

WYRE LOCAL PLAN EXAMINATION

STATEMENT BY WYRE BOROUGH COUNCIL ON THE INSPECTOR'S MATTERS, ISSUES AND QUESTIONS

MATTER 7 **Core Development Management Policies**

Issue 1 – Environmental Protection

1.1 *Is Policy CDMP1 positively prepared having regard to the suggested modifications?*

1.1.1 Yes it is.

1.1.2 The Council has responded to the Inspector's preliminary matters and questions by proposing modifications to provide a clearer and more sharply focused policy¹.

1.1.3 CDMP1 seeks to ensure that development proposals address environmental matters to ensure a safe and healthy environment. As stated in Policy SP1, the overall planning strategy is '*one of growth within environmental limits*'. Policy SP1 seeks to meet development needs whilst '*minimising or eliminating net environmental impact*'. Policy CDMP1 makes a positive contribution towards achieving the overall approach to development in the Borough.

Issue 2 – Flood Risk and Surface Water Management

2.1 *Does Policy CDMP2 adequately deal with issues of flood risk and surface water?*

2.1.1 Yes it does.

2.1.2 Policy CDMP2 was drafted in consultation with stakeholders including Environment Agency, Lancashire County Council as Lead Local Flood Authority and United Utilities.

2.1.3 The Policy cross refers to the Strategic Flood Risk Assessment (Level 2)² and a number of other documents prepared by or with partner organisations which aim to minimise risk from flooding. Section 2 of the policy sets a clear position that needs to be demonstrated before development can be considered acceptable.

2.1.4 Surface water management is a particular issue in Wyre. It is important that developments make appropriate provision for the draining of surface water for the lifetime of the development. The Policy includes a hierarchy of methods for the disposal of surface water to ensure that the most effective and sustainable method is used.

¹ Examination Document Library Reference EL1.001b, paragraph 62

² Submission Document Library Reference ED111a-I, ED112, ED113

2.1.5 The policy as proposed to be amended provides a clear and robust basis for addressing flood risk and surface water management. It is consistent with advise in the NPPF (paragraph 100) with the overall aim of directing development away from areas of highest risk, but where development is necessary, making such development safe from flood risk without increasing flood risk elsewhere.

2.2 *Is the hierarchy in relation to surface water and the requirement to achieve greenfield run-off rates overly prescriptive?*

2.2.1 No, it is not as proposed to be amended.

2.2.2 It is considered that in view of significant flooding issues across Wyre including from surface water, the Local Plan needs to have a robust approach to deal with such matters effectively. The use of Sustainable Drainage Systems (SuDS) and the priority approach to surface water management is necessary in Wyre.

2.2.3 The Council has responded to the Inspector's preliminary matters and questions on these matters³. Modifications are proposed to the Policy which improve its flexibility. As proposed to be amended the Policy allows for situation where the use of SuDS is inappropriate and where achieving greenfield runoff rate is not possible.

2.2.4 In relation to surface water, the Council considers that the hierarchy as drafted is allows solutions lower down the order to be utilised if higher order mechanisms are not practical. The Policy in this regards is not considered to be overly prescriptive.

Issue 3 – Design

3.1 *Does Policy CDMP3 take into account climate change and local distinctiveness?*

3.1.1 Yes it does, as proposed to be amended.

3.1.2 The Council has responded to the Inspector's preliminary matters and questions on these matters⁴.

3.1.3 The Council is of the opinion that the Policy as proposed to be amended meets the requirements of national planning policy in relation to design. The Council has proposed a modification to Policy SP2 Sustainable Development to provide a strategic policy basis for a consideration of climate change as part of development design.

