

Development proposals within or close to the AONB, Sites of Special Scientific Interest, Special Areas of Conservation and Special Protected Areas, notable habitat species, Local Nature Reserves or designated heritage assets and their setting will not be allowed unless

- i. The proposals cannot be located outside such statutory designated areas
- ii. It can be demonstrated that the objectives of the designation of the area or site will not be compromised by the development
- iii. Any adverse environmental impacts as far as practicable have been mitigated

Note that any development that impacts a Scheduled Ancient Monument will also require Scheduled Monument Consent – see Key Statement DME 4 above.

#### **5.10 3.4.9 DME6 WATER MANAGEMENT (new policy)**

Development will not be permitted where the proposal would be at an unacceptable risk of flooding or exacerbate flooding elsewhere.

Applications for development should include appropriate measures for the conservation, protection and management of water such that development contributes to:

- Preventing pollution of surface and / or groundwater
- Reducing water consumption
- Reducing the risk of surface water flooding (for example the use of Sustainable Drainage Systems (SUDS))

#### **5.11 HOUSING**

#### **5.12 3.4.10 KEY STATEMENT DMH1: AFFORDABLE HOUSING CRITERIA**

Where proposals involve the provision of affordable housing units, the residential development must be expressly for the following groups of people:

- a) First time buyers currently resident in the parish or an adjoining parish
- b) Elderly people currently resident in the parish or an adjoining parish

- c) Those employed in the parish or an immediately adjoining parish but currently living more than 5 miles from their place of employment
- d) Those who have lived in the parish for any 5 of the last 10 years having left to find suitable accommodation and also with close family remaining in the village
- e) Those about to take up employment in the parish
- f) People needing to move to the area to help support and care for a sick, elderly or infirm relative.

In addition to these groups of people, others may have special circumstances that can be applied. These will be assessed on their individual merits.

This policy only relates to the affordable housing needs element. Proposals must also conform to policy DMG1 and any other relevant policy of this Core Strategy.

As mentioned above providing housing for the elderly is a priority for the Council within the Housing Strategy, and has been for a number of years. However very little such accommodation has been developed by the market. Therefore, within the negotiations for housing developments, 15% of the units will be for elderly provision. Within this 15% figure a minimum of 50% would be affordable and be included within the overall affordable housing threshold of 30%. The remaining 50% (ie the remaining 50% of the 15% elderly-related element) will be for market housing for elderly groups.

For example, for a site of 60 units this would mean:

14 affordable

4 affordable for the elderly (together these two elements = 30% of the total)

4 market accommodation for the elderly

38 market housing

Further detail is outlined within the Addressing Housing Needs in Ribble Valley statement and this policy is further evidenced within the Strategic Housing Market Assessment.

Any proposals for affordable housing must be accompanied with the following information

- i. Details of who the accommodation will be expected to accommodate. This should include a full survey of the extent of need and include persons who have expressed an interest in the property. Also how the cost of the accommodation will be matched to the incomes of these target groups.
- ii. Details of the methods by which the accommodation will be sold or let, managed and retained for its original purpose.

### **5.13 3.4.11 KEY STATEMENT DMH2: GYPSY AND TRAVELLER ACCOMMODATION**

Provision levels will be determined based upon the most up to date evidence adopted by the planning authority. Where the principle for the need for proposals is accepted, sites will be approved subject to the following criteria:

- I. The proposal must not conflict with the other policies of this plan/core strategy

- II. Proposals must not adversely impact on the character of the landscape or the environment, or any SSSIs or sites of biological importance
- III. Proposals should involve the reuse of derelict land where possible and not lead to the loss of the best and most versatile agricultural land
- IV. Where possible site should be within a reasonable proximity to services
- V. Proposals must have good access.

**5.14 3.4.12 KEY STATEMENT DMH3: DWELLINGS IN THE OPEN COUNTRYSIDE**

**No amendment of this policy is required.**

**5.15 3.4.13 KEY STATEMENT DMH4: THE CONVERSION OF BARNS AND OTHER BUILDINGS TO DWELLINGS**

Planning permission will be granted for the conversion of buildings to dwellings where

- i. The building is not isolated in the landscape, is within a defined settlement or forms part of an already defined group of buildings, and
- ii. There need be no unnecessary expenditure by public authorities and utilities on the provision of infrastructure, and
- iii. There would be no materially damaging effect on the landscape qualities of the area or harm to nature conservation interests, and
- iv. There would be no detrimental effect on the rural economy, and

The proposals are consistent with the conservation of the natural beauty of the area.

The building to be converted must:

- i. be structurally sound and capable of conversion for the proposed use without the need for extensive building or major alternation, which would adversely affect the character or appearance of the building. The Council will require a structural survey to be submitted with all planning application of this nature. This should include plans of any rebuilding that is proposed.
- ii. be of a sufficient size to provide necessary living accommodation without the need for further extensions which would harm the character or appearance of he building, and
- iii. the character of the building and its materials are appropriate to its surroundings and the building and its materials are worthy of retention because of its intrinsic interest or potential or its contribution to its setting, and
- iv. the building has a genuine history of use for agriculture or another rural enterprise.

The conversion of buildings should be of a high standard and in keeping with local tradition. The impact of the development, including the creation of garden area and car parking facilities (or other additions) should not harm the appearance or function of the area in which it is situated. Access to the site should be to a safe standard and be capable of being improved to a safe standard without harming the appearance of the area.

Proposals will also be determined having regard to the Historic Environment Local Management (HELM) Good Practice guidance on the Conversion of Traditional Farm Buildings.

The creation of a permanent dwelling by the removal of any condition that restricts the occupation of dwellings to tourism/visitor use or for holiday use will be refused unless it can be demonstrated that the unit will meet an identified local/affordable housing need in accordance with policy DMH1

**5.16 3.4.14 DMH5 RESIDENTIAL AND CURTILAGE EXTENSIONS**

(No comments therefore no amendments to this policy)

**5.17 BUSINESS and the ECONOMY**

**5.18 3.4.15 KEY STATEMENT DMB1 SUPPORTING BUSINESS GROWTH AND THE LOCAL ECONOMY**

No amendment is proposed to this policy.

**5.19 3.4.16 KEY STATEMENT DMB2: THE CONVERSION OF BARNs AND OTHER RURAL BUILDINGS FOR EMPLOYMENT USES**

Planning permission will be granted for employment generating uses in barns and other rural buildings, provided all of the following criteria are met:

- i. The proposed use will not cause unacceptable disturbance to neighbours in any way
- ii. The building has a genuine history of use for agriculture or other rural enterprise
- iii. The building is structurally sound and capable of conversion for the proposed use, without the need for major alterations which would adversely affect the character of the building
- iv. The impact of the proposal or additional elements likely to be required for the proper operation of the building will not harm the appearance or function of the area in which it is situated
- v. The access to the site is of a safe standard or is capable of being improved to a safe standard without harming the appearance of the area
- vi. The design of the conversion should be of a high standard and be in keeping with local tradition, particularly in terms of materials, geometric form and window and door openings.
- vii. That any existing nature conservation aspects of the existing structure are properly surveyed and where judged to be significant preserved or, if this is not possible, then any loss adequately mitigated.

The conversion of buildings should be of a high standard and in keeping with local tradition. The impact of the development, including the creation of servicing, storage areas and car parking facilities (or other additions) should not harm the appearance or function of the area in which it is situated.

Proposals for the conversion of buildings for employment purposes that include residential accommodation will be carefully assessed. The Council will require the submission of a business plan in support of the proposal where residential accommodation is required as part of

the scheme in locations where the Council would otherwise restrict the creation of dwellings. In all cases the proportion of living accommodation to workspace must not exceed a level of 60:40, workspace to living accommodation, and should form an integral part of the layout and design of the conversion.

Proposals will be assessed in accordance with PPS7

### **5.20 3.4.17 KEY STATEMENT DMB3: RECREATION AND TOURISM DEVELOPMENT**

Planning Permission will be granted for development proposals that extend the range of tourism and visitor facilities in the Borough:

This is subject to the following criteria being met:

- i) the proposal must not conflict with other policies of this plan;
- ii) the proposal must be physically well related to an existing main settlement or village or to an existing group of buildings, except where the proposed facilities are required in conjunction with a particular countryside attraction and there are no suitable existing buildings or developed sites available.
- iii) the development should not undermine the character, quality or visual amenities of the plan area by virtue of its scale, siting, materials or design;
- iv) the proposals should be well related to the existing highway network. It should not generate additional traffic movements of a scale and type likely to cause undue problems or disturbance. Where possible the proposals should be well related to the public transport network;
- v) the site should be large enough to accommodate the necessary car parking, service areas and appropriate landscaped areas
- vi) the proposal must take into account any nature conservation impacts using suitable survey information and where possible seek to incorporate any important existing associations within the development. Failing this then adequate mitigation will be sought.

In the Forest of Bowland Area of Outstanding Natural Beauty the following criteria will also apply:

**A.** the proposal should display a high standard of design appropriate to the area

**B.** the site should not introduce built development into an area largely devoid of structures (other than those directly related to agriculture or forestry uses)

In the AONB it is important that development is not of a large scale. In the AONB and immediately adjacent areas proposals should contribute to the protection, conservation and enhancement of the natural beauty of the landscape. Within the open countryside proposals will be required to be in keeping with the character of the landscape area and should reflect the local vernacular, scale, style, features and building materials.

### **5.21 3.4.18 KEY STATEMENT DMB4: OPEN SPACE PROVISION**

On all residential sites of over 1 hectare, the layout will be expected to provide adequate and usable public open space. The Council will also negotiate for provision on smaller sites, or seek to secure a contribution towards provision for sport and recreational facilities or public open space within the area where the overall level of supply is inadequate.

The Borough Council will refuse development proposals which involve the loss of existing public open space which is in recreational use as shown on the current Proposal Map. In exceptional circumstances and following a robust assessment, where the loss of a site is justifiable because of the social and economic benefits a proposed development would bring to the community, consent may be granted where replacement facilities are provided, or where existing facilities elsewhere in the vicinity are substantially upgraded. These must be readily accessible and convenient to users of the former open space areas.

It is important to protect existing recreational areas from development. Within defined settlements public recreational land will normally have been protected through an Essential Open Space designation.

#### **5.22 3.4.19 DMB5 FOOTPATHS AND BRIDLEWAYS**

(No comments therefore no amendments to this policy are suggested)

### **RETAIL DEVELOPMENT**

#### **5.23 3.4.20 DMR1 RETAIL DEVELOPMENT IN CLITHEROE**

No amendment to this policy is suggested.

#### **5.24 3.4.21 DMR2 SHOPPING IN LONGRIDGE AND WHALLEY**

(No comments and no amendments suggested)

#### **5.25 3.4.22 DMR3 RETAIL OUTSIDE THE MAIN SETTLEMENTS**

(No comments and no amendments suggested)



# **CORE STRATEGY KEY STATEMENTS AND DEVELOPMENT MANAGEMENT POLICIES**

## **DETAILED SCHEDULE OF REVISIONS FOLLOWING REGULATION 25 CORE STRATEGY CONSULTATION (AUG-OCT 2010)**

Part of the Local Development Framework

Produced by  
Forward Planning  
**June 2011**

**CORE STRATEGY KEY STATEMENTS and DEVELOPMENT MANAGEMENT  
POLICIES– SCHEDULE of REVISIONS FOLLOWING REGULATION 25  
CONSULTATIONS of 2010**

**This Schedule has been drawn up following the Core Strategy Regulation 25 Issues and Options consultations of late 2010 and deals solely with those consultation responses relating to the Key Statements and Development Management Policies of the document. It follows the Chapter structure of the original document.**

**For each Key Statement the relevant responses are listed in a table, including the respondent's name and organisation, where relevant, and a summary of their individual consultation responses, some of which include proposed rewordings.**

**Where additional comments have been made after the official public consultation period, for instance by planning staff, they are included separately after the tables.**

**Then follows a discussion of each point and a recommendation as to which responses should be taken into the document as potential amendments and why.**

**Below this discussion, for each of the Key Statements (and any associated explanatory paragraphs considered to need amending) is the original version of the text followed by the amended version underlined in blue font**

**For each of the Development Management (DM) policies the same overall format is followed except that any changes/additions are underlined in blue font within the original text of the policy.**

## KEY STATEMENTS

### 1. ENVIRONMENT CHAPTER

#### General Comments on Whole of the Document.

##### 1. General Comment on this section by Lancashire County Council (LCC)

The Pennine Lancashire MAA flags up the need to:

Add a renewed focus on energy and environmental technologies specifically exploring opportunities of developing sustainable forms of energy and renewable energy technology

Develop further assets, public realm and infrastructure in towns to contribute to tourism/heritage. Strong branding of tourism/heritage. Exploit the potential of the wealth of the area's natural resources to promote tourism. Delivering "quality of place", embed principles of sustainable development.

##### 2. General Comment by Pendle BC

No mention of Green Infrastructure or need to draw up ecological network/framework Pendle BC were contacted requesting clarification and the following was sent:

"I would, however, agree with this interpretation (i.e. that Green Infrastructure should be acknowledged within the document) and in support would highlight the following wording from PPS12 (Para 4.8):

"the core strategy should be supported by evidence of what physical, social **and green infrastructure** (my emphasis) is needed to enable the amount of development proposed for the area, taking account of its type and distribution."

In addition the Planning Advisory Service (PAS) page on *Infrastructure Planning and Delivery* (see link below) opens with the paragraph:

"Creating sustainable communities is about providing the necessary supporting 'infrastructure': utility services, transport, schools, open space, community, health and leisure services."

<http://www.pas.gov.uk/pas/core/page.do?pagelD=109617>

The reference to open space implies that green infrastructure is an integral element of infrastructure planning. This is reinforced on Slide 4 of the accompanying presentation (see link below):

<http://www.pas.gov.uk/pas/aio/99422>

Whilst there is no single definition of green infrastructure, it is commonly held to be

"a planned network of multifunctional green spaces and inter-connecting links which is designed, developed and managed to meet the environmental, social and economic needs of communities."

The foundation of green infrastructure networks are their natural elements – woodlands, wetlands, rivers, grasslands – that work together as a whole to sustain

ecological values and functions. Additional elements and functions can then be added to this network to contribute to the health and quality of life of local communities.

The North West RSS defines green infrastructure as:

“...the region’s life support system – the network of natural environmental components and green and blue spaces that lies within and between the North West’s cities, towns and villages which provides multiple social, economic and environmental benefits...”

The two key documents setting out what are considered to be the basic components of green infrastructure in Lancashire are:

**Lancashire Green Infrastructure Strategy**  
See attachment

**North West Green Infrastructure Guide**  
<http://www.greeninfrastructurenw.co.uk/resources/GIguide.pdf>

These have recently been supplemented by the following document, which looks at GI contribution to climate change adaptation:

**Green Infrastructure to Combat Climate Change**  
[http://www.greeninfrastructurenw.co.uk/resources/framework\\_for\\_web.pdf](http://www.greeninfrastructurenw.co.uk/resources/framework_for_web.pdf)

I hope that this information is of use to you.”

Following this statement green infrastructure could be added alongside Open Space in Planning Obligations section

Also Pendle BC commented that there was no policy addressing flood risk or reference to need for all development to be in accord with PPS25

(this has been addressed through Environment Agency’s comments and new DM policy DME6 see below)

No mention of any renewable energy targets

The view received from Communities and Local Government (CLG) is that there should be a renewable energy target and the evidence that lies behind it, together with a justification of its viability. According to CLG evidence that was gathered in support of the RSS can be used here. Also, in terms of viability the renewable energy appraisals accompanying current planning applications can provide evidence of the local viability of such targets. The above is also mentioned in relation to the Sustainability Key Statement below.

## 1.1 GREEN BELT KEY STATEMENT

Natural England	Re 5.2.1 recommends that -  "development within greenbelt will be limited to that which preserves the open character while accommodating a wide range of recreational, environmental and climate change uses and measures"
Agent for – Duchy of Lancaster	Planning Policy Guidance (PPG2) suggests that the Council should review the Green Belt to identify future development land and remove Green Belt land that is not fulfilling its purpose.
BNP Paribas – BAE Samlesbury	Green Belt boundaries should be altered to help promote employment development around existing locations within the Green Belt as there is "limited scope" for further employment development within Ribble Valley. Applying this approach to Samlesbury would increase employment and reduce commuting. The BAE Samlesbury site should be therefore removed from Green Belt and declared a "Major Developed Site". Its existing state already means that it does not contribute to the Green Belt's openness and development here would not join the area to Preston.

### **Discussion and Suggested Changes to Policy**

PPG2s purposes of the Green Belt already seem to encompass those uses Natural England state in a general way. The only new thing is climate change measures, but they are addressed through other key statements.

