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Your Ref:
Our Ref: PINS/F2360/429/2
Date: 7 June 2013

Dear Sir / Madam

Thank you for your letter dated 3 June in relation to Gypsy and Traveller matters in the borough and the updated GTAA timescales which were attached. I welcome the Council's commitment to expedite the process and note your suggestion to hold further hearing sessions specifically into the matter of the GTAA and Gypsy/Traveller site allocations in January/February 2014. I agree that these timescales appear to be reasonable.

I am mindful however that the Council is understandably keen to progress the Plan. With this in mind, I suggest that the Council proceeds with its consultation on the proposed modifications to the Plan as soon as possible. I set out below the further issues in relation to the modifications and outstanding matters. I also attach the schedule that should be consulted upon from which I have removed MM15 relating to Gypsies/Travellers. As I have previously indicated, in my letter of 29 April, it will be for the Council to determine whether to include other modifications in the public consultation exercise.

Following receipt of the responses to the consultation, I will be in a position to issue an interim report on my findings into the soundness of the Plan on all matters other than those relating to Gypsies and Travellers. Whilst this will not enable the Council to proceed to final adoption of the Plan until the Gypsy/Traveller issue has been considered, such a document would attract weight in the decision making process and should give comfort to the Council in relation to the soundness of the Plan in all other respects.

In relation to the other outstanding matters, I note the details included in your second letter of 3 June and am satisfied with the Council's proposed modifications therein. In relation to the penultimate paragraph of that letter, there do not appear to be any outstanding issues as a result of your letter dated 25 April regarding the RS revocation. That letter set out the Council's position and I am satisfied with that response. I acknowledge however that modifications will be required to remove references to the RS in the Plan and I suggest that the Council includes these in the modifications before consulting upon them. I do not yet have the responses to the consultation on the RS but will liaise with the Programme Officer to obtain these.

You will note from the attached schedule that I have suggested further alterations to Policy D2 and Policy G16. These modifications will be required in order to ensure that the policies are sound. The Council should ensure that the Wildlife Trust are specifically consulted on the proposed amendments to Policy G16 and I will have regard to their observations in my interim report.

I would be grateful if you would advise me of your proposed timescale for consultation, which should be for a minimum period of 6 weeks. In addition, please provide regular updates (on a monthly basis) of the progress on the Gypsy/Traveller issue.

Yours faithfully

Susan Heywood

Senior Housing and Planning Inspector

NB. Modifications schedule attached.

These modifications are based on the Modifications Schedule suggested by the Council (CD4.39)

Ref	Page	Policy/ Paragraph	Main Modification
MM01	2	2.3 (new)	<u>To monitor the success of the policies in this DPD, a performance monitoring framework has been developed (shown at Appendix 8). This identifies indicators relevant to the objectives of the Central Lancashire Core Strategy, the key document of the Local Development Framework. These indicators will be monitored each year through the Annual Monitoring Report (AMR) so that a comparison can be made between the predicted effects of implementation of the Plan and the actual effects. Monitoring will help to identify how well the policies are working and also identify any adverse effects. If any adverse effects arise, the policies will be reviewed or mitigation measures developed to overcome and prevent further adverse effects. Appropriate contingency actions are set out in the performance monitoring framework.</u> Please note: the Performance Monitoring Framework will become Appendix 8 of the Plan
MM03	8	3.6	3.6 Outside of the areas already identified above, South Ribble has a number of smaller villages, in the interest of sustainable development, growth and investment in such places, development will be confined to small scale infill, conversion of rural buildings and proposals to meet local need <u>and, where there are exceptional reasons, larger scale redevelopment schemes may be appropriate.</u>
MM04	16	Policy B3	Within the area defined on the Proposals Map at South Rings Business Park, Bamber Bridge, new development, re-development or change of use will be permitted to provide the following uses only: Offices, non food retail, employment, leisure, recreation and tourism facilities, provided that: a) comprehensive development of the site is demonstrated through the submission of a masterplan; b) A phasing and infrastructure delivery schedule is set out; and c) The implementation of a high quality development in accordance with an agreed Design Code. <ul style="list-style-type: none"> <u>Offices, non- food retail, employment, leisure, recreation and tourism facilities</u> <p>At the end of Policy B3 :</p> <p><u>Proposals Map Ref:a</u></p>
MM05	18	Policy B6	Policy B6 Design Criteria for New Development d) The proposal would not adversely affect the character or setting of a listed building and /or the character of a conservation area and/or any heritage asset;