3.1.4 The NPPF⁵ at paragraph 60 advises that local plan policies should promote or reinforce local distinctiveness. 'Local distinctiveness' is not defined in the NPPF but it is reasonable to define it as 'what makes a place special, differentiating it from anywhere else'. In this sense, local distinctiveness is the sum of inter alias landscape, wildlife, archaeology, heritage, history, traditions, buildings –

³ Examination Document Library Reference EL1.001b, paragraph 63

⁴ Examination Document Library Reference EL1.001b, paragraph 64

⁵ Submission Document Library Reference ED013

everything that makes somewhere truly unique.

3.1.5 The Local Plan covers 'local distinctiveness' in a number of policies. In relation to 'Design' and as referred to in the Council's Response to Preliminary Matters⁶ (paragraph 64), 'local distinctiveness' is about 'local context and character' which are covered in the policy.

3.2 *Is the requirement for masterplans for sites of more than 50 dwellings a reflection of a positively prepared and effective LP?*

3.2.1 Yes it is.

3.2.2 The NPPF (paragraph 8) advises that to achieve sustainable development economic social and environmental gains should be sought jointly. In paragraph 58 the NPPF advises that local plan policies should ensure that developments –

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- c) optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- d) respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- e) create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

3.2.3 The emerging Local Plan indicates in paragraph 9.1.5 that the reason for requiring a masterplan is to ensure that land is comprehensively developed and where a site is on the edge of a settlement, as a whole it relates and integrates with the existing settlement. It is also important that developments create high quality and enduring environments for future occupiers.

3.2.4 Masterplanning is the mechanism to bring about the matters covered in paragraph 58 in the NPPF and ensure comprehensive and well integrated development. It supports the delivery of high quality homes⁷, good design⁸ the creation of healthy communities⁹ and ensure environmental matters are fully considered and integrated into the planning process¹⁰. The requirement for masterplans is part of a well prepared and effective Local Plan.

3.2.5 A masterplan will determine the distribution and interrelationship of activities/uses, spaces and buildings to ensure 'permeability' – visual and physical. It will

⁶ Examination Document Library Reference EL.001b

⁷ NPPF, paragraphs 47 to 55

⁸ NPPF paragraphs 56 to 68

⁹ NPPF, paragraphs 69 to 78

¹⁰ NPPF, paragraphs 93 to 141

determine the best location for different types of use and the movement network within, and how the site connects with the surrounding area. It will set out the basis and coordinate the provision of critical infrastructure which is necessary to ensure delivery of a successful place which integrates with the existing community.

- 3.2.6 The Council will proactively work with developers and landowners to facilitate and steer the preparation of masterplans. A masterplan will assist in the smooth progression of subsequent planning applications. Masterplanning is therefore considered to provide beneficial outcomes for the local plan and development management process. They are therefore a positive part of the planning process.

Issue 4 – Natural and Historic Environment Policies

4.1 *Are Policies CDMP4 and CDMP5 consistent with national policy?*

4.1.1 Yes they are.

4.1.2 The Council responded to specific Preliminary Questions (paragraphs 65 – 70)¹¹ relating to Policy CDMP4 and CDMP5. The Council is proposing modifications to the policies to improve clarity. In relation to CDMP5, the Council has further considered consistency with national policy and has proposed modifications to ensure that heritage assets are conserved in a manner appropriate to their significance.

4.1.3 The strategy of the Local Plan is to promote sustainable growth within environmental limits. Within this context both Policy CDMP4 and CDMP5 are part of a strategic approach that allows the Council to balance environmental and heritage concerns and development benefits, aiming to enhance environmental assets and the historic environment where possible and to minimise impact from development, giving force to the need for mitigation and compensatory measures where necessary.