It is difficult to see the need to revise our Green Belt (GB) in a general way in PPG2, the evidence base such as the SHLAA does not suggest the need to look at Green Belt land for development. In addressing the point made by BNP Paribas it would seem to be sensible to address GB issues as a consideration on a site-by-site basis. Also factually the RV part of the Samlesbury BAE site is NOT in the Green Belt, although it might be in S Ribble's. Given the above this Key Statement should remain unamended.

Green Belt Key Statement (original)

The overall extent of the green belt will be maintained to safeguard the surrounding countryside from inappropriate encroachment. The development of new buildings will be limited to the purposes of agriculture, forestry, essential outdoor sport and recreation, cemeteries and for other uses of land which preserve the openness of the green belt and which do not conflict with the purposes of the designation

## 1.2 LANDSCAPE KEY STATEMENT

Natural England	<p>Re 5.2.2 The Area of Outstanding Natural Beauty (AONB) wording is considered too restrictive and suggests instead (see red text)-</p> <p><b>"the landscape and character of those areas immediately adjacent to the Forest of Bowland and the character of the area as a whole will be protected, conserved and wherever possible enhanced"</b></p>
Indigo Planning	<p>Should make it clear that the protection and conservation of the Area of Outstanding Natural Beauty (AONB) does not preclude new development and recognise that development can often facilitate implementation of schemes that can secure the longevity and inherent value of the area.</p>
Lancashire County Council (LCC)	<p>Proposes a rewrite (changes in red)-</p> <p><b>"The landscape character of the Forest of Bowland (F of B) AONB will be protected, conserved, restored and enhanced with a foundation of no net loss of resources as a minimum requirement. Any development will need to contribute to the conservation of the natural beauty of the area.</b></p> <p><b>The landscape character of those areas that contribute to the setting and character of the F of B AONB will be protected, conserved and wherever possible enhanced and or restored.</b></p> <p><b>As a principle the Council will expect development to be in keeping with the character of the landscape reflecting local distinctiveness and vernacular style..etc"</b></p> <p><b>Also in 5.2.3 suggests the following be included-</b></p> <p><b>"The founding principle of landscape character assessment is that all landscapes have a value.</b></p> <p><b>Also that developers should adopt a non- standardised approach to design which recognises and enhances local distinctiveness, landscape character, the quality of the built fabric, historic patterns and landscape tranquillity"</b></p>
Agent for Duchy of Lancaster	<p><b>Suggests the acknowledgement that some sensitively designed new development will be allowed in the AONB where it does not undermine the inherent quality of the landscape.</b></p>

## **Discussion and Suggested Changes to Policy**

With regard to the Duchy of Lancaster (DOL) comment it is already acknowledged in the statement that there can be development in the AONB and also in the explanation.

It is also acknowledged in the explanation of the statement and in the statement that the areas around the AONB will receive protection and that the open countryside is protected from inappropriate development.

The statement also reflects the need to protect the character in design in the last paragraph of the statement in which style, scale and materials etc are referred to however it is proposed to add a reference to local distinctiveness in this paragraph.

The argument relating to no net loss of resources, assets, value etc argument rests on RSS policy EM1. While RSS is disappearing its policy EM1 is stated as complying with European and national policy. Also a similar policy position existed in the Joint Lancashire Structure Plan (JLSP). It does not state that loss cannot occur at any one site but that there should be no net loss. Also several different wordings are supplied these are:

RSS - "with a foundation of no net loss in resources as a minimum requirement"

JLSP - "ensure there is, as a minimum, no net loss of heritage value"

LCC's own response also refers to "no net loss of assets" but then later actually proposes the word "resources" without defining what those "resources" are.

PPS 9 (Biodiversity and Geological Conservation) para 1 (ii) states that "Plan policies should...aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests" but this does not necessarily mean that this is to be applied to whole landscapes. This principle of no net loss is better mentioned within the biodiversity statement below.

LCC also proposes changes to para 5.2.3, which could be included. These are also mentioned below

Therefore the Landscape Key Statement and attached para 5.2.3 are amended as shown below.

### **Landscape Key Statement (original)**

The landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. Any development will need to contribute to the conservation of the natural beauty of the area.

The landscape and character of those areas immediately adjacent to the Forest of Bowland Areas of Outstanding Natural Beauty will be protected and conserved and wherever possible enhanced.

As a principle the council will expect development to be in keeping with the character of the landscape, reflecting local vernacular style, scale, style, features and building materials.

### **Landscape (amended version)**

The landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. Any development will need to contribute to the conservation of the natural beauty of the area

The landscape and character of those areas that contribute to the setting and character of the Forest of Bowland Areas of Outstanding Natural Beauty will be protected and conserved and wherever possible enhanced.

As a principle the council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.

### **Para 5.2.3 (original)**

Over 75% of the area is designated as an Area of Outstanding Natural Beauty and outside these statutory areas the borough comprises extensive areas of open countryside much of which has an intrinsic value that contributes to the quality of the landscape in the borough. The Council considers that it is important to ensure development proposals do not serve to undermine the inherent quality of the landscape. Particular regard, consistent with the designation as AONB, will be given to matters of design and impact with an expectation that the highest standards of design will be required. The Council will also seek to ensure that the open countryside is protected from inappropriate development.

### **Para 5.2.3 (amended)**

Over 75% of the area is designated as an Area of Outstanding Natural Beauty and outside these statutory areas the borough comprises extensive areas of open countryside much of which has an intrinsic value that contributes to the quality of the landscape in the borough. In addition the founding principle of landscape character is that all landscapes have a value. The Council considers that it is important to ensure development proposals do not serve to undermine the inherent quality of the landscape. Particular regard, consistent with the designation as AONB, will be given to matters of design and impact with an expectation that the highest standards of design will be required. The Council will also seek to ensure that the open countryside is protected from inappropriate development. Developers should adopt a non- standardised approach to design which recognises and enhances local distinctiveness, landscape character, the quality of the built fabric, historic patterns and landscape tranquillity".



### 1.3 SUSTAINABLE DEVELOPMENT KEY STATEMENT

<p>Natural England</p>	<p>Key Statement needs to go further in addressing adapting to and mitigating climate change.</p> <p>Also there needs to be policy commitment to "area wide adaptation to climate change" (such as land allocations for adaptation/mitigation) and to provide strong support for measures to reduce climate change effects such as " targets for minimum standards to achieve such measures"</p> <p>Also policy commitment to a delivery framework for an integrated network of multi-functional green infrastructure with specific sites identified for conservation, enhancement or inclusion in the network and policies that seek to realise the potential for multifunctional greenspace uses.</p> <p>Also would like to see targets or minimum standards set for sustainable design construction measures and references to SuDs</p>
<p>Environment Agency (EA)</p>	<p>Recommends that "Environmental Quality in Spatial Planning" 2005 Environment Agency et al joint doc be referenced</p> <p>and a statement be included-</p> <p><b>That any development which adversely affects an SSSI is not permitted without exception.</b> (this may be a more appropriate within the biodiversity section)</p> <p>Also important that strategic green networks and corridors should be included This is mentioned within Planning Policy Statement PPS 9 in Key Statement (again may be more appropriate to biodiversity section).</p> <p>Also include reference to European sites, UK BAP habitats and species (this is done in Biodiversity section)</p>
<p>Wildlife Trust for Lancashire (WTL)</p>	<p>5.2.3 Key Statement does not include a statement along the lines of,</p> <p><b>"environmental features will be protected from development, including designated sites and notable habitats and species. There will be no net loss of biodiversity "</b></p> <p>Also policy needs to acknowledge that the Flood and Water Management Act 2010 means that all new and re-developments must include Sustainable Drainage Systems (SuDS).</p> <p>Also creation of Suds should be linked to habitat creation in Lancashire Biodiversity Action Plan (BAP)</p>

Pendle Borough Council	Is a renewable energy target to be set and is so what evidence is it to be based on? (see also same comment on DME5 Development Management policy below)
Indigo Planning	Regarding on-site renewables in 5.2.4 the wording should recognise that the ability to meet the requirements will need to be balanced with ensuring that the wider environment is not adversely affected
Lancashire County Council Planning	Key Statement should make reference to Minimising and Managing Our Waste in New Developments SPD and policies CS2 and CS3 in the Lancashire Minerals and Waste Development Framework (MWDF) Core Strategy  (and also put a ref to MWDF in Appendix 2 diagram)
Ribchester Parish Council	Major development should provide evidence that there's enough infrastructure to cope and local employment opportunities are needed to arrest excessive commuting levels.
Highways Agency (HA)	Consideration should be given to delivering development in sustainable locations, accessibility along key transport corridors, and the wider management of development. Key factors such as air quality, Low Emission Strategies and Travel Planning should all be discussed accordingly

In addition RVBC Planning Department suggested that either a separate policy on Climate Change be incorporated or an addition could be placed within this policy. The suggestion was:

**“Climate Change**

**The Council will seek to ensure that all development meets an appropriate recognised sustainable design and construction standard where viable to do so, in order to address both the causes and consequences of climate change. In particular, all development will be required to demonstrate how it will contribute towards reducing the Borough's carbon footprint by achieving carbon management standards”.**

**Discussion and Suggested Changes to Policy**

The RVBC amendment is accepted in principal though the last part referring to carbon management standards is omitted as the statement is sufficiently direct without it.

It is difficult to interpret what WTL means by “environmental features” that he wants protecting. Also the comment regarding no net loss of biodiversity has been placed in the Biodiversity Key Statement to avoid duplication.

There is no support in PPS9 for EA’s request for no development to be allowed that would adversely affect an SSSI. Also the comments relating to green networks are better placed within the Biodiversity Key Statement as are the references made by EA and WTL regarding BAP habitats etc.

Ribchester’s comment on the need for adequate infrastructure and employment opportunities are implicit parts of the definition of sustainable development within national planning policy and are addressed both here and elsewhere in the Core

Strategy, for instance within the Business and Employment sections and the Transport Considerations elements.

HA's comments could be incorporated here or possible they are regarded as being already within the Transport Considerations Statement.

Climate Change will need to be acknowledged more directly given its position in important national planning policies eg PPS1 and PPS1 Climate Change Supplement.

SUDs (Sustainable Drainage Systems) could also be mentioned in this para.

**"It is expected that development proposals will demonstrate how sustainable development principles and adaption and mitigation to climate change, such as the inclusion of sustainable drainage systems, will be incorporated."**

Natural England's comment regarding multi functional green infrastructure and Accessible Natural Greenspace are also mentioned in relation Planning Obligations and within the Biodiversity section. Regarding the Accessible Natural Greenspace (ANG) issue ANG is defined within Natural England's "Nature Nearby" document as a very broadly defined range of formal and informal natural spaces. The same document defines a series of standards for accessibility to these spaces which have no formal statutory force. This issue or concept is correctly linked by other respondents such as WTL to a combination of the more established biodiversity and open space bullets within para 8.1.7. of the Planning Obligations section so it could be argued that the authority already delivers in this area.

While the ANG concept could be argued to be useful within more urban circumstances it is argued that this Borough, with its wealth of accessible countryside and statutory and other biodiversity sites can deliver similar outcomes as the ANG standards and therefore does not need to specifically acknowledge them here. It should also be mentioned that biodiversity protection and enhancement, another element of ANG, is specifically mentioned under the Biodiversity Key Statement.

Planning Policy Statement PPS12 does state in para 4.6 that the Core Strategy should acknowledge green infrastructure. Green Infrastructure is defined as:

"a planned network of multifunctional green spaces and inter-connecting links which is designed, developed and managed to meet the environmental, social and economic needs of communities."

It is further elaborated within the Lancashire Green Infrastructure Strategy 2009.

Again, while acknowledging the issue within the Key Statement it could be argued that the area already has a wealth of green infrastructure and there is no evidence from consultations that there is specific need for additional capacity as seems to be suggested within the Natural England response. It is therefore difficult to see what additional policy commitment is needed within the Key Statement.

The comment regarding the Lancashire Minerals and Waste SPD should be added to the justification para 5.2.4.

Regarding Pendle BC's comments on renewable energy advice from Communities and Local Government (CLG) is that a renewable energy target should be placed within the Core Strategy. This is based on a combination of advice within Planning

Policy Statement PPS 22 Renewable Energy and PPS1 Planning and Climate Change Supplement (specifically para 26 of the latter). CLG state that the target that set will have to be evidenced and viable. According to CLG the RSS evidence underpinning its renewable energy target can be used. This relates to RSS policy EM18 and its evidence base, which is drawn from the North West Sustainable Energy Strategy 2006. This latter document will therefore have to be included within our evidence base. In terms of viability it is considered that the appraisals on renewable energy viability that accompany current planning applications show sufficient evidence that renewable technologies are viable within local developments and therefore support a target such as that set in the RSS.

#### **Sustainable Development Key Statement (original)**

It is expected that proposals for development will demonstrate how sustainable development principles and sustainable construction methods will be incorporated.

All development should optimise energy efficiency by using new technologies and minimising the use of energy through appropriate design, layout, material and landscaping.

On larger schemes, planning permission will only be granted for developments on sites that deliver a proportion of renewable or low carbon energy on site, incorporate recycled or reclaimed materials or minimise the use of energy by using energy efficiency solutions and technologies. Where developments fail to achieve any of these, it must be demonstrated why this cannot be achieved.

#### **Sustainable Development and Climate Change (amended version)**

The Council will seek to ensure that all development meets an appropriate recognised sustainable design and construction standard where viable to do so, in order to address both the causes and consequences of climate change. In particular, all development will be required to demonstrate how it will contribute towards reducing the Borough's carbon footprint.

In adapting to the effects of climate change it is expected that proposals for development will demonstrate how sustainable development principles and sustainable construction methods, such as the use of sustainable drainage systems, will be incorporated.

All development should optimise energy efficiency by using new technologies and minimising the use of energy through appropriate design, layout, material and landscaping and address any potential issues relating to flood risk.

On larger schemes, planning permission will only be granted for developments on sites that deliver a proportion of renewable or low carbon energy on site based on targets elaborated within the relevant Development Management policy and also incorporate recycled or reclaimed materials or minimise the use of energy by using energy efficiency solutions and technologies. Where developments fail to achieve any of these, it must be demonstrated why this cannot be achieved.

#### **Para 5.2.4 (original)**

It is important that energy and natural resource provision is considered at this stage. The SA scoping report highlighted that there is a very high quality environment in the

borough, which needs to be preserved and enhanced. However it also highlighted that in terms of energy provision (including renewables) policies in the Core Strategy will need to be carefully considered and balanced with the need to ensure that the environment of the Borough is not adversely affected. The key statement sets out how energy provision (including renewables) will be considered at planning application level.

**Para 5.2.4 (amended)**

It is important that energy and natural resource provision is considered at this stage. The SA scoping report highlighted that there is a very high quality environment in the borough, which needs to be preserved and enhanced. However it also highlighted that in terms of energy provision (including renewables) policies in the Core Strategy will need to be carefully considered and balanced with the need to ensure that the environment of the Borough is not adversely affected. The key statement sets out how energy provision (including renewables) will be considered at planning application level. Reference should also be made to relevant policies within the Lancashire Minerals and Waste Development Framework Core Strategy and the Minimising and managing Our Waste in New Developments Supplementary Planning Document.

**1.4 BIODIVERSITY KEY STATEMENT**

<p>Natural England</p>	<p>Believes that the policy position as stated is too narrow and that it is important that there's commitment within it to conserve/enhance biodiversity in general across the whole area as well as designated sites.</p> <p>Bowland Fells SPA (Special Protection Area) is missing from designated sites</p> <p>Like to see additional text to make it locally meaningful (eg National Nature Reserves, Sites of Biological Importance).</p> <p>It should make reference to priority species and habitats featuring in Lancashire Biodiversity Action Plan (BAP)</p> <p>Geodiversity and soils should be included and any Regionally Important geological Sites</p>
<p>Wildlife Trust for Lancashire (WTL)</p>	<p>5.2.3 ? possibly this refers to either the statement itself or para 5.2.5? Key Statement regarding sustainable development should include statement along the lines of-</p> <p><b>“ environmental features will be protected from development, including designated sites and notable habitats and species – there will be no net loss of biodiversity”</b> (this comment also made in relation to Sustainability above)</p> <p>5.2.5 Key Statement does not include following – Special Protection Areas (SPAs), Special Areas of Conservation (SACs), European Habitats Directive Annexe I Habitats and Annexe II Species, UK Priority habitats and species; Lancashire Biodiversity Action Plan)BAP habitats and species; Geodiversity Heritage Sites</p>

	<p>(formerly known as RIGS)</p> <p>5.2.7 comments that the Phase 1 Habitat Survey can no longer be relied on as robust and credible under soundness and is no longer a guide to the area's biodiversity for monitoring purposes</p>
Environment Agency (EA)	<p>Concerned that statement in Key Statement "development proposals that adversely...." Conflicts with paras 3.3.2 and 5.3.9</p> <p>Suggests that environmental protection should be strengthened by ensuring that the principle of no net loss of biodiversity be a baseline statement (see Planning Policy Statement 9 key principle).</p> <p>Core Strategy needs to ensure that development proposals that adversely affect a site of recognised importance will only be permitted where the developer can demonstrate that the negative effects can be mitigated satisfactorily. Developers should understand that mitigation for any loss will be required where there is any detrimental effect on a site of ecological importance and that it is their responsibility to identify and agree an acceptable scheme before an application is determined. Proposals should be accompanied by an appropriate survey.</p> <p>5.2.7 Previous Council consultation found that conservation of wildlife should always take precedence over development. He agrees but also Protection of the water environment is summarised here should be also mentioned in the Key Statement</p>
Pendle Borough Council	<p>Include mention of European sites eg SPAs SACs (Special Protection Areas and Special Areas of Conservation)</p> <p>Also general comment on avoiding /repairing habitat fragmentation may be relevant here.</p>

### Discussion and Suggested Changes to Policy

Also Pendle BC's General Comment refers to habitat fragmentation is relevant. This also relates to development management policies DMG1 and 2.

Note: PPS9 states para 12 "Local Authorities should aim to maintain networks (of natural habitats) by avoiding or repairing the fragmentation and isolation of natural habitats through policies in plans.

In light of the above comments the following should be added to the list of bullets in the Key Statement -

- **Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) eg the Bowland Fells SPA**
- **Geodiversity Heritage Sites**
- **Ancient and Semi Natural Ancient Woodlands**



- UK Priority Annexe 1 Habitats and Annexe II Species
- Lancashire BAP priority habitats and species?

EA was concerned that our Key Statement text (ie “development proposals that adversely affect a site of recognised importance...”) conflicts with earlier paras 3.3.2 and 5.3.9.

3.3.2 outlines the rich environmental heritage and 5.3.9, which refers to the Sustainability Appraisal statement regarding the need to protect and enhance the historic and water environment.

Also EA mention 5.2.7 as emphasising that local responses to consultations the document refers to show that the general feeling was that conservation of the wide environment should always take precedence in deciding location of new development.

The “or” in “development proposals which adversely affect...” in could imply, as he is worried about that “material factors” could outweigh conservation factors without any mitigation and therefore proposes new text to remove the ambiguity.

Both EA and WTL emphasise that a key point is that there should be no net loss of biodiversity. (PPS9 key principle) EA has sent the following additional information that emphasises this.

“Paragraph 1 (vi) of PPS9 states that ‘where a planning decision would result in significant harm to biodiversity and geological interests which cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused’. This is how we would define the principle of no net loss, i.e. not permitting development where appropriate mitigation or compensation cannot be provided.

PPS9 is also supported by a supplementary guidance document, ‘Planning for Biodiversity and Geological Conservation: A Guide to Good Practice’. Section 5 of the document provides guidance on avoiding, mitigating and compensating for harm, with the principle of no net loss identified as good practice in paragraph 5.29.

I trust that this is sufficient to address your query”.

In relation to EA’s concern above that there could be development on a site without mitigation if “material factors” outweighed conservation interests EA suggest that the text below has been included within the Key Statement. This has been added-

**“Development proposals that adversely affect a site of recognised environmental or ecological importance will only be permitted where a developer can demonstrate that the negative effects can be satisfactorily mitigated. It will be the developer’s responsibility to identify and agree an acceptable scheme, accompanied by an appropriate survey, before an application is determined. Environmental protection should be on the basis of no net loss of biodiversity or geodiversity”**

Also Natural England’s point about narrowness is important in that the statement at present only seems to focus on the designated or notified sites. Given the local feeling in the consultations about the wider environment (which Carter has also

mentioned) it is sensible to include in the Key Statement a point about the area's biodiversity as a whole-

**"The Council will seek wherever possible to conserve and enhance the area's biodiversity and geodiversity".**

The above has been included in the amended Key Statement.

WTL points out that the area's Phase 1 Habitat Survey is out of date and that this is a "major omission" and will affect the soundness of the document. PPS9 Key Principles (i) points out the need for "up to date information about the environmental characteristics of the area" to be collected. However there are other locally derived information sources that are felt to adequately address the PPS9 requirement.

Natural England and WTL also emphasise the importance of the Lancashire BAP and the priority species and habitats within it. These are added to the bullet list of sites in the amended version below.

Locally meaningful RV references such as the Bowland Fells being an SAC and an SPA and that part of the North Pennine Dales Meadows SAC would add too much detail to the document at this point, as the Key Statements are intended to point out clear strategic messages.

The point regarding habitat fragmentation mentioned by Watson and resting on PPS9 policy has also be included in the amended Key Statement.

In addition RVBC Planning suggests the following:

#### **Key Statement - Biodiversity**

##### **Para 5.2.5**

The intricate network of biodiversity provides the support systems that sustain human life and is therefore an integral part of long term sustainability, locally, nationally and on a global scale. Ribble Valley Borough Council is a signatory to the Lancashire Biodiversity Action Plan, the plan identifies a raft of habitats and species considered to be of conservation importance at regional level it also identifies key partners responsible for delivering the action plan, including both statutory and non statutory habitats/species.

Under the Town & Country Planning Act local authorities have a duty in their development plans to include policies which act to conserve biodiversity and will look to the Lancashire Biodiversity Action Plan for guidance on policies appropriate to the development plans which will play important function in delivering biodiversity targets in the district. In safeguarding statutory and locally designated sites for species protection and habitat enhancement.

Elements of the above have been incorporated in an amended para 5.2.5 below.

#### **Biodiversity (original)**



Development proposals that adversely affect a site of recognised importance will only be permitted where material factors outweigh the conservation considerations or where the anticipated negative impact can be mitigated. These are as follows:

- Sites of Special Scientific Interest (SSSIs)
- Local Nature Reserves (LNRs)
- County Biological Heritage sites (CBHs)

#### **Biodiversity (amended version)**

The Council will seek wherever possible to conserve and enhance the area's biodiversity and geodiversity and to avoid the fragmentation and isolation of natural habitats and help develop green corridors.

Development proposals that adversely affect a site of recognised environmental or ecological importance will only be permitted where a developer can demonstrate that the negative effects of a proposed development can be mitigated. It will be the developer's responsibility to identify and agree an acceptable scheme, accompanied by appropriate survey information, before an application is determined. There should, as a principle, be no net loss of biodiversity.

These sites are as follows:

- Sites of Special Scientific Interest (SSSIs)
- Local Nature Reserves (LNRs)
- County Biological Heritage sites (CBHs)
- Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)
- Geodiversity Heritage Sites
- Ancient Semi Natural Ancient Woodlands
- Lancashire Biodiversity Action Plan priority habitats and species
- European Directive on Protected Species and Habitats - Annexe 1 Habitats and Annexe II Species

#### **Para 5.2.5 (original)**

The requirement for the consideration of biodiversity is highlighted by the SA scoping report which drew attention to how the borough contains a wealth of biodiversity sites of international, national, regional and local importance for nature conservation and the need to conserve and enhance biodiversity is an integral part of economic, social and environmental development. It also highlighted that the condition of the SSSIs needs to be improved and opportunities should be sought to deliver biodiversity enhancements through the Core Strategy. The state of the sites is monitored annually and will continue to be reported on within the AMR.

#### **Para 5.2.5 (amended version)**

The intricate network of biodiversity provides the support systems that sustain human life and is therefore an integral part of long term sustainability, locally, nationally and on a global scale. Local authorities have a duty to conserve biodiversity under national planning policy and Ribble Valley Borough Council is a signatory to the Lancashire Biodiversity Action Plan, which identifies a raft of habitats and species considered to be of conservation importance at regional level. It also identifies key partners responsible for delivering the action plan, including both statutory and non statutory habitats/species.

In addition the SA scoping report drew attention to the Borough's wealth of biodiversity sites and the need to conserve and enhance biodiversity as an integral part of economic, social and environmental development. It also highlighted the need for the condition of the SSSIs in the area to be improved and that opportunities should be sought to deliver biodiversity enhancements through the Core Strategy. The condition of relevant sites is monitored annually and will continue to be reported within regular monitoring.

### **1.5 ARCHAEOLOGICAL AND HISTORIC HERITAGE KEY STATEMENT**

English Heritage (EH)	Should refer to all heritage assets and their settings plus local character and sense of place.  Also include the role of the historic environment in inspiring new development of high quality and imaginative design
Lancashire County Council (LCC)	Should refer to historic parks and gardens listed by English Heritage and ensure that development does not affect the character and setting of all heritage assets
Lancashire County Council	Re-title Key Statement " <b>Heritage Assets</b> "  Suggests also that the KS text be amended thus (red marks changes):  "There will be a presumption in favour of the preservation of important <b>heritage assets</b> and their settings"  Also this KS text: "Any developments that affect <b>designated heritage assets</b> will be given careful consideration in line with..."

#### **Other comments in this section:**

**Pendle Borough Council** - re 5.2.9 there is a need to refer to biodiversity and environment here as well as historic environment. This is apparently a comment on the Sustainability Appraisal. (SA) document rather than the Key Statement and therefore does not seem relevant within this section.

**RV Planning staff** – commented that Conservation Areas should include a reference to architectural interest in addition to historic.

#### **Discussion and Suggested Changes to Policy**

First sentence in Key Statement amended to read-

"There will be a presumption in favour of the preservation of all heritage assets and their settings".

Last sentence to read –

“Any development proposals which affect designated heritage assets or their settings will be given careful consideration in line with the relevant Development Management policies”

Also amend Conservation Area paragraph to incorporate architectural interest

Also in the justification 5.2.6 the following is included to acknowledge the part that heritage assets could play in informing new development.

“The historic environment of the area should continue to inform and inspire new development of high quality”

#### **Archaeology and Historic Heritage Key Statement (original)**

There will be a presumption in favour of the preservation of important archaeological remains and their settings. Conservation Area Appraisals will be kept under review to ensure that any development proposals are in keeping with the historic character of the area. Any development proposals that affect Listed Buildings or their setting will be given careful consideration in line with the Development Management policies.

#### **Heritage Assets (amended version)**

There will be a presumption in favour of the preservation of heritage assets and their settings where they are recognised as being of importance. Conservation Area Appraisals will be kept under review to ensure that any development proposals are in keeping with the historic character and architectural interest of the area. Any development proposals that adversely affect a designated heritage asset or its setting will be given careful consideration in line with the Development Management policies.

#### **Para 5.2.6 (original)**

The SA Scoping report highlighted a need to protect and enhance the historic environment of Ribble Valley. The LDF evidence base provides up to date information on the historic environment such as up to date conservation area appraisals, which include information on issues such as listed buildings and buildings of townscape merit. There is a rolling programme to keep these appraisals up to date. It is clear through LDF evidence base work and reports such as the SA scoping report that Ribble Valley has a high quality environment (including historic environment) that must be preserved and enhanced.

**Para 5.2.6 (amended version)**

The SA Scoping report highlighted a need to protect and enhance the historic environment of Ribble Valley. The LDF evidence base provides up to date information on the historic environment such as up to date conservation area appraisals, which include information on issues such as listed buildings and buildings of townscape merit. There is a rolling programme to keep these appraisals up to date. It is clear through LDF evidence base work and reports such as the SA scoping report that Ribble Valley has a high quality environment (including historic environment) that must be preserved and enhanced. The historic environment should continue to inform and inspire new development of high quality.

## 2 HOUSING CHAPTER

### 2.1 HOUSING PROVISION KEY STATEMENT

Wildlife Trust for Lancashire (WTL)	Make reference to Sustainable Drainage Systems (SuDs) (see earlier)
Environment Agency (EA)	Make reference to the re-use of derelict or vacant sites for housing. The re-use of these sites for housing should be mentioned (they are only mentioned in relation to use for employment land in the Business section)
Natural England	Suggests inclusion of a reference to the value of open space in housing development providing for health and well-being and would welcome targets or minimum standards for open space. Suggests the use of English Nature Accessible Natural Greenspace standards
Resident	There is insufficient evidence of housing need. Needs of retired population not emphasised. Also suggests a 100% threshold for affordable housing not 30%
North West Regional Development Agency (NWRDA)	<p>Concern that the housing headline figure does not include a timeframe – this is needed for clarity and for subsequent allocations and monitoring.</p> <p>Also include explanation of reasoning behind the rolling forward the Regional Spatial Strategy housing figure (2003 – 2021) to 2025 and also need to account for housing completions since 2003</p> <p>Need to include a statement that housing allocations will be dealt with in a separate DPD</p> <p>In 6.1.5 in relation to “... pending the full formal abolition of RSS...” need to clarify whether it is intended to review the RSS figures before this document is submitted to Public Examination.</p>
Agent for Huntroyde	<p>6.1.2 should refer to housing completions net of demolitions and also in middle para of Key Statement and para 3.3.3</p> <p>Also recognise that the SHLAA needs updating</p>
J Dixon Planning	<p>6.1.2 should make it explicit that the Core Strategy should identify broad locations of housing for 15 years from adoption and be clear on base and horizon dates.</p> <p>Also in para 6.1.11 (SHLAA) Whalley should be mentioned as the 3<sup>rd</sup> Key Service Centre in the Borough</p> <p>Evidence mentioned in para 6.1.11 implies that Greenfield will need to be released and that this should be made explicit.</p>
Indigo	Ensure that the overall housing figure relates to 2010 – 2025 and that

Planning	therefore this gives a figure of 2415 units.
Wiswell Parish Council	Limit housing to Key Service Centres, improve infrastructure especially highways. No more development in Wiswell apart from infills. In Barrow limit development to brownfield and infill sites with no extensions to east of Barrow. Large scale development in Barrow would destroy its independence.
CPRE Lancashire	Very concerned about 6.1.4 statement that the figures should be treated as a minimum target. Also suggests a re wording to 6.1.11 para 4 regarding the SHLAA to remove perceived confusion. Suggested change is that the sentence "The SHLAA therefore shows...there is approximately 62 years supply of residential land available. <b>It should be emphasised that the SHLAA is a survey of theoretical potential housing land not a statement of actual planned sites and that the theoretical 62 years supply is well above what will actually be needed to address actual evidenced housing numbers"</b>
resident	There is not enough evidence to support the headline housing figure. Also concentrate on the provision of 100% of new housing for priority groups such as local young families.

#### Discussion and Suggested Changes to Policy

CPRE's point about the minimum target does actually reflect Government statements on the subject. Actual requirements will be anchored on evidence. Their second point regarding misinterpretation is well made and it is proposed to accept this into para 6.1.11

The issue of the re use of derelict land could be referred to in amended para 6.1.2 thus-

**" The main aim....will be to build in the most suitable locations, endeavouring to make the best use of previously developed land where suitable..**

English Nature's point regarding open space is more appropriately dealt with through later obligations and open space policies.

There is a need to acknowledge the points made about the RSSs abolition and the requirement for new housing supply information within an updated 6.1.5. Suggest amending 6.1.5 thus-

**"In the Regulation 25 consultation of 2010 the Council had retained the overall housing figures set out in the Regional Spatial Strategy, as these had been tested through Public Examination. However, taking into account the proposed abolition of the RSS and the time period that has elapsed since the RSS figures were established, the Council has resolved to commission new research which will inform future housing provision figures"**

6.1.4 could include a clarification on allocations thus-

**"Further detail on housing allocations will be given in a separate Housing and Economic Development DPD"**

The explicit mention of the use of Greenfield (mentioned in relation to 6.1.11) is unnecessary as it is considered to be implicit within "suitable locations" in para 6.1.2

Within the Key Statement itself could include acknowledgement of new housing supply figures and a time frame thus-

Para1

"Land for residential development will be made available for an average annual completion rate of 161 dwellings per year over the period 2008 – 2028, in accordance with baseline information."

And in para 2 address the point regarding the need to keep the SHLAA information current to need.

Therefore amend para 2 thus

"The Council will identify through relevant SHLAA studies..."

The comments by Indigo regarding housing figures are subject to further housing research and are not accepted.

The comment on the release of greenfield sites does not need to be made explicit, it is one of the implicit options within para 6.1.1.

The Wiswell comment is too detailed for this statement and relates to matters that will be dealt with in the Housing and Economic development DPD which will consider land allocations

Resident's comments regarding the headline housing figure is incorrect, there is robust and tested evidence that supports the headline housing figure. The evidence base will, in addition, be reviewed if it is considered to be outdated. With regards to the 100% affordable issue this would be impractical as a degree of market housing is required to deliver affordable dwellings. In addition local families and those with a local connection are mentioned as priority groups within the Affordable Housing Development Management Policy (DMH1).

#### **Housing Provision Key Statement (original)**

Land for residential development will be made available for an average annual completion rate of at least 161 dwellings per year in accordance with baseline information.

The Council will identify through the "Strategic Housing Land Availability Study", sites for residential development that are deliverable over a five-year period. By reference to the housing land monitoring report and where appropriate Strategic Housing Land Availability Assessments, the Council will endeavour to ensure housing land is identified for the full 15 year period and beyond.