4.1.4 Both Policies CDMP4 and CDMP5 are consistent with the NPPF¹² and its expressed environmental, social and economic roles for planning.¹³ They promote sustainable development by ensuring that growth and environmental standards are mutually supportive and are consistent with the Core Planning Principles.¹⁴

CDMP4 Environmental Assets

4.1.5 Policy CDMP4 identifies seven specific environmental assets as follows:

- Green Infrastructure
- Water Courses and Bodies
- Habitats, Species and Ecological Networks
- Landscapes and Geological Sites
- Agricultural Land

¹¹ Examination Document Library Reference EL.001b

¹² Examination Document Library Reference ED013

¹³ NPPF paragraph 7

¹⁴ NPPF paragraph 17

- Water Resources
- Trees and Hedgerows

4.1.6 For each asset, CDMP4 establishes the policy framework that will be used to guide development, with the overall thrust being protection and, where development is necessary or loss or negative impact unavoidable, mitigation and compensation.

4.1.7 National planning policy as set out in the National Planning Policy Framework covers the following areas relevant to the Policy CDMP4 -

- Natural environment
- Open space, sports and recreation facilities, public rights of way and local green space
- Water supply, wastewater and water quality

4.1.8 Policy CDMP4 contributes to the protection and enhancement of the natural environment and the improvement of biodiversity, promotes the prudent use of resources, and particularly through Green Infrastructure, supports strong, vibrant and healthy communities and the creation of high quality environments. It supports positive improvements in the quality of the natural environment and in people's quality of life.¹⁵

4.1.9 With specific reference to 'conserving and enhancing the natural environment', Policy CDMP4 is consistent with the approach in the NPPF at paragraphs 109 to 125). In particular, it:

- Protects valued landscapes and geology.
- Minimises impacts on biodiversity and promotes a net gain in biodiversity and the establishment and protection of ecological networks.
- Protects the best and most versatile agricultural land unless development is supported by other policies of the Plan.
- Plans positively for the creation of green infrastructure networks.
- Gives appropriate protection to International, national and locally designated site of ecological value.
- Promotes the enhancement and restoration of habitats.
- Provides for the refusal of development where harm to the ecological network cannot be mitigated or compensated for.
- Provides a policy framework to manage the impact of development on trees and hedgerows.

CDMP5 Historic Environment

4.1.10 Policy CDMP5 applies to designated and non-designated assets, archaeology and scheduled monuments.

4.1.11 National planning policy as set out in the National Planning Policy Framework and the supporting Planning Practice Guidance¹⁶, cover the following areas relevant to the Policy CDMP5 -

¹⁵ NPPF paragraph 9

¹⁶ Submission Document Library Reference ED014

- Conserving and enhancing the historic environment.

4.1.12 It contributes to the protection, conservation and enhancement of the historic environment and contributes to the creation of a high quality built environment and the promotion of cultural well-being. It supports positive improvements in the quality of the built and historic environment and in people’s quality of life.¹⁷ Policy CDMP5 is consistent with the approach of the NPPF to “conserving and enhancing the historic environment” (paragraphs 126 to 141).

4.2 *Is the definition of Green Infrastructure within Policy CDMP4 too wide ranging?*

4.2.1 No it is not.

4.2.2 The National Planning Policy Framework (NPPF)¹⁸ defines “green infrastructure” (GI) in its glossary as:

“A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities”.

4.2.3 Policy CDMP4 states that the borough’s Green Infrastructure (GI) is defined on the Policies Map where it lies within settlement boundaries. It also states that GI includes countryside areas and coastal sands outside of settlement boundaries. Coastal sands (referred to as “coastal habitat in the Wyre Green Infrastructure Strategy¹⁹) are not identified on the Policies Map but are defined at footnote 12, page 33 of the draft Local Plan (Section 4, Local Plan Strategy). Countryside is defined on the Policies Map under Policy SP2.

4.2.4 The Council responded to the Inspector’s Preliminary Matters (paragraphs 65 and 77)²⁰ with regards to the definition of green infrastructure. In its response, the Council has stated that further consideration will be given as to whether the ‘countryside’ should form part of the definition, (paragraph 65). Given the fact that the issue of the GI status of the countryside has been specifically raised, the remainder of this statement relates to this matter.