A 'plan-monitor-manage' approach will be adopted and the AMR will be the key tool in tracking the five-year rolling land supply.

### **Housing Provision (amended version)**

Land for residential development will be made available for an average annual completion rate of at least 161 dwellings per year over the period 2008 to 2028 in accordance with baseline information.

The Council will identify through the relevant "Strategic Housing Land Availability Study" (SHLAA), sites for residential development that are deliverable over a five-year period. By reference to the housing land monitoring report and where appropriate Strategic Housing Land Availability Assessments, the Council will endeavour to ensure housing land is identified for the full 15 year period and beyond.

A 'plan-monitor-manage' approach will be adopted and a monitoring report will be the key tool in tracking the five-year rolling land supply.

### **Para 6.1.2 (original)**

6.1.2 The main aim is to ensure that over the plan period, sufficient housing of the right type will be built in the most suitable locations, where possible will aim to address meeting identified local needs.

### **Para 6.1.2 (amended version)**

6.1.2 The main aim is to ensure that over the plan period, sufficient housing of the right type will be built in the most suitable locations endeavouring to make the best use of previously developed land where suitable and where possible aiming to address meeting identified local needs.

### **Para 6.1.4 (original)**

6.1.4 These figures will be treated as a minimum target unless otherwise determined. A phased approach to the release of land will be adopted as the most suitable way forward in delivering development land. Further detail on this will be given in the Housing and Economic DPD.

### **Para 6.1.4 (amended version)**

6.1.4 These figures will be treated as a minimum target unless otherwise determined. A phased approach to the release of land will be adopted as the most suitable way forward in delivering development land. Further detail on housing allocations will be given in the Housing and Economic DPD.

### **Para 6.1.5 (original)**

6.1.5 It should be recognised that at present the Council has resolved to continue to apply the housing figures set out in the Regional Strategy. These figures have been tested through Public Examination, have been previously supported by the Council and are evidence based. Pending the full formal abolition of Regional Strategies and changes to legislation the Council have decided that the housing figures should continue to provide a framework against which development may be measured. This approach accords with Government guidance.



#### **Para 6.1.5 (amended version)**

In the Regulation 25 consultations of 2010 the Council retained the overall housing supply figures set out and evidenced in the Regional Spatial Strategy (RSS), as these had been tested through a Public Examination. However, after taking into account the Government's proposed abolition of the RSS, and the time that had elapsed since the RSS figures were established, the Council has resolved to commission new research that will inform a future overall housing provision figure. Pending this review the Council will continue to apply the adopted requirement of 161 dwellings per year for planning purposes. This figure remains underpinned by an evidence base that has been tested and looks to the period to 2021. The Council, in setting the plan period for the Core Strategy at 2008 to 2028 has consequently projected the figure of 161 forward, however it is acknowledged that in the longer term further review will be undertaken as a part of the process.

#### **Para 6.1.11 fourth para (original)**

The SHLAA model also indicates that there is the potential for 1010 dwellings (equating to 27.7ha of land) that could be developed within years 6-10 and 3,603 dwellings (equating to 100ha of land) that could be developed within 11-15 years from the time of the SHLAA being undertaken. The SHLAA therefore shows that based on the regionally determined annual housing figure (of 161/yr), there is approximately 62 years supply of residential land available in the borough that is deliverable and developable over the 15-year period. 54%<sup>1</sup> of this is deliverable and is therefore included within the 5-year land supply. The model showed that at the planned target of 161 dwellings per year there is ample scope to identify the most suitable sites to deliver housing in the area.

#### **Para 6.1.11. fourth para (amended)**

The SHLAA model also indicates that there is the potential for 1010 dwellings (equating to 27.7ha of land) that could be developed within years 6-10 and 3,603 dwellings (equating to 100ha of land) that could be developed within 11-15 years from the time of the SHLAA being undertaken. The SHLAA therefore shows that based on the regionally determined annual housing figure (of 161/yr), there is approximately 62 years supply of residential land available in the borough that is deliverable and developable over the 15-year period. 54%<sup>1</sup> of this is deliverable and is therefore included within the 5-year land supply. It should be emphasised that the SHLAA is a survey of theoretical potential housing land not a statement of actual planned sites and that the theoretical 62 years supply is well above what will actually be needed to address actual evidenced housing numbers". The model showed that at the planned target of 161 dwellings per year there is ample scope to identify the most suitable sites to deliver housing in the area.

## 2.2 HOUSING BALANCE KEY STATEMENT

J Dixon Planning	Strategic Housing Market Assessment (SHMA) and Housing Needs surveys need to be up to date.
Lancashire County Council Properties	Understanding of housing must include specialist housing needs eg extra care, supported living and adaptation of properties
Cllr Ribble Valley Borough Council	Need to balance provision for young and old. Small sites of less than 10 units will keep major builders at bay
Resident 1	Empty properties and second homes must be taken into account when calculating provision
Resident 2	The only true local need is that for low cost accommodation for young families within the village

### **Discussion and Suggested Changes to Policy**

Para 6.1.6 could be amended to acknowledge the point made by LCC thus-

**" A mix of housing which meets all the varying needs of the Ribble Valley has been demonstrated as the most suitable option from the LDF evidence base"**

The second sentence of the same para does take already into account the point made by Dixon Planning regarding updated SHMAs and Housing Needs Surveys and the Key Statement itself also mentions the use of updated Housing Needs Surveys.

Regarding Resident1's comments these elements are taken into account in the housing provision calculations. Resident 2's comments are reflected in the local connections mentioned within the Affordable Housing statements and Development Management policies.

No changes are proposed for the Key Statement itself.

### **Housing Balance Key Statement (original) No change proposed**

Planning permission will only be granted for residential development providing that it can be demonstrated that it delivers a suitable mix of housing that accords with the projected future household requirements and local need across the Ribble Valley as a whole as evidenced by the Strategic Housing Market Assessment.

Determination of planning applications for residential development will be informed by the most recent Housing Needs Survey, the Memorandum of Understanding on Affordable Housing and the most recent adopted Strategic Housing Market Assessment to identify the type, tenure and size of residential dwellings required at different locations throughout the borough.

### **Para 6.1.6 (original)**

A mix of housing which meets the needs of the Ribble Valley has been demonstrated as the most suitable option from the LDF evidence base. The identified need, and projection of future need, will be informed by the SHMA and subsequent updates.

The most recent SHMA and Housing Needs Survey should always be used in determining if the proposed development meets the identified need

**Para 6.1.6 (amended version)**

A mix of housing aimed at addressing the various different needs of local people in Ribble Valley has been demonstrated as the most suitable option from the LDF evidence base. The identified need, and projection of future need, will be informed by the SHMA and subsequent updates. The most recent SHMA and Housing Needs Survey should always be used in determining if the proposed development meets the identified need

The issue of Local Needs Housing is currently being considered and additional information will be presented to Members when this work has been progressed

## 2.3 AFFORDABLE HOUSING KEY STATEMENT

Rapleys	Objects to minimum threshold percentage regarding affordable housing. This should be influenced by viability and the threshold undermines a viability appraisal approach. It could mean a residential development failing to come forward because of a 1 – 2% shortfall. A view should be taken on a site by site basis and dependent on outcome of the viability appraisal.
Huntroyde	Para 6.1.6 Key Statement is too inflexible regarding the 20% affordable housing threshold which could undermine the viability of potential development. This runs counter to Planning Policy PPS3 and affects the overall soundness of this document. The reference to keeping affordable housing affordable in perpetuity should also be applied to housing on Council land at 100% and Right to Buy
Indigo Planning	Approach to a reduction in levy is unduly restrictive and does not take into account other potential planning obligations. The policy should be more flexible and assessment underpinned by viability assessment as per Planning Policy Statement (PPS)3 p 29 and up to date housing needs data.
Ribchester Parish Council	The affordable housing definition should require that there is sufficient employment in the area to sustain those living in them and also that occupiers of such properties are unlikely to be able to commute outside the Borough.
Agent for Duchy of Lancaster (DOL)	The 30% affordable housing threshold should be a target to give flexibility for schemes with marginal viability. The minimum threshold of 20% is too restrictive and should be removed. Open book viability evidence should be basis of any assessment.
Caldecotte	The 20% threshold could render some sites unviable and is contradictory to PPS3 para 29 which states that any decisions on thresholds below an overall target should be based on a viability assessment ie that viability be a principal consideration (PPS3 supporting doc Delivering Affordable Housing para 10)

Note: while not mentioned in consultation responses the revisions made to the Affordable Housing Memorandum of Understanding (AHMU) approved by the Health and Housing Committee of 24 - 3-2011 also relate to this area and have been added to the relevant DM policy DMH1 rather than to this Key Statement.

### **Discussion and Suggested Changes to Policy**

Regarding the reference to the need for sufficient employment to justify affordable housing this position has no national planning policy support.

Regarding the position on thresholds and viability this is mentioned in the fourth paragraph of the statement as a part of the calculations but only in relation to the 20% threshold. A general sentence has been added to the Statement to help to clarify this issue thus-

**“The Council will use open book viability assessments within its consideration of affordable housing provision”**

In addition the comment regarding the 20% threshold being contrary to PPS3 para 29 is not accepted. Local evidence indicates that this threshold is viable and the importance of viability assessments as considerations in affordable housing has already been stated.

#### **Affordable Housing Key Statement (original)**

Affordable housing is broadly defined as that which is **accessible** to people whose income does not enable them to afford to buy or rent property suitable for their needs in the open housing market.

Within the settlement boundaries of Clitheroe and Longridge, on housing developments of 10 units or more dwellings (or sites of 0.5 hectares or more, irrespective of the number of dwellings) an element of affordable, local needs housing will be required on all schemes. The Council will seek affordable housing provision at 30% of units on the site.

In all other locations in the borough, on developments of 5 or more dwellings (or sites of 0.2 hectares or more irrespective of the number of dwellings) the council will require 30% affordable units on the site.

The Council will only consider a reduction in this level of provision, to a minimum of 20% only where supporting evidence, including a viability appraisal fully justifies a lower level of provision to the council's satisfaction.

All affordable housing provided must be made available to those in housing need and will remain affordable in perpetuity.

Developers will be expected to provide affordable housing on site as part of the proposed development unless Ribble Valley Borough Council and the developer both agree that it is preferable to make a financial or other contribution towards the delivery of affordable housing on another site.

#### **Affordable Housing (amended version)**

Affordable housing is broadly defined as that which is accessible to people whose income does not enable them to afford to buy or rent property suitable for their needs in the open housing market.

Within the settlement boundaries of Clitheroe and Longridge, on housing developments of 10 units or more dwellings (or sites of 0.5 hectares or more, irrespective of the number of dwellings) an element of affordable, local needs housing will be required on all schemes. The Council will seek affordable housing provision at 30% of units on the site.

The Council will use open book viability assessments, provided at the developer's cost, within its consideration of affordable housing provision

In all other locations in the borough, on developments of 5 or more dwellings (or sites of 0.2 hectares or more irrespective of the number of dwellings) the council will require 30% affordable units on the site.

The Council will only consider a reduction in this level of provision, to a minimum of 20% only where supporting evidence, including a viability appraisal, fully justifies a lower level of provision to the council's satisfaction.

All affordable housing provided must be made available to those in housing need and will remain affordable in perpetuity.

Developers will be expected to provide affordable housing on site as part of the proposed development unless Ribble Valley Borough Council and the developer both agree that it is preferable to make a financial or other contribution towards the delivery of affordable housing on another site.

#### **2.4 GYPSY AND TRAVELLER ACCOMMODATION KEY STATEMENT**

(No comments were made about this Key Statement and therefore it remains unchanged)

##### **Gypsy and Traveller Accommodation Key Statement (original)**

The Council will identify as appropriate, sites to meet the needs of Gypsy and Travellers based upon up to date Gypsy and Traveller Accommodation Needs Assessment.

Specific sites to meet the identified need will be included within the Housing and Economic Development DPD.

### 3. ECONOMY CHAPTER

#### 3.1 BUSINESS AND EMPLOYMENT DEVELOPMENT KEY STATEMENT

Wildlife Trust for Lancashire (WTL)	Make reference to SuDs (see earlier comment)
Natural England	Include reference to the natural environment making a contribution to economic benefits and the visitor economy ( this dealt with in Key Statement regarding the Visitor Economy)
Environment Agency (EA)	Made point in the Housing Provision section (see earlier) that brownfield land can be re-used for not just employment uses. Also note that biodiversity values of brownfield can be high and that this must be taken into account
Pendle Borough Council	Remove reference to Nelson in 7.1.8
Resident 1	Roads can't cope. Whalley's infrastructure can't handle any more business development
North West Regional Development Agency (NWRDA)	<p>Need to establish the scale of employment land provision over the plan period.</p> <p>Clarify the position of the Samlesbury site as a "strategic employment site" in this Core Strategy see para 7.1.4.</p> <p>Emphasises the NWRDA's Board of July 2009 quoting its possible uses for aerospace and advanced manufacturing, sector specific research, skills development and related R and D and specialist suppliers. Regards Planning Policy Statement (PPS)12 as suggesting this position on strategic sites. It should be regarded as and referred to as a Strategic Employment Site and this position should align with S Ribble/Central Lancs Core Strategy to give a consistent approach.</p>
Gladman	Last sentence should acknowledge that more efficient land use of existing employment areas that come available for development can both allow more job creation on smaller sites and free land up for other uses (such as housing)
Indigo Planning	<p>Make clear how much employment land is needed and how it might be accommodated ie not through an area of search approach.</p> <p>7.1.4 Proposes a split of employment land across the Key Service Centres taking the Employment Land review suggested overall employment land supply figure and splitting this across Clitheroe, Longridge etc)</p> <p>Also mention the Planning Policy Statement (PPS)4 position on the general flexibility of land provision across a range of employment uses aside from traditional B uses</p>

Lancashire County Council Planning	7.1.4 should specifically recognise the BAE Samlesbury site as a regionally significant investment location
Wiswell Parish Council	Agrees with Key Statement but "within land restrictions as for housing". (This is assumed to relate to directing provision to Key Service Centres and not extending development in the Barrow area (as mentioned earlier in housing comments))
BNP Paribas -representing Samlesbury BAE	<p>Allow for future expansion as a cluster of knowledge based advanced manufacturing Centre of Excellence. Current policy does not encourage this. Samlesbury site should be excluded from Green Belt. (Note; the site is not in the RVBC greenbelt- it's in South Ribble's)</p> <p>Objects to statement that employment land be made available for the health of the local economy and that the brownfield priority is limiting the approach to a regionally significant site. Also cites Planning Policy Statement (PPS)4 policy EC2 "support existing business sectors" and also feels that this policy supports the expansion of clusters of important employment such as Samlesbury. Suggests a change to the Key Statement wording thus (new text in red)-</p> <p>"to include...given the use of appropriate brownfield sites <b>and the expansion of existing strategic employment sites</b>, to deliver... reuse, <b>and expansion</b> of existing employment sites"</p> <p>Again emphasises that Samlesbury should be regarded as a Strategic Employment Site.</p>
Theatres Trust	After acknowledgement of cultural businesses in 7.1.2 expected to see a suitable policy to protect/enhance locally important cultural venues. New developments should include plans for cultural facilities.
Cllr – Ribble valley Borough Council	Small employment sites needed on village edges
Preston City Council AND South Ribble District Council-	Align approach with Central Lancs Core Strategy in defining Samlesbury as a Strategic Employment Site
Duchy of Lancaster (DOL)	High quality and well designed small scale (or live/work) development would encourage economic activity. Key Statement needs to recognise that greenfield sites in settlements offer opportunities for economic development
Highways Agency (HA)	Any new development sites which could generate a material increase in traffic should be supported by a comprehensive Transport Assessment and Travel Plan where necessary.
Caldecotte	Suggests that paras 7.13 and 7.1.4 should be amended in that the broad locations of employment development (Clitheroe, Longridge and Whalley) do not match the sites suggested within



	the Employment Land study, which is a part of the evidence base. Suggests that 7.1.4 be amended to include reference to the A59 corridor in addition to the three settlements as this better reflects the Employment Land Study evidence.
Colliers	Reference should be made to the sites mentioned in the Employment Land Study to balance the presentation of the Housing options
JWPC – Fort Vale	Withdraw Green Belt designation from part of the Fort vale site near Simonstone Also recognise that site as part of an business conglomerate together with adjacent sites in Burnley and Hyndburn
Resident 2	Business development in Whalley will not be possible without better infrastructure

### Discussion and Suggested Changes to Policy

The reference to Sustainable drainage systems is better placed within the Sustainability Key Statement.

The reference to Nelson in 7.1.8 is unnecessary and should be removed

The Natural England reference to the contribution the environment makes to the local economy is already expressed within the Visitor Economy section

The DOL comment referring to Greenfield development within settlements is an implicit possibility within the amended Key Statement in relation to supporting village economies.

EA's comment on brownfield land has been inserted in the earlier housing section. It is unnecessary to specifically mention their possible nature value as this is implicit within the term "appropriate brownfield" and that biodiversity as an issue is addressed through the biodiversity Key Statement.

The comment regarding Whalley's road infrastructure is not particularly relevant to this section but has a bearing on potential housing options.

Gladman's comment on reusing employment sites for other uses is already addressed in the last sentence of the Statement which states that some employment sites can be used for other uses if it can be demonstrated that this would not affect the local economy.

Wiswell comment is of uncertain relevance. This could be regarded as stating that employment land should be developed within a formal allocations procedure. If this is correct then this is the intention of the forthcoming Housing and Economic Development DPD.

Councillor's comment is already catered for in the third para of the Statement regarding strengthening the rural economy but further text could be added relating to villages as at present the Statement could be read as just relating to farm diversification and town centres. This additional text could be:

**" Developments that contribute to farm diversification, strengthening of the wider rural and village economies or that promote..."**

Reference to cultural businesses is mentioned, as Theatres Trust say, in 7.1.2. Cultural businesses are implied within any reference to the economy, as is suggested suggest in 7.1.2. They go further and ask that locally important cultural venues should be protected and also refers to cultural businesses. The response then goes on to request a separate policy to protect and enhance locally important cultural venues and facilities, with provision for improved facilities to ensure the health and wellbeing of the population. They also suggest that cultural venues should also be included within new development.

Cultural facilities are acknowledged within 8.1.7 (Culture and Heritage bullet) as matters appropriate for planning obligations, indicating that the Council will look to enhance such facilities where appropriate and possibly within new development. There is no national planning policy position that would underpin a specific policy to protect cultural venues and we are not aware of this as an issue from our consultations.

Indigo and NWRDA both ask that the scale of future employment land provision (assumed to be actual hectares) is stated. PPS4 EC5.5 suggests that a 5 year supply figure be placed into our plans, but this would seem more appropriate to the forthcoming Housing and Economic Development DPD. The Council currently has an Employment Land and Retail Assessment that states an employment land figure of 6 ha for the period 2008 to 2018, though not for the whole plan period. In principle this figure should be stated together with the relevant timeframe as a minimum or we could uprate this pro rata, this would indicate for a 15 year period starting in 2012 that this would be a minimum of 9 ha for the period 2012 to 2027.

Indigo's apportionment of the evidenced employment land requirement across the main settlements is unnecessary at this stage and not supported by our evidence base in terms of available sites and broader locational considerations. Such matters are better placed within the forthcoming Housing and Economic Development DPD and any associated allocations.

LCC, NWRDA, Preston, S Ribble and BNP Paribas all support the emphasis of the Samlesbury site as a key employment site. Given this and its emphasis within sub regional economic strategies it should be acknowledged in the Key Statement, not just in 7.1.4. PPS 12 Local Spatial Planning paras 4.6 and 4.7 states that Strategic Sites that are central to the delivery of the strategy can be mentioned within the Core Strategy.

HA's comments are better addressed within the Transport Considerations Key Statement below.

Suggested text within the Key Statement itself is –

"The Council considers, in line with neighbouring authorities and other bodies, that the BAe Samlesbury site should be regarded as a regionally significant employment site with considerable potential to accommodate a variety of advanced knowledge based industries in the future."

Also within existing para 2 the wider economy could be acknowledged thus-

"New sites will be identified in accord with.....where the health of the local and, in relevant cases, the wider economy supports such releases."

Need to make the same point in the first para-

"Land will .....to support the health of the local, and in relevant cases, the wider economy."

Paribas's explicit statement about allowing the general expansion of existing employment sites without caveat is not possible given the many other considerations such a policy should inevitably involve but there is an important point here about addressing current businesses and their expansion needs. This could be addressed thus.

"The expansion of existing businesses will wherever appropriate, be considered favourably."

Regarding Collier's point about employment sites as the Core Strategy is a strategic document it is inappropriate to mention specific employment sites (other than possibly Regionally Significant Sites such as Samlesbury, which is specifically mentioned later above) at this stage. These are more appropriately mentioned within other DPDs, including the forthcoming Housing and Economic development DPD. Also, while not illustrating areas of search for employment land we do indicate the broad areas that would be preferable ie the main settlements, which accords with overall planning policy.

The JWPC comment regarding the Fort Vale site is more appropriate at the forthcoming Housing and Economic Development DPD which will deal with specific sites. The concept of a business zone crossing three authorities is interesting and could be explored further.

Resident 2's point regarding infrastructure is considered within the planning obligations statement which points to the need to use development to secure necessary infrastructure rather than just add to current problems.

#### **Business and Employment Development Key Statement (original)**

Land will be made available for employment use in order to support the health of the local economy and sustainable job creation. In considering the development of land for economic development and in determining where this land will be located, priority will be given to the use of appropriate Brownfield sites to deliver employment-generating uses including a preference for the re-use of existing employment sites before alternatives are considered.

New sites will be identified in accord with the development strategy where the health of the local economy support such release. Opportunities to identify land as part of appropriate mixed-use schemes within any strategic land release will be considered favourably.

Developments that contribute to farm diversification, strengthening of the rural economy or that promote town centre vitality and viability will be supported in principle.

Proposals that result in the loss of existing employment sites to other forms of development will need to demonstrate that there will be no adverse impact upon the local economy.

### **Business and Employment Development (amended version)**

The Council, in line with the evidence it has gathered, will aim to allocate an additional 9 hectares of land for employment purpose in appropriate and sustainable locations during the lifetime of this plan.

Land will be made available for employment use in order to support the health of the local economy and wider sustainable job creation. The expansion of existing businesses will, wherever appropriate, be considered favourably.

In considering the development of land for economic development and in determining where this land will be located, priority will be given to the use of appropriate Brownfield sites to deliver employment-generating uses including a preference for the re-use of existing employment sites before alternatives are considered.

New sites will be identified in accord with the development strategy where the health of the local and, in relevant cases, the wider economy support such release. Opportunities to identify land as part of appropriate mixed-use schemes within any strategic land release will be considered favourably.

Developments that contribute to farm diversification, strengthening of the wider rural and village economies or that promote town centre vitality and viability will be supported in principle.

Proposals that result in the loss of existing employment sites to other forms of development will need to demonstrate that there will be no adverse impact upon the local economy.

The Council considers, in line with neighbouring authorities and other bodies, that the BAe Samlesbury site should be regarded as a regionally significant employment site with considerable potential to accommodate a variety of advanced knowledge based industries in the future.

#### **Para 7.1.4 (original)**

The areas of Clitheroe, Longridge and Whalley would be the preferred locations for new employment development (excluding rural and home based employment which are district wide). The potential for appropriate land to be brought forward as part of strategic land releases will also be considered particularly where this will contribute to greater sustainability. Growth at the BAe Samlesbury site is anticipated to grow as a regionally significant site over the plan period and this will also provide an opportunity for economic growth in the wider Ribble Valley.

#### **Para 7.1.4 (amended version)**

The larger settlements of Clitheroe, Longridge and Whalley would be the preferred locations for new employment development (excluding rural and home based employment which are district wide). It is recognised that suitable locations that are well related to the A59 corridor will also have the potential to deliver economic growth through the delivery of appropriate sites. The potential for appropriate land to be brought forward as part of strategic land releases will also be considered particularly where this will contribute to greater sustainability. Growth at the BAe Samlesbury site is anticipated to occur given that it is a regionally significant site. This will also provide an opportunity for wider economic growth in Ribble Valley over the plan period.

### Para 7.1.8 (original)

Despite the findings around retention of spend overall, Whalley was shown to be the best performing centre in terms of vitality and viability; Longridge seems to be doing less well. Clitheroe, however, was identified as showing early signs of decline. This will be important to address relatively quickly if the centre is to provide a strong service centre function. Particular concerns identified by retailers, amongst other things was a lack of national retailer representation as an attraction within the town. As such, this will continue to place Clitheroe at a disadvantage to the retail economies of neighbouring centres such as Preston, Blackburn, Burnley, Accrington and Nelson.

### Para 7.1.8 (amended)

Despite the findings around retention of spend overall, Whalley was shown to be the best performing centre in terms of vitality and viability; Longridge seems to be doing less well. Clitheroe, however, was identified as showing early signs of decline. This will be important to address relatively quickly if the centre is to provide a strong service centre function. Particular concerns identified by retailers, amongst other things was a lack of national retailer representation as an attraction within the town. As such, this will continue to place Clitheroe at a disadvantage to the retail economies of neighbouring centres such as Preston, Blackburn, Burnley and Accrington.

## **3.2 DEVELOPMENT OF RETAIL, SHOPS AND FACILITIES KEY STATEMENT**

Pendle Borough Council	Make reference to supporting retail in smaller settlements – vital for isolated rural areas
J Dixon Planning	Para 7.1.9 should recognise Whalley as a Key Service Centre
Theatres Trust	Comments general to town centres, retail and commercial and leisure-  P39 Key Statement appears only to relate to retail functions - cultural and leisure venues can help underpin and secure neighbourhood identity. Follow Planning Policy Statement (PPS)4 approach to enhancing town centre vitality
Colliers	The wording does not accommodate for the need for additional facilities should a strategic sites approach be taken.

### **Discussion and Suggested Changes to Policy**

Regarding Collier's comment, this matter is implied within the policy wording, a specific mention of a strategic sites related approach above other options would be misleading here.

Regarding J Dixon's point para 7.1.9 already refers to Whalley as a town centre and the Key Statement refers to it as a service centre.

Pendle make a point regarding supporting retail outside the town centres. Given this suggested additions within the statement about supporting retail in the villages could be –

“The Council will also continue to require evidence that much needed smaller retail and other facilities in the more rural parts of the area are no longer viable before considering other forms of use.”

Also Theatres Trust’s point that cultural and leisure facilities are also town centre functions and can underpin and support the vitality of town centres, and therefore their retail cores, should be considered. At present they may be interpreted as falling within the term “facilities”. A further sentence in the statement could be included relating to vibrancy thus–

“Development which supports and enhances the vibrancy, consumer choice and vitality and unique character of the area’s important retail and service centres will be supported in principle”

#### **Development of retail, shops and facilities Key Statement (original)**

Development that supports the retail function of the service centres of Clitheroe, Longridge and Whalley will be supported in principle. The council will put in place detailed development plans as appropriate to provide a strategic framework to guide the future development of the centres and support appropriate sustainable growth.

#### **Development of retail, shops and facilities (amended version)**

Development that supports and enhances the vibrancy, consumer choice and vitality and unique character of the area’s important retail and service centres of Clitheroe, Longridge and Whalley will be supported in principle.

The council will put in place detailed development plans as appropriate to provide a strategic framework to guide the future development of the centres and support appropriate sustainable growth

The Council will also continue to require robust evidence that much needed smaller retail and other facilities in the more rural parts of the area are no longer viable before considering other forms of use.

### **3.3 VISITOR ECONOMY KEY STATEMENT**

Pendle Borough Council	Does this go far enough in terms of Planning Policy Statement (PPS)4?
Ribchester Parish Council	Tourism development should sit comfortably within and benefit the host community, it should not create traffic or other problems. Ribchester’s heritage tourism does not benefit the locality, neither do the local caravan parks and bridle path accommodation
Agent for Duchy of Lancaster (DOL)	Some rural conversion of underutilised farm buildings better suited to residential and shouldn’t be prohibited.

### **Discussion and Suggested Changes to Policy**

In relation to the Ribchester comment all new development, including that relating to tourism, will need to be appropriate to the area, and proposals will be considered in the light of this document's Strategic statements and Development Management policies to ensure that there is no unacceptable impact.

In relation to the DOL comment, the mention of conversion to residential is beyond the scope of this particular economy related Key Statement. In addition there are relevant Development Management policies that deal with this issue below (see DMH3 and DMH4).

Pendle's comment about PPS4 is a little unclear. This could possibly relate to PPS4 policy EC7 Tourism in Rural Areas. However the statement does not forbid a new tourism development that is not related to an existing facility.

Also LCC's comments in general comments at the head of this document are adequately addressed within the statement and its associated explanation.

Given the above it is considered that there is no need to amend this statement.

### **Visitor Economy Key Statement (original) No change proposed**

Proposals that contribute to and strengthen the visitor economy of Ribble Valley will be encouraged, including the creation of new accommodation and tourism facilities through the conversion of existing buildings or associated with existing attractions. Significant new attractions will be restricted, except in circumstances where they would deliver overall improvements to the environment and benefits to local communities and employment opportunities.



## 4. DELIVERY MECHANISMS CHAPTER

### 4.1 PLANNING OBLIGATIONS KEY STATEMENT

J Dixon Planning	8.1.10 should emphasise that planning obligations should only be used if conditions cannot be correctly framed. Planning Inspectorate conditions model could be used or referred to.
Wildlife Trust for Lancashire (WTL)	<p>8.1.7 should also include provision for Accessible Natural Greenspace (see Natural England's ANG standards (he details them in bullets).</p> <p>Contributions to ANG through obligations should be made under the biodiversity or open space heads or a separate heading. Recommends under Open Space (8.1.10). States that this is a responsibility under the NERC Act 2006.</p> <p>8.1.10 contribution to Flood Defence now a statutory requirement under Flood and Water Management Act 2010 so add flood defence to the list of priority obligations</p> <p>(Also p 50 diagram under "Biodiversity Baseline" respondent wishes to view it)</p>
Sport England (SE)	<p>Assumes the statement on Open Space refers to all types of Open Space – may need to clarify this.</p> <p>Seek funding for Open Space if current provision is inadequate or under threat on quality of quantity</p> <p>Our ability to negotiate on open space provision is limited by absence from evidence base of a Planning Policy Guidance (PPG)17 compliant audit of local open spaces.</p>
Natural England	<p>8.1.2 Government Office in the North West is now abolished therefore amend.</p> <p>8.1.7 amend to "biodiversity and geodiversity"</p>
English Heritage	8.1.7 culture and heritage not on priority list of obligations. Feels that there will be occasions when a contribution towards conservation of local environment would be appropriate
Pendle Borough Council	<p>Community Infrastructure Levy (CIL) Regulations of 6-4-10 take use of Section 106 Agreements back to the original intention of mitigating the impact of a development. Need to acknowledge this, as this document seems to state that S106 are the only mechanism to obtain infrastructure contributions</p> <p>Should acknowledge Government's intention to move to a developer tariff system.</p> <p>Infrastructure gains must include Green Infrastructure (GI). NERC Act requires the conservation of biodiversity and therefore both GI and</p>



	biodiversity should be high on obligations agenda but are not specifically mentioned despite statements in the Core Strategy about local high quality environments.
Huntroyde	Agrees with obligations priorities but all needs to be flexibly applied to individual sites and not cut across viability . There should also be a clawback of Section 106 funds if they are not spent in due time. Also requiring applicant to fund Local Planning Authority's valuation should be qualified as being at a reasonable cost.
Lancashire County Council Planning (LCC)	8.1.10 obligations involve a number of Lancashire County Council responsibilities, there should be flexibility in determining priorities 8.1.2 should list Lancashire Partnership and emphasise that Joint Lancashire Structure Plan policy 29 is saved, which relates to Gypsy and Traveller accommodation.
Agent for Duchy of Lancaster	Priorities should be assessed on a site by site basis eg in relation to major highways
Rapleys	Feels wording here re viability is more flexible than similar situation in the Affordable Housing Key Statement and that they should have the same meaning.
Indigo Planning	Priorities should allow more flexibility on affordable housing, education etc . The order of priority should change according to the development, eg schools would be a higher priority in Whalley over Affordable Housing housing
Cllr Ribble valley Borough Council	Put a charge on new housing when first sold to fund affordable housing

### Discussion and Suggested Changes to Policy

Several comments refer to the need for more flexibility in the priority obligations within the Key Statement.

The Rapley comment regarding the text relating to Affordable Housing (AH) being apparently more flexible than it is within the separate AH Key Statement possibly refers to the lack of a mention to the AH thresholds here though it is unclear. This could be addressed through adding the following to the statement.

**"Affordable Housing (also taking into consideration the detailed Affordable Housing Statement mentioned above)."**

Also in the explanation within para 8.1.11 there could be a mention of the Government's intention to move to a tariff based system and also the intention to draw S106s back to original purpose as a part of the Community Infrastructure Levy (CIL) debate. Possibly indicate this more usefully in 8.1.6 where the CIL is already referred to. –

" It should also be borne in mind that it is currently the Government's intention to move towards a development tariff system but that the exact details of this are yet to be fully clarified."

8.1.2 should include mention of the Lancashire Partnership as suggested and withdraw ref to GONW

8.1.7 Amend to "biodiversity and geodiversity".

LCC refer to saved Joint Lancashire Structure Plan policy 29 "Sites for Gypsy and Traveller Families" and it is assumed that its mention here relates to the possible need for planning contributions for this matter. This policy was saved pending the now defunct partial review of the RSS.