4.2.5 There is no official definitive national listing of the types of “green space” that make up “green infrastructure”. The Wyre Green Infrastructure Strategy²¹ identifies 18 GI typologies, of which eight are directly relevant to a countryside location. These are:

- Agricultural land
- Outdoor sports facility
- Private domestic garden (development in the countryside)
- Grassland, heathland, moorland or scrub land
- Water body

¹⁷ NPPF paragraph 9

¹⁸ Submission Document Library Reference ED013

¹⁹ Submission Document Library Reference ED069a

²⁰ Examination Document Library Reference EL.001b

²¹ Submission Document Library Reference ED069a, page 12 and Appendix 4.

- Water course
- Wetland
- Woodland

4.2.6 Multifunctionality is a defining characteristic of GI. Within Wyre, agricultural land is a major part of GI in the countryside. The GI Strategy Supplementary Report: maps and Indicators²² identifies 35 functions that GI may display. It identifies agricultural land as having the ability to perform multiple GI functions – 19 in total. Of these three can be said to be core functions – that is they are always performed, and 16 can be said to be secondary functions, that is they are sometimes performed. The table below summarises the 19 multiple functions that agricultural land can perform.

GI – The Multiple Functions of Agricultural Land	
Core functions	Secondary functions
Evaporative cooling Food production Providing jobs	Biofuels Pollutant removal Pollination Enclosure (physical movement barrier) Encouraging green travel Habitat for wildlife Corridor for wildlife Heritage Carbon storage Inaccessible water storage Water infiltration Water conveyance Pest and disease control Visual contribution to landscape character Connection with the local environment Opportunity to hear natural sounds

4.2.7 Wyre’s countryside itself therefore forms part of a network of multifunctional green spaces, both urban and rural, both within and outside of settlement boundaries. The designation of countryside as GI is entirely in-line with the definition of GI. It forms an essential part of a planning narrative that seeks to (referencing the Planning Practice Guidance Natural Environment, para. 030²³):

- Create high quality environments which are attractive to businesses and investors.
- Deliver quality of life by providing opportunities for recreation and social interaction, improving public health and community wellbeing.
- Reinforce and enhance local landscape character and contribute to a sense of place.
- Delivering ecosystem services and host and support ecological networks.

²² Submission Document Library Reference ED069b, page 14

²³ Submission Document Library Reference ED014

- Reduce air pollution, noise and the impacts of extreme heat and extreme rainfall events.
- Mitigate the risks associated with climate change and adapt to its impacts by storing carbon; improving drainage and managing flooding and water resources; improving water quality; reducing the urban heat-island effect and supporting adaptive management in coastal areas.
- Help species adapt to climate change by providing opportunities for movement.
- Make a significant contribution to halting the decline in biodiversity.

4.2.8 It remains the Council's position that it is appropriate that 'Green Infrastructure' includes the countryside. A proposed modification to part 7 of Policy CDMP4 seeks to delete 'within settlement boundaries' as the policy should apply within and outside settlement boundaries.

Issue 5 – Accessibility and Transport

5.1 *Is Policy CDMP6 consistent with national policy?*

5.1.1 Yes it is.

5.1.2 Policy CDMP6 as proposed to be modified sets the policy basis for considering the impact of development on the movement network and the need for mitigation if appropriate. It promotes sustainable travel by requiring development to encourage modes of movement other than by the car, including a requirement for travel plans. It requires the appropriate provision of Electric Vehicle Charging points. It requires developments to consider road safety matters, including those that pertain to pedestrians and cyclists, and to consider the needs of the older people and those with a disability. It allows for the safeguarding of land for transport and highway improvements and for the protection of corridors which could be developed as future transport routes. It is supported in the Local Plan by Policy SP2 Sustainable Development that requires development to be sustainable and contribute to the continuation or creation of sustainable communities in terms of its location and accessibility. Policy CDMP6 is consistent with the guidance contained in the NPPF on delivering sustainable development and in particular with section 4 of that document that promotes sustainable transport.