Regarding WTL's reference to Flood Defences obligations is presumably to its inclusion within the priority list of obligations, as this issue is mentioned in the list of appropriate matters within para 8.1.7. Environment Agency does not think that we have a duty to ask for Flood Defence obligations as a priority issue under the 2010 Flood and Water Management Act but that it could be dealt with as it arises on a site by site basis.

Regarding SE's reference to Open Space typologies it may be appropriate to refer to them in 8.1.7 thus-

"Open Space, including all typologies of recreation, sport, leisure and potentially allotments"

Also SE state that our ability to seek obligations relating to Open Space is limited as we do not have a Planning Policy Guidance (PPG) 17 "Planning for Open Space, Sport and Recreation" -compliant audit (PPG17 para 10 and also see their comment on DMG1). It is considered that there is sufficient local information to adequately deal with this matter within wider obligations negotiations. Any further detail may be the subject of a Supplementary Planning Document if necessary.

Regarding the Accessible Natural Greenspace (ANG) issue WTL mention, (and is also mentioned elsewhere in the Biodiversity – Sustainability statements by Natural England). ANG is defined within Natural England's "Nature Nearby" document as a very broadly defined range of formal and informal natural spaces. The same document defines a series of standards for accessibility to these spaces which have no formal statutory force. WTL is correct in linking this concept to a combination of the more established biodiversity and open space bullets within para 8.1.7. While the ANG concept could be argued to be useful within more urban circumstances it is argued that this Borough, with its wealth of accessible countryside and statutory and other biodiversity sites can deliver similar standards as the ANG standards within current obligations negotiations under the biodiversity and open space headings already present. It should also be mentioned that biodiversity protection and enhancement, another element of ANG, is specifically mentioned under the Biodiversity Key Statement.

Given the above amendment to the Key Statement are shown below together with the amendments to paras 8.1.2, 8.1.6 and 8.1.7 are shown below.

### **Planning Obligations Key Statement (original)**

Planning Obligations will be used as a mechanism to deliver development that contributes to the needs of local communities and sustainable development. Contributions can either be in kind or in the form of financial contribution with a clear audit trail of how any monies will be spent and in what time frame.

Obligations will be negotiated on a site-by-site basis. The council has resolved to seek contributions in the following order of priority:

Affordable Housing

Improvements required for highway safety that cannot be covered by planning condition or S278 Agreement

Open Space

Education

Where there is a question of viability the council will require an open book approach to be taken when agreeing development costs, and developers will be required to meet the Council's costs for independent evaluation.

### **Planning Obligations (amended)**

Planning Obligations will be used as a mechanism to deliver development that contributes to the needs of local communities and sustainable development. Contributions can either be in kind or in the form of financial contribution with a clear audit trail of how any monies will be spent and in what time frame.

Obligations will be negotiated on a site-by-site basis. The council has resolved to seek contributions in the following order of priority:

Affordable Housing (also taking into consideration the detailed Affordable Housing Key Statement )

Improvements required for highway safety that cannot be covered by planning condition or S278 Agreement

Open Space

Education

Where there is a question of viability the council will require an open book approach to be taken when agreeing development costs, and developers will be required to meet the Council's costs for independent evaluation. The Council will develop, as appropriate, a Community Infrastructure Levy approach to infrastructure delivery.

### **Para 8.1.2 (original)**

In terms of delivery, The Council will lead the implementation of the Core Strategy, however this cannot be done in isolation from other services and service providers. Others that may be involved in the implementation include:

- The Ribble Valley Local Strategic Partnership
- Individuals, land-owners and private developers
- Parish Councils
- Community Groups
- Lancashire County Council
- Regenerate (the Pennine Lancashire Development Company)
- PLACE (the partnership of Pennine Lancashire authorities)

- Relevant government departments and agencies such as, GONW, the Environment Agency, the Highways Agency, Natural England and English Heritage
- Statutory Undertakers (gas, water, sewerage, electricity, telecommunications) and Public Transport Operators

**Para 8.1.2 (amended)**

In terms of delivery, The Council will lead the implementation of the Core Strategy, however this cannot be done in isolation from other services and service providers. Others that may be involved in the implementation include:

- The Ribble Valley Local Strategic Partnership
- Individuals, land-owners and private developers
- Parish Councils
- Community Groups
- Lancashire Partnership
- Lancashire County Council
- Regenerate (the Pennine Lancashire Development Company)
- PLACE (the partnership of Pennine Lancashire authorities)
- Relevant government departments and agencies such as, the Environment Agency, the Highways Agency, Natural England and English Heritage
- Statutory Undertakers (gas, water, sewerage, electricity, telecommunications) and Public Transport Operators

**Para 8.1.7 (original)**

Matters appropriate for Planning obligation contributions can include:

- Affordable housing
- Flood Defence
- Biodiversity (habitat creation and protection)
- Open space (including sport, leisure and potentially allotments)
- Regeneration initiatives
- Public realm and public art schemes
- Transport
- Libraries
- Children Centres
- Minerals and Waste Developments
- Countryside Access
- Natural Heritage
- Crime and Disorder
- Culture and Heritage
- Education
- **Utilities**
- Health and waste management
- Inland waterways
- Youth and Communities
- **Landscape Character and Design**

### **Para 8.1.7 (amended)**

Matters appropriate for Planning obligation contributions can include:

- Affordable housing
- Flood Defence
- Biodiversity (habitat creation and protection) and Geodiversity
- Open space (including all typologies of sport, leisure, green infrastructure and potentially allotments)
- Regeneration initiatives
- Public realm and public art schemes
- Transport
- Libraries
- Children Centres
- Minerals and Waste Developments
- Countryside Access
- Natural Heritage
- Crime and Disorder
- Culture and Heritage
- Education
- Utilities
- Health and waste management
- Inland waterways
- Youth and Communities
- Landscape Character and Design

### **Para 8.1.6 (original)**

It is anticipated that planning obligations will become widely used under the plan, as identified in the development strategy as a key delivery tool. Given the current uncertainty around the Proposed Community Infrastructure Levy it is considered more appropriate to look to the system of planning obligations to secure the necessary infrastructure that will be required to enable development to be accommodated. These will be used in order to deliver the services and improvements associated with new development. Planning applications will ensure that developers will contribute to these necessary improvements as part of the application process.

### **Para 8.1.6 (amended)**

It is anticipated that planning obligations will become widely used under the plan, as identified in the development strategy as a key delivery tool. It is considered more appropriate to look to the system of planning obligations to secure the necessary infrastructure that will be required to enable development to be accommodated. These will be used in order to deliver the services and improvements associated with new development. Planning applications will ensure that developers will contribute to these necessary improvements as part of the application process. However it should also be borne in mind that it is currently the Government's intention to move towards a development tariff system or Community Infrastructure Levy based approach but that the exact details of this are yet to be fully clarified. The Council is currently considering this as a means of delivering necessary infrastructure.

## **4.2 TRANSPORT CONSIDERATIONS**

Wiswell Parish Council	Significant highway improvements are needed, little evidence of a move away from the car
Ribchester Parish Council	Remove "wherever possible". New development should have to prove that they can provide a convenient link to public transport
Natural England	Should go further by committing to an improved quality and viability of public transport and would like to see targets or minimum standards
Lancashire County Council Planning (LCC)	Reference to Chatburn and Gisburn railway station sites should be without prejudice to the forthcoming Local Transport Plan
Preston City Council	Concerns about possible congestion on Preston's roads near Longridge eg Broughton
Highways Agency (HA)	Need to include reference to the need for a Transport Assessment to accompany planning applications, see last part of this statement.
LCC 2	Important to recognise that in order to support older people who live in rural villages an element of transport will be needed outside the main settlements

### **Discussion and Suggested Changes to Policy**

There is no national policy support to insist on a statement that all development must under all circumstances conform to public transport supply.

The policy and the more extensive national policies that underpin the statement are designed to try to reduce car travel in general and are therefore aimed at the overall reduction of pressure on the road system. In that sense the policy will help to address problems in areas such as Broughton.

The statement also does state that new development should have convenient links to public transport.

Also mention could be made within a justification para that could head this statement that the Core Strategy and this Key Statement sits within other important developing plans such as LTP3 eg regarding the point made by the County Council relating to the Chatburn and Gisburn station site statement.

Also an introductory para before this statement defining LCC's role re public transport might address Natural England's point.

The HA comment could be regarded as already effectively included within the last paragraph of the Statement.

Regarding LCC 2's point the policy emphasises the intention wherever possible to tie new development to sustainable transport options. The authority will work with other

relevant bodies to develop convenient links to public transport, not just in the main settlements but throughout the Borough.

Given the above it is not considered that this statement requires change but that an additional short explanatory paragraph could be added.

**Transport Considerations Key Statement (original) No change proposed**

New development should wherever possible be located to minimise the need to travel. Also it should incorporate good access by foot and cycle and have convenient links to public transport to reduce the need for travel by private car.

In general schemes offering more sustainable means of transport will be supported. Sites for potential future railway stations at Chatburn and Gisburn will be protected from inappropriate development.

Major applications should always be accompanied by a comprehensive travel plan.

**Suggested new para 8.1.12 (A) to be inserted between current paras 8.1.11 and 8.1.12**

The Council acknowledge that other bodies, such as Lancashire County Council as the relevant highway authority for the area, will be developing a Local Transport Plan over the next few years and that its accompanying Implementation Plans will have a bearing on the Borough. Comments within the Key Statement regarding such matters as the potential future railway station sites are made without prejudice to these plans The Council will continue to pursue the best transport solutions for the area through liaison with relevant bodies and update its evidence base on such matters where relevant.

**4.3 DEVELOPMENT MANAGEMENT KEY STATEMENT**

Natural England	Would like all Development Management policies to be written in a positive way i.e. what is to be encouraged, not what should be stopped/controlled.
Theatres Trust	8.1.15 As Sustainability Appraisal indicated that community infrastructure is a key issue would expect a section on this specifically related to protecting existing infrastructure and creating new.  An appropriate policy should also state that the loss of an existing facility should be resisted unless it is no longer required or is rebuilt elsewhere.  Also a definition of Community Infrastructure should be put in the Glossary and provides a model definition of it  Why not a Community Infrastructure Policy?
Agent for Duchy of Lancaster (DOL)	All DM policies should be in a separate DPD

### **Discussion and Suggested Changes to Policy**

English Nature's comment is understandable in terms of the way planning policies often read but for the purposes of clarity the original formats of the statements are preferred. Also, within the various supporting justifications the document contains many positive comments.

The DOL comment is refuted, it is possible to place Development Management policies within a document such as this rather than in a separate DPD.

The Theatres Trust comment relates to the Sustainability Appraisal (SA) rather than a Key Statement within para 8.1.15. However the SA at this stage of the development of the Core Strategy is only a Scoping Report, with a full SA being required at a later stage. Para 8.1.15 did not indicate that there were any direct issues regarding community infrastructure at this stage and therefore no specific policy is presented here. However, on delivery of the full SA the issue will be considered.

Given the above it is not considered that the Key Statement requires amendment.

### **Development Management Key Statement (original) No change proposed**

To help determine planning applications and deliver the vision and objectives of the Core Strategy, the Council will apply a range of Development Management policies. Key Statements for the Council's Core Development Management Policies are included in the appendices to this Strategy.



## DEVELOPMENT MANAGEMENT POLICIES

### 5. DEVELOPMENT MANAGEMENT KEY STATEMENTS

#### GENERAL

##### 5.1 DMG1 GENERAL CONSIDERATIONS

Sport England (SE)	<p>Concerned at statement "..development must not result in the loss of important green space, including public and private playing fields"</p> <p>This offers less protection than paras 10 and 11 of Planning Policy Guidance (PPG) 17 "Planning for Open Space, Sport and Recreation"</p> <p>Also " on land designated as Essential Open Space development will not be permitted...."</p> <p>Concern over both the above points concerns the view that this could imply that loss could occur where it has not been shown that the site is surplus to need. Conflicts with Planning Policy Guidance (PPG) 17 para 10 which insists on an assessment as to its surplus status.</p> <p>Also document appears to treat Playing Fields as same as other kinds of Open Space whereas PPG17 considers them as different.</p>
English Heritage (EH)	<p>Should include historic environment considerations in same terms as nature conservation mentioned here</p> <p>Refers to EH publication "Building in Context" - the Right Approach section</p>
Environment Agency	<p>Add to bullet point 7 (red refers to new text)</p> <p>"Achieve efficient land use and the re-use and remediation of previously developed sites where possible"</p> <p>also in bullet 6 (additions in red)</p> <p>Consider the environmental implications such as Sites of Special Scientific Interest (SSSIs), County Biological Heritage Sites, Local Nature Reserves, BAP habitats and species, protected species, green corridors and other areas of nature conservation</p> <p>Also suggests a new policy DME6 (See later <u>or amendment to this section</u>, also see DME6) specifically relating to water.</p>
Wildlife Trust for Lancashire	<p>Add flood defence to the list of general considerations (or a new Key Statement for Flood Defence, see also Environment Agency comments)</p>

(WTL)	Also add another bullet referring to Special Protection Areas (SPAs), Special Areas of Conservation (SCAs) and notable habitat species
Pendle Borough Council	No mention made of habitat fragmentation or addressing it
Highways Agency (HA)	Suggests that the following be added <b>"access to public transport and sustainable non motorised movements" to be incorporated alongside the assessment of traffic generation"</b> It is assumed that this relates to bullet 3 in this statement

### Discussion and Suggested Changes to Policy

EAS's changes to existing bullets and possibly amendment to this policy could be added if EA's more extensive comments as a new DME 6 policy are not taken up (see later DME 6) The preferred option is to include a new policy DME 6 as this describes the relevant issue in more detail

WTL's comments on including flood defence here are covered by EA's comments, within the new DME policy mentioned above

Regarding SE's point about playing fields being a distinctly different type of open space, it is made clear by their separate mention that they are a distinctly different kind of open space. The last bullet of the policy has been amended to include a reference to the need for a robust assessment before any change of use. It should be noted that PPg 17 para 10 makes it clear that it is the developer's responsibility to demonstrate that an Open Space is genuinely surplus to need in the absence of a local authority audit. A further amendment to the statement could refer to no net loss of open space.

Pendle's comment is now covered within the Biodiversity Key Statement.

### **KEY STATEMENT DMG1: GENERAL CONSIDERATIONS**

In determining planning applications, all development must:

- Be of a high standard of building design
- Be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials
- Consider the potential traffic and car parking implications
- Ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated
- Consider adequate day lighting and privacy distances
- Consider the environmental implications such as SSSIs, County Heritage Sites, Local Nature Reserves, [Biodiversity Action Plan \(BAP\) habitats and species](#), [Special Areas of Conservation](#) and [Special Protected](#)

Areas, protected species, green corridors and other sites of nature conservation and historic environment value.

- Achieve efficient land use and the re use and remediation of previously developed sites where possible
- Have regard to public safety and secured by design principles
- Consider the density, layout and relationship between buildings, which is of major importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings as well as the effects of development on existing amenities.
- Not adversely affect the amenities of the surrounding area
- Not prejudice future development which would provide significant environmental and amenity improvements.
- Not result in the net loss of important open space, including public and private playing fields without a robust assessment that the sites are surplus to need. On land designated as Essential Open Space, development will not be permitted unless proposals do not compromise the visual quality, openness or recreational value of the site, unless warranted by overriding considerations in the public interest.

In assessing this, regard must be had to the level of provision and standard of public open space in the area, the importance of playing fields and the need to protect school playing fields to meet future needs. Regard will also be had to the landscape or townscape of an area and the importance the open space has on this.

## 5.2 DMG2 STRATEGIC CONSIDERATIONS

### Comment and Discussion and Suggested Changes to Policy

Pendle Borough Council	repeats earlier mention of habitat fragmentation which is now addressed within the Biodiversity Key Statement
resident	Developments should not be on Greenfield locations but near built up areas

Amend last bullet to include Watson's comment.

Resident's comment is supported by government policies which do encourage new development towards existing settlements.

### KEY STATEMENT DMG2: STRATEGIC CONSIDERATIONS

Development should be in accordance with the Core Strategy development strategy and should support the spatial vision.

- Development proposals in defined settlements should Consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement

- Outside the settlement areas development must meet one of the following considerations:
  - The development should be essential to the local economy or social well being of the area
  - The development is needed for the purposes of forestry or agriculture
  - The development is for local needs housing which meets and identified need
  - The development is for small scale tourism or recreational developments appropriate to a rural area
  - The development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated.
  
- Within the Open Countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build.
  
- In protecting the designated Area of Outstanding Natural Beauty the Council will have regard to the economic and social well being of the area. However the most important consideration in the assessment of any development proposals will be the protection, conservation and enhancement of the landscape and character of the area avoiding where possible habitat fragmentation. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build. Development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the AONB by virtue of its size, design, use of material, landscaping and siting.

**5.3 DMG3 TRANSPORT AND MOBILITY**

Highways Agency (HA)	<p>In bullet list bullet 1 should read          “the relationship of the site to the primary road network and the strategic road network”</p> <p>Also reference Guidance of Transport Assessment, Dept for Transport</p>
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**Discussion and Suggested Changes to Policy**

Add the above HA comment to the policy

**KEY STATEMENT DMG3: TRANSPORT AND MOBILITY**

In making decisions on development proposals the local planning authority will, in addition to assessing proposals within the context of the development strategy, attach considerable weight to:

The availability and adequacy of public transport to serve those moving to and from the development

- The relationship of the site to the primary route network [and the strategic road network](#);
- The provision made for access to the development by pedestrian, cyclists and those with reduced mobility;
- Proposals which promote development within existing developed areas at locations which are highly accessible by means other than the private car;
- Proposals which locate major generators of travel demand in existing centres which are highly accessible by means other than the private car;
- Proposals which strengthen existing town and village centres which offer a range of everyday community shopping and employment opportunities by protecting and enhancing their vitality and viability;
- Proposals which locate development in areas which maintain and improve choice for people to walk, cycle or catch public transport rather than drive between homes and facilities which they need to visit regularly;
- Proposals which limit parking provision for developments and other on or off street parking provision to discourage reliance on the car for work and other journeys where there are effective alternatives.

All major proposals should offer opportunities for increased use of, or the improved provision of, bus and rail facilities.

All development proposals will be required to provide adequate car parking and servicing space in line with currently approved standards.

The Council will protect land currently identified on the proposals map from inappropriate development that may be required for the opening of stations at Gisburn and Chatburn.

Any planning application relating to these sites will be assessed having regard to the likelihood of the sites being required and the amount of harm that will be caused to the possible implementation of schemes.

The Council will resist development that will result in the loss of opportunities to transport freight by rail.

This policy recognises that the recent investment in the local railway infrastructure opens up the possibility of carrying more local and long distance freight in a more sustainable way, potentially removing more lorry based traffic from local roads.

[In using this policy reference will be made to Guidance of Transport Assessments, Department for Transport](#)

## ENVIRONMENT

### 5.4 DME1 PROTECTING TREES AND WOODLAND

Pendle Borough Council	Tree Protection Orders (TPOs) – should make reference to making of woodland TPOs
Woodland Trust (WT)	Suggested 5 model policies from other authorities – see photocopy of model policies sent under separate cover)

#### Discussion and Suggested Changes to Policy

RVBC Planning have significantly amended this policy and this amended version is now included in the amended policy below. It also includes consideration of the two points made above.

#### KEY STATEMENT DME1: PROTECTING TREES AND WOODLANDS

There will be a presumption against the clearance of broad-leaved woodland for development proposes. The Council will seek to ensure that woodland management safe guards the structural integrity and visual amenity value of woodland, enhances biodiversity and provides environmental health benefits for the residents of the borough.

Where applications are likely to have a substantial effect on tree cover, the Borough Council will require detailed arboricultural survey information and tree constraint plans including appropriate plans and particulars. These will include the position of every tree on site that could be influenced by the proposed development and any tree on neighbouring land that is also likely to be with in influencing distance and could also include other relevant information such as stem diameter and crown spread.

The Borough Council will ensure that:

- The visual, botanical and historical value, together with the useful and safe life expectancy of tree cover, are important factors in determining planning applications. This will include an assessment of the impact of the density of development, lay out of roads, access points and services on any affected trees.
- That a detailed tree protection plan is submitted with appropriate levels of detail
- Site-specific tree protection planning conditions are attached to planning permissions.

#### TREE PRESERVATION ORDERS

The Borough Council will make tree preservation orders where important individual trees or groups of trees and woodland of visual, and/or botanical and/or historical value appears to be under threat. The council will expect every tree work application for work to protected trees to be in accordance with modern arboricultural practices and current British Standards.

#### ANCIENT WOODLANDS

Development proposals that would result in loss or damage to ancient woodlands will be refused unless the need for, and the benefits of, the development in that location

outweigh the loss of the woodland habitat. In addition, in circumstances where a development would affect an ancient woodland, the Borough Council will seek to include appropriate woodland planting and management regimes through planning conditions and agreements.

#### VETERAN and ANCIENT TREES

The Borough Council will take measures through appropriate legislation and management regimes to ensure that any tree classified identified as veteran/ancient tree is afforded sufficient level of protection and appropriate management in order to ensure its long term survivability.

#### HEDGEROWS

The Borough Council will use the Hedgerow Regulations to protect hedgerows considered to be under threat and use planning conditions to protect and enhance hedgerows through the use of traditional management regimes and planting with appropriate hedgerow species mix.

#### FELLING LICENCES

When consulted on felling licence applications, the Council will attempt to minimise the short-term adverse impact on the landscape and ensure replanting schemes contain an appropriate balance of species to safeguard and enhance the biodiversity and landscape value of woodland.

### **5.5 DME2 LANDSCAPE PROTECTION**

English Heritage	Refer to Lancashire Historic Landscape Characterisation as useful in the implementation of this policy
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#### **Discussion and suggested policy changes**

This is referred to as an addition to the end of the policy.

#### **KEY STATEMENT DME2: LANDSCAPE PROTECTION**

Development proposals will be refused which harm important landscape features including

- Traditional stone walls
- Ponds
- Characteristic herb rich meadows and pastures
- Woodlands
- Copses
- Hedgerows and individual trees (other than in exceptional circumstances where satisfactory works of mitigation or enhancement would be achieved, including rebuilding, replanting and landscape management)

In applying this policy reference will be made to a variety of guidance including the Lancashire Historic Landscape Characterisation.

## 5.6 DME3 SPECIES PROTECTION AND CONSERVATION

Wildlife Trust for Lancashire (WTL)	List should include SPAs, SACs
Pendle Borough Council	No mention of European sites (believe this refers to SACs and SPAs - see Lamb's comment above)

In addition RVBC planning suggested the following addition to the first paragraph of the policy:

**“Planning conditions or agreements will be to secure protection or, in the case of any exceptional development as defined above, to mitigate any harm.”**

and also suggested adding the following to the list of sites:

**“Species and habitats identified in the Lancashire Biodiversity Action Plan”**

### Discussion and suggested changes to policy

Accept both RVBC's additions.

Add to list of site types the WTL recommendations, but adjust the numbering so;

- vi Special Areas of Conservation (SCAs)
- vii Special Protection Areas (SPAs)
- viii Any acknowledged nature conservation value of sites

### **KEY STATEMENT DME3: SPECIES PROTECTION AND CONSERVATION**

Development proposals that are likely to adversely affect the following will not normally be granted planning permission. Exceptions will only be made where it can clearly be demonstrated that the benefits of a development at a site clearly outweigh both local and wider impacts. Planning conditions or agreements will be to secure protection or, in the case of any exceptional development as defined above, to mitigate any harm.

- i. Wildlife species protected by law
- ii. SSSIs
- iii. Priority habitats or species identified in the Lancashire Biodiversity Action Plan
- iv. Local Nature Reserves
- v. County Biological Heritage sites
- vi Special Areas of Conservation (SCAs)
- vii Special Protection Areas (SPAs)
- viii Any acknowledged nature conservation value of sites



**5.7 DME4 PROTECTING ARCHAEOLOGICAL AND HISTORIC HERITAGE**

English Heritage	<p>Policy should relate to all heritage assets – don't need to repeat all of Planning Policy Statement (PPS)5 but Core Strategy should inform local implementation of conservation/enhancement of the historic environment</p> <p>Earlier 5.2.6 in relation to Archaeology and Historic Heritage mentions buildings of townscape merit – therefore this policy should cover the local lists of locally important heritage assets that English Heritage are currently preparing.</p>
Grimleys	<p>Notes that there's a presumption in favour of preservation of buildings that make a positive contribution to a conservation area – however would like to comment that not all buildings contribute favourably and in such cases their removal can enhance the area.</p>
Lancashire County Council (LCC)	<p>Re title this policy "<b>Protecting Heritage Assets</b>"</p> <p>Also in the text:          "In considering development proposals the Council will make a presumption in favour of the preservation of important <b>heritage assets</b> and their settings"</p> <p>Also add below the section on Listed Buildings these bits:</p> <p><b><u>"Registered Parks and Gardens of Special Historic Interest</u></b></p> <p>Developments within or immediately adjacent to registered parks and gardens will be expected to take their special qualities into account and, where appropriate, to make a positive contribution to them"</p> <p>And,</p> <p><b><u>"Scheduled Monuments</u></b></p> <p>Applications for development that would impact a Scheduled Monument will need to demonstrate that they have taken the particular importance of the monument and its setting into account and that Scheduled Monument Consent has either already been obtained or is likely to be granted"</p> <p>And in para currently below Listed Buildings the following text:</p> <p>"Planning Policy Statement 5 (PPS5) and its associated practice guide, gives additional policy guidance on dealing with both designated and undesignated heritage assets, and will be applied by the Council when determining proposals"</p>

In addition clarifications from RVBC specialist staff suggest amendments to the policy thus:

Within the first paragraph that new development may be harmful to Conservation Areas even if it is in –keeping and has taken the special qualities of the area into account, and therefore preservation rather than any change is to be preferred, hence amend to “**should not harm.**”

Also Planning Policy Statement (PPS) 5 indicates that paragraph 2 of Conservation Areas be amended to replace the word “buildings” with “elements” and that in relation to listed buildings settings that settings be interpreted as being wider than the visual, therefore remove the word “visual” from the first sentence of the Listed Buildings paragraph.

#### **Discussion and suggested changes to policy**

Add RVBC's and LCC's changes as mentioned above except the reference by LCC to PPS5 guidance as it is implicit that the Council would follow relevant guidance. Grimley's comments are already dealt with by current legislation. Also the English Heritage comment regarding local lists is not included as consultation on this matter is at its very earliest stages and no lists exist.

#### **KEY STATEMENT DME4: PROTECTING HERITAGE ASSETS**

In considering development proposals the Council will make a presumption in favour of the preservation [of important heritage assets](#) and their settings.

##### Conservation Areas

Proposals within or closely related to Conservation Areas [should not harm the Area. This should include considerations as to whether it](#) is in keeping with the architectural and historic character of the area as set out in the relevant Conservation Area Appraisal. Development in these areas will be strictly controlled to ensure that it reflects the character of the area in terms of scale, size, design and materials and also respects trees and important open space.

In the Conservation Areas there will be a presumption in favour of the preservation of [elements](#) that make a positive contribution to the character or appearance of the Conservation Area.

##### Listed Buildings

Development proposals on sites within the setting of listed buildings or buildings of special architectural or historic interest, which cause harm to the setting of the building, will be resisted. Any proposals involving the partial or full demolition of listed buildings will be refused unless it can be demonstrated that this is unavoidable.

##### Registered Parks and Gardens of Special Historic Interest

[Developments within or immediately adjacent to registered parks and gardens will be expected to take their special qualities into account and, where appropriate, to make a positive contribution to them](#)

##### Scheduled Monuments

Applications for development that would impact a Scheduled Monument will need to demonstrate that they have taken the particular importance of the monument and its setting into account and that Scheduled Monument Consent has either already been obtained or is likely to be granted

Planning Policy Statement 5 (PPS5) and its associated practice guide, gives additional policy guidance on dealing with both designated and undesignated heritage assets, and will be applied by the Council when determining proposals.

## 5.8 DME5 RENEWABLE ENERGY

Wildlife Trust for Lancashire (WTL)	This should apply to SPAs and SCAs and notable habitat species
English Heritage	Refers to Scheduled Ancient Monuments (SAMs) – should instead refer to all designated heritage assets and their settings
Pendle Borough Council	No renewable energy targets set
North West Regional Development Agency (NWRDA)	To list of 5 issues would like to see added the following:  vi – national and local targets for generating energy from renewable sources and for reducing carbon emissions
Lancashire County Council (LCC1)	Much of Area of Outstanding Natural Beauty (AONB) has excellent wind resource. Core Strategy needs to address landscape issues of this and other renewable energy schemes.
Lancashire County Council (LCC2)	Add at end under point ii the following text:  "Note that any development that impacts a Scheduled Ancient Monument will also require Scheduled Monument Consent – see Key Statement DME 4 above"

RVBC Planning Department also suggested that

That a balance needs to be struck between the need for renewables and the impact that they may have on a site.

PPS22 notes below

### Planning Policy Statement 22: Renewable Energy

In terms of renewable development in nationally designated landscapes the requirements of para 11 are important:

"In sites with nationally recognised designations (Sites of Special Scientific Interest, National Nature Reserves, National Parks, Areas of Outstanding Natural Beauty, Heritage Coasts, Scheduled Monuments, Conservation Areas, Listed Buildings, Registered Historic Battlefields and Registered Parks and Gardens) planning

permission for renewable energy projects should only be granted where it can be demonstrated that the objectives of designation of the area will not be compromised by the development".

#### **Discussion and suggested changes to policy**

NWRDA's comment regarding local and national renewable energy targets also reflects the CLG advice in relation to renewables within the Sustainable Development Key Statement, ie that there should be one. Given this, this point is included within the criteria of this policy as point vi.

It is also important to recognise that this policy must comply with PPS 1 Climate Change Supplement para 33 which emphasises that renewable energy targets must ensure that they are viable and consistent with the delivery of housing trajectories. Given the evidence from planning applications and associated renewable energy appraisals it is felt that this target is a reasonable one.

Add in:

WTL's changes

English Heritage's changes

NWRDA's changes

LCC2's change

RVBC's suggestion regarding nationally recognised sites is based on national policy and should be incorporated. This other point regarding the correct balance between development and renewables is felt to have been struck within the policy and should be seen in the light of the various criteria listed within the policy, which attempt to balance the positive and negative elements of such schemes.

Pendle's change refers back to their earlier comments on the Key Statement on Sustainable Development.

#### **KEY STATEMENT DME5: RENEWABLE ENERGY**

The Borough Council will support the development of renewable energy schemes, providing it can be shown that such developments would not cause unacceptable harm to the local environment or local amenity. In assessing proposals, the Borough Council will have particular regard to the following issues:

- i. The immediate and wider impact of the proposed development on the landscape
- ii. The measures taken to minimise the impact of the proposals on residential amenity
- iii. The potential benefits the proposals may bring
- iv. The visual impact of the proposals, including design, colour and scale
- v. The degree to which nuisance caused by noise and shadow flicker to nearby residential amenities, agricultural operations, recreational areas or the function of the countryside can be minimised.
- vi. National or local targets for generating energy from renewable sources and for reducing carbon emissions

In terms of the use of decentralised and renewable or low carbon energy in new development the authority will request that on new non-residential developments over 1000 m2 and all residential developments of 10 or more units that at least 10%

of their predicted energy requirements should come from decentralised and renewable or low carbon sources unless the applicant can demonstrate that this is not feasible or viable. This target will be updated in line with national targets. Implementation of this requirement will be monitored and enforced by the planning authority.

Development proposals within or close to the AONB, Sites of Special Scientific Interest, Special Areas of Conservation and Special Protected Areas, notable habitat species, Local Nature Reserves or designated heritage assets and their setting will not be allowed unless

- i. The proposals cannot be located outside such statutory designated areas
- ii. It can be demonstrated that the objectives of the designation of the area or site will not be compromised by the development
- iii. Any adverse environmental impacts as far as practicable have been mitigated

Note that any development that impacts a Scheduled Ancient Monument will also require Scheduled Monument Consent – see Key Statement DME 4 above.

#### **5.9 DME6 Water Management (suggested by Environment Agency (EA))**

EAs requested specific reference to the management of water. EA feels that the Sustainability Appraisal identifies a potential water deficit by 2022 and that therefore it is critical that more water efficient designs be incorporated in new buildings.

New developments should aim to reduce North West average water consumption from 150 litres per day to 130 by 2030 and that this means that the highest standards in Code for Sustainable Homes are applied and none residential development would need to satisfy BREAM standards. This would also reduce carbon footprint

However advice from within the Council feel that the above specific standards may place the viability of developments at risk.

EA recommends this additional Key Statement, which is accepted

#### **DME6 Water Management**

Development will not be permitted where the proposal would be at an unacceptable risk of flooding or exacerbate flooding elsewhere.

Applications for development should include appropriate measures for the conservation, protection and management of water such that development contributes to:

- Preventing pollution of surface and / or groundwater
- Reducing water consumption
- Reducing the risk of surface water flooding (for example the use of Sustainable Drainage Systems (SUDS))

## HOUSING

### 5.10 DMH1 AFFORDABLE HOUSING CRITERIA

English Heritage	Reference should be made to English Heritage publication "Affordable Rural Housing and the Historic Environment"
resident	Why not first time tenants as well as buyers? Also include military personnel
Simonstone Parish Council	Provide low cost housing should be within the settlement/ parish concerned. Such housing provision should be pro rata based on local demographics.  Multiple applications for less than ten units would undercut this policy
Duchy of Lancaster (DOL)	30% target should not be a fixed element (see earlier comments re Affordable Housing)

In addition RVBC Planning has commented that the reliance on the Affordable Housing Memorandum of Understanding (AHMU) as opposed to any direct planning policy will need clarifying.

#### Discussion and suggested changes to policy

Regarding the Simonstone comment the policy makes clear the relationship of the policy to predominantly locally connected people and guided by local needs assessments.

DOL's comments on the thresholds are not accepted, such thresholds are within national policy provided that they are evidenced.

The Key Statement also now needs to be updated in line with the revisions made to the Affordable Housing Memorandum of Understanding (AHMU) approved by the Health and Housing Committee of 24 - 3 - 2011. This has been included below.

With regard the point made by RVBC this policy is justified as it is based on evidence required by policy, including not only that within the AHMU but also within the Strategic Housing Market Assessment.

#### **KEY STATEMENT DMH1: AFFORDABLE HOUSING CRITERIA**

Where proposals involve the provision of affordable housing units, the residential development must be expressly for the following groups of people:

- a) First time buyers currently resident in the parish or an adjoining parish
- b) Elderly people currently resident in the parish or an adjoining parish
- c) Those employed in the parish or an immediately adjoining parish but currently living more than 5 miles from their place of employment
- d) Those who have lived in the parish for any 5 of the last 10 years having left to find suitable accommodation and also with close family remaining in the village
- e) Those about to take up employment in the parish
- f) People needing to move to the area to help support and care for a sick, elderly or infirm relative.

In addition to these groups of people, others may have special circumstances that can be applied. These will be assessed on their individual merits.

This policy only relates to the affordable housing needs element. Proposals must also conform to policy DMG1 and any other relevant policy of this Core Strategy.

As mentioned above providing housing for the elderly is a priority for the Council within the Housing Strategy, and has been for a number of years. However very little such accommodation has been developed by the market. Therefore, within the negotiations for housing developments, 15% of the units will be for elderly provision. Within this 15% figure a minimum of 50% would be affordable and be included within the overall affordable housing threshold of 30%. The remaining 50% (ie the remaining 50% of the 15% elderly-related element) will be for market housing for elderly groups.

For example, for a site of 60 units this would mean:

14 affordable

4 affordable for the elderly (together these two elements = 30% of the total)

4 market accommodation for the elderly

38 market housing

Further detail is outlined within the Addressing Housing Needs in Ribble Valley statement and this policy is further evidenced within the Strategic Housing Market Assessment.

Any proposals for affordable housing must be accompanied with the following information

- i. Details of who the accommodation will be expected to accommodate. This should include a full survey of the extent of need and include persons who have expressed an interest in the property. Also how the cost of the accommodation will be matched to the incomes of these target groups.
- ii. Details of the methods by which the accommodation will be sold or let, managed and retained for its original purpose.

## **5.11 DMH2 GYPSY AND TRAVELLER ACCOMMODATION**

RVBC Planning has a clarification regarding this matter to:

"Provision levels will be determined as a part of the Core Strategy."

Therefore the policy should be amended to:

### **Discussion and suggested changes to policy**

Accept RVBC's clarification change as this makes it clear what the evidence position is behind this point. Therefore the policy should be amended to

**"Provision levels will be determined based upon the most up to date evidence adopted by the planning authority."**



**KEY STATEMENT DMH2: GYPSY AND TRAVELLER ACCOMMODATION**

Provision levels will be determined based upon the most up to date evidence adopted by the planning authority. Where the principle for the need for proposals is accepted, sites will be approved subject to the following criteria:

- I. The proposal must not conflict with the other policies of this plan/core strategy
- II. Proposals must not adversely impact on the character of the landscape or the environment, or any SSSIs or sites of biological importance
- III. Proposals should involve the reuse of derelict land where possible and not lead to the loss of the best and most versatile agricultural land
- IV. Where possible site should be within a reasonable proximity to services
- V. Proposals must have good access.

**5.12 DMH3 DWELLINGS IN THE OPEN COUNTRYSIDE**

resident	Why not allow identical rebuilding of structurally unsound buildings especially if they are visually appealing. This would help retain local aesthetics but allow more energy efficient construct
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**Discussion and Suggested changes to policy**

This matter can be dealt with on a site by site basis and there appears to be no suggestion by the respondent that this become a strategic position. This position is not forbidden on a policy basis and can be considered within any application. Therefore no amendment of this policy is required.

**5.13 DMH4 The CONVERSION OF BARNs AND OTHER BUILDINGS TO DWELLINGS**

Wildlife Trust for Lancashire (WTL)	Supports the inclusion of: "there would be no materially damaging effect on the landscape qualities of the area or harm to nature conservation interests" in our point iii
English Heritage	Welcomes ref to Conversion of Traditional Farm Buildings
Pendle Borough Council	Should provide for improved nature conservation rather than the status quo of no harm
resident	Why not isolated barns/buildings if adequate controls were in place to retain rustic isolated appearance by suitable landscaping etc Why forbid the removal of tourist occupation restriction if tourism has failed, yet affordable residential use is needed?

In addition RVBC Planning suggested the following changes to the last paragraph:

"The creation of a permanent dwelling by the removal of any condition that restricts the occupation of dwellings to tourism/visitor use or for holiday use will be refused



unless it can be demonstrated that the unit will meet an identified local/affordable housing need in accordance with policy DMH1”

and;

remove the reference to good practice guidance regarding on the conversion of traditional farm buildings in second to last paragraph as this might be superseded by National Planning Framework.

#### **Discussion and Suggested changes to policy**

WTL’s suggestion is accepted as this addition:

“there would be no materially damaging effect on the landscape qualities of the area or harm to nature conservation interests” in point iii

Also accept RVBC change 1 (marked in red above). However uncertainties about the final version of the National Planning Framework mean that the original text regarding traditional farm buildings should be retained here until more clarity is provided.

#### **KEY STATEMENT DMH4: THE CONVERSION OF BARNs AND OTHER BUILDINGS TO DWELLINGS**

Planning permission will be granted for the conversion of buildings to dwellings where

- i. The building is not isolated in the landscape, is within a defined settlement or forms part of an already defined group of buildings, and
- ii. There need be no unnecessary expenditure by public authorities and utilities on the provision of infrastructure, and
- iii. There would be no materially damaging effect on the landscape qualities of the area or harm to nature conservation interests, and
- iv. There would be no detrimental effect on the rural economy, and

The proposals are consistent with the conservation of the natural beauty of the area.

The building to be converted must:

- i. be structurally sound and capable of conversion for the proposed use without the need for extensive building or major alteration, which would adversely affect the character or appearance of the building. The Council will require a structural survey to be submitted with all planning application of this nature. This should include plans of any rebuilding that is proposed.
- ii. be of a sufficient size to provide necessary living accommodation without the need for further extensions which would harm the character or appearance of the building, and

- iii. the character of the building and its materials are appropriate to its surroundings and the building and its materials are worthy of retention because of its intrinsic interest or potential or its contribution to its setting, and
- iv. the building has a genuine history of use for agriculture or another rural enterprise.

The conversion of buildings should be of a high standard and in keeping with local tradition. The impact of the development, including the creation of garden area and car parking facilities (or other additions) should not harm the appearance or function of the area in which it is situated. Access to the site should be to a safe standard and be capable of being improved to a safe standard without harming the appearance of the area.

Proposals will also be determined having regard to the Historic Environment Local Management (HELM) Good Practice guidance on the Conversion of Traditional Farm Buildings.

The creation of a permanent dwelling by the removal of any condition that restricts the occupation of dwellings to tourism/visitor use or for holiday use will be refused unless it can be demonstrated that the unit will meet an identified local/affordable housing need in accordance with policy DMH1

#### 5.14 DMH5 RESIDENTIAL AND CURTILAGE EXTENSIONS

(No comments therefore no amendments to this policy)

## BUSINESS and the ECONOMY

### 5.15 DMB1 SUPPORTING BUSINESS GROWTH AND THE LOCAL ECONOMY

Grimleys	Feels document should have regard to sites that, although allocated for employment, have never been developed due to high remediation costs. Should add considerable weight to development proposals involving alternative uses that can justify the mitigation costs and therefore be developed.
BNP Paribas – Re BAE Samlesbury	<p>Feels no restriction be made to “essential to maintain existing sources...”</p> <p>Sites important to the regional economy should be allowed to expand ie PPS4 EC2</p> <p>7.1.4 already anticipates growth at this site (Samlesbury)</p> <p>Suggests that DMB1 be re-worded:</p> <p>“ The expansion of established firms on land outside of settlements will be allowed <b>where it would allow for the development of a regionally significant employment cluster</b> or it is essential to maintain or expand the existing source of employment <u>and can be assimilated within the local landscape.</u> (take out the underlined part)</p>

#### Discussion and Suggested changes to policy

The Samlesbury site is referred to in Business Key Statement earlier. The BNP suggestion however of a blanket allowance for a undefined “Regionally Significant Employment Cluster” in other parts of the Borough is not accepted. The Samlesbury site, as mentioned in the Business Key Statement has a background of analysis and support as a legitimately regionally significant site which no other location in the area.

Regarding the Grimley comment the current Key Statement and policies do not preclude employment sites being used for other purposes providing that these can be justified.

Therefore no amendment is proposed to this policy.

### 5.16 DMB2 The CONVERSION OF BARNs AND OTHER RURAL BUILDINGS FOR EMPLOYMENT PURPOSES

Pendle Borough Council	No mention of protection or improvement of nature conservation
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## Discussion and Suggested changes to policy

Add a last numeric point:

vii That any existing nature conservation aspects of the existing structure are properly surveyed and where judged to be significant preserved or, if this is not possible, then any loss is adequately mitigated.

### **KEY STATEMENT DMB2: THE CONVERSION OF BARNs AND OTHER RURAL BUILDINGS FOR EMPLOYMENT USES**

Planning permission will be granted for employment generating uses in barns and other rural buildings, provided all of the following criteria are met:

- i. The proposed use will not cause unacceptable disturbance to neighbours in any way
- ii. The building has a genuine history of use for agriculture or other rural enterprise
- iii. The building is structurally sound and capable of conversion for the proposed use, without the need for major alterations which would adversely affect the character of the building
- iv. The impact of the proposal or additional elements likely to be required for the proper operation of the building will not harm the appearance or function of the area in which it is situated
- v. The access to the site is of a safe standard or is capable of being improved to a safe standard without harming the appearance of the area
- vi. The design of the conversion should be of a high standard and be in keeping with local tradition, particularly in terms of materials, geometric form and window and door openings.
- vii. That any existing nature conservation aspects of the existing structure are properly surveyed and where judged to be significant preserved or, if this is not possible, then any loss adequately mitigated.

The conversion of buildings should be of a high standard and in keeping with local tradition. The impact of the development, including the creation of servicing, storage areas and car parking facilities (or other additions) should not harm the appearance or function of the area in which it is situated.

Proposals for the conversion of buildings for employment purposes that include residential accommodation will be carefully assessed. The Council will require the submission of a business plan in support of the proposal where residential accommodation is required as part of the scheme in locations where the Council would otherwise restrict the creation of dwellings. In all cases the proportion of living accommodation to workspace must not exceed a level of 60:40, workspace to living accommodation, and should form an integral part of the layout and design of the conversion.

Proposals will be assessed in accordance with PPS7

## 5.17 DMB3 RECREATION AND TOURISM DEVELOPMENT

Environment Agency	Biodiversity needs to be taken into account when barn conversions are proposed. Suitable surveys and appropriate mitigation/compensation for species using them eg barn owls, bats etc must be provided
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### Discussion and Suggested Policy Changes

Add a new numeric point acknowledging EA's point

vi the proposal must take into account any nature conservation impacts using suitable survey information and where possible seek to incorporate any important existing associations within the development. Failing this then adequate compensation/mitigation will be sought.

### **KEY STATEMENT DMB3: RECREATION AND TOURISM DEVELOPMENT**

Planning Permission will be granted for development proposals that extend the range of tourism and visitor facilities in the Borough:

This is subject to the following criteria being met:

- i) the proposal must not conflict with other policies of this plan;
- ii) the proposal must be physically well related to an existing main settlement or village or to an existing group of buildings, except where the proposed facilities are required in conjunction with a particular countryside attraction and there are no suitable existing buildings or developed sites available.
- iii) the development should not undermine the character, quality or visual amenities of the plan area by virtue of its scale, siting, materials or design;
- iv) the proposals should be well related to the existing highway network. It should not generate additional traffic movements of a scale and type likely to cause undue problems or disturbance. Where possible the proposals should be well related to the public transport network;
- v) the site should be large enough to accommodate the necessary car parking, service areas and appropriate landscaped areas
- vi) the proposal must take into account any nature conservation impacts using suitable survey information and where possible seek to incorporate any important existing associations within the development. Failing this then adequate mitigation will be sought.

In the Forest of Bowland Area of Outstanding Natural Beauty the following criteria will also apply:

- A. the proposal should display a high standard of design appropriate to the area
- B. the site should not introduce built development into an area largely devoid of structures (other than those directly related to agriculture or forestry uses)

In the AONB it is important that development is not of a large scale. In the AONB and immediately adjacent areas proposals should contribute to the protection, conservation and enhancement of the natural beauty of the landscape. Within the open countryside proposals will be required to be in keeping with the character of the landscape area and should reflect the local vernacular, scale, style, features and building materials.

**5.18 DMB4 OPEN SPACE PROVISION**

Sport England (SE)	<p>Concern that the ability to negotiate funds for this hampered by the lack of a Planning Policy Guidance (PPG)17 compliant audit.</p> <p>Also the intention to protect is weakened by wording that implies that:</p> <p>Open Space not in current use, or not on the Proposals Map, will not be protected</p> <p>Loss could occur without replacement “because of the social and economic benefits a proposal would bring to the community”</p> <p>Loss could occur where another existing facility is substantially up graded</p> <p>Concern that loss would occur without Open Space being judged surplus through a proper assessment of existing and future need.</p>
Wildlife Trust for Lancashire (WTL)	<p>Open Space includes Accessible Natural Greenspace (ANG). Natural England’s ANG standards are outlined in bullets he provides</p>

**Discussion and Suggested Policy Changes**

SE’s comments are similar to those he made in relation to DMG1 and Planning Obligations. The point seems to rest on the need for sites to be robustly assessed before any change of use. An amendment to this effect was placed within DMG 1 and should also be placed here. The Council considers that it does possess adequate evidence to enable it to make an adequate assessment in such matters..

Regarding SE’s point about playing fields being a distinctly different type of open space, it is made clear by their separate mention that they are a distinctly different kind of open space. The last bullet of the policy has been amended to include a reference to the need for a robust assessment before any change of use

WTL’s comments are addressed within the Planning Obligations section in relation to ANG.

#### **KEY STATEMENT DMB4: OPEN SPACE PROVISION**

On all residential sites of over 1 hectare, the layout will be expected to provide adequate and usable public open space. The Council will also negotiate for provision on smaller sites, or seek to secure a contribution towards provision for sport and recreational facilities or public open space within the area where the overall level of supply is inadequate.

The Borough Council will refuse development proposals which involve the loss of existing public open space which is in recreational use as shown on the current Proposal Map. In exceptional circumstances [and following a robust assessment](#), where the loss of a site is justifiable because of the social and economic benefits a proposed development would bring to the community, consent may be granted where replacement facilities are provided, or where existing facilities elsewhere in the vicinity are substantially upgraded. These must be readily accessible and convenient to users of the former open space areas.

It is important to protect existing recreational areas from development. Within defined settlements public recreational land will normally have been protected through an Essential Open Space designation.

#### **5.19 DMB5 FOOTPATHS AND BRIDLEWAYS**

(No comments therefore no amendments to this policy are suggested)

## RETAIL DEVELOPMENT

### 5.20 DMR1 RETAIL DEVELOPMENT IN CLITHEROE

Indigo	Further retail should be identified in Whalley alongside housing and employment – this accords with sustainable development, PPS3 and PPS4 which recognises retail as an employment use.
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#### Discussion and Suggested Changes to Policy

The Indigo point is more appropriately left to the forthcoming Housing and Economic Development DPD. Employment land forward supply is mentioned in the Business Key Statement and will be informed by the Employment Land and Retail Study within our evidence base.

Therefore no amendment to this policy is suggested.

### 5.21 DMR2 SHOPPING IN LONGRIDGE AND WHALLEY

(No comments and no amendments suggested)

### 5.22 DMR3 RETAIL OUTSIDE THE MAIN SETTLEMENTS

(No comments and no amendments suggested)