Ref	Page	Policy/ Paragraph	Main Modification
			<p>d) <u>the proposal would sustain, conserve and where appropriate enhance the significance, appearance, character and setting of a heritage asset itself and the surrounding historic environment. Where a proposed development would lead to substantial harm or loss of significance of a designated heritage asset, planning permission will only be granted where it can be demonstrated that the substantial public benefits of the proposal outweigh the harm or loss to the asset.</u></p> <p>Justification New paragraph 5.21 <u>5.21 Heritage assets are buildings, monuments, sites, places, areas or landscapes that have heritage significance. They include designated heritage assets such as listed buildings and conservation areas and locally important assets such as locally listed buildings and locally important areas. The more important the asset, the greater the weight that will be given to its conservation. Where a proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, consent will only be granted where it can be demonstrated that the substantial public benefits outweigh that harm or loss as set out in Paragraph 133 of the National Planning Policy Framework.</u></p>
MM06	20	Insert after Major Sites for Development – Create new paragraph	<p>Major Sites for Development <u>6.0 Where sites require a masterplan as part of a condition in the policy or justification text, including the preparation of an agreed Masterplan to achieve the comprehensive development of a Major Site the following applies. It is expected that a Masterplan will be prepared by the landowner/developer of the site in advance of the submission of any planning applications. It is the Councils intention that the draft Masterplan should be the subject of consultation with all stakeholders and interested parties shall be agreed with the Council and thereafter adopted for the purposes of development management in the determination of subsequent planning applications.</u></p> <p><u>6.1 The Council welcomes early discussions with landowners/developers on the scope, content and process of preparation of a Masterplan. A Masterplan should set the vision for the site and the strategy for implementing that vision. It should include, amongst other matters, an access and movement framework, green infrastructure and ecology mitigation and enhancement, a hydrology and drainage assessment, land use and development capacity analysis, infrastructure requirements, a viability assessment and</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<u>a phasing and delivery strategy.</u>
MM07	22	6.13	6.13 The Moss Side Test Track site, covering an area of 45 ha <u>40.6 ha</u> , lies to the north of the residential area and west of the employment area of Moss Side.
MM08	23	6.13	6.18 . . . to serve the residential and employment areas and off-site highway improvements and the provision of improved public transport to the development
MM09	24	6.22	6.22 CIL contributions resulting from development could be used to contribute towards regeneration schemes in Leyland Town Centre, improvements to Leyland railway station, an extension to and enhancement of Worden Park, bus rapid transit route connecting Preston, Tardy Gate and Moss Side and the reopening of Midge Hall Railway Station. <u>6.22 CIL contributions resulting from the development would be used to contribute towards local infrastructure needs. In line with Core Strategy Policy 3 – Travel, the Council will continue to explore the feasibility and deliverability of the re- opening of Midge Hall Railway Station, which would provide significant public transport benefits to the site and to the adjacent residential and employment areas.</u>
MM10	24	6.25	6.25 Access to the site must be from Croston Road, Heatherleigh and Moss Lane (via the roundabout at <u>Flensberg Way</u>). There is to be no access to the site from Bannister Lane. Bannister Lane shall not be used to provide a permanent primary or secondary vehicular access to the site so that the character and amenity of the Lane is maintained. Section 106 or CIL contributions from the development would contribute towards local infrastructure improvements.
MM11	25	Policy C4	a) An agreed masterplan for the comprehensive development of the site, to include <u>retail</u> , employment . . .
MM12	26	6.31	6.31 Whilst this allocation will have an employment focus, there may be an opportunity for the provision of alternative uses such as ancillary retail, leisure and housing.
MM13	27	6.37	6.37 ... A Masterplan approach will be required to secure the delivery of the necessary infrastructure. <u>In order to fully realise the economic benefits of the of the Enterprise Zone at Samlesbury, a new dedicated access will be designated and constructed into the Strategic Site from the A677.</u>
MM14	27	6.39	. . against the loss of Green Belt and the impacts on the landscape and wider environment. <u>On part of the Enterprise Zone is a proposed Biological Heritage Site (BHS). The qualifying habitats and species of the proposed BHS should be retained, either in situ and/or through mitigation and/or compensation in accordance with Policy G16 – Biodiversity and Nature Conservation.</u>

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MM17	31	Policy D1 and Table 1	See appendix for changes
MM18	31	7.16	Justification 7.16 . . . which consist of small sites with permission (average of under ten dwellings <u>less than 0.4 ha</u>), other small sites . . .
MM19	32-34	Table 2	See appendix for changes
MM20	42	Policy D2	See appendix for changes See Inspector's suggested change to this policy
MM21	47	Table 3	Allowance for Losses needs amending from 35 ha to <u>17.5ha</u> in line with changes made to the now adopted Core Strategy Total column needs amending from 62ha to <u>44.5ha</u> to reflect the above change.
MM22	51	Policy E2	Policy E2 – Protection of Employment Areas and Sites (Publication Version) Land is protected for employment uses including business, general industrial or storage and distribution (Use Classes B1, B2 and B8) as shown on the Proposals Map: a) in line with Core Strategy Policies 9 and 10 and the Controlling the Reuse of Employment Premises Supplementary Planning Document; and b) to support the local economy by ensuring there are jobs for local people and to attract commuters from outside the borough, at the following sites: Policy E2 – Protection of Employment Areas and Sites (Modified Version) Land is protected for employment uses including business, general industrial or storage and distribution (Use Classes B1, B2 and B8) as shown on the Proposals Map: a) in line with Core Strategy Policies 9 and 10 (<u>Policy 10 does include a set criteria for the change of use to protected employment land if it was deemed appropriate within the plan period</u>) b) <u>The Controlling the Reuse of Employment Premises Supplementary Planning Document;</u> and c) to support the local economy by ensuring there are jobs for local people and to attract commuters from outside the borough, at the following sites:
MM23	52-58	8.27 – 8.54	See appendix for changes.
MM24	66	G1 Green Belt	Policy G1 Green Belt The area covered by Green Belt is shown on the Proposals Map. <u>As set out in the NPPF, there is a general presumption against inappropriate development within the Green Belt. Planning permission will not be given for the construction of new buildings unless there are very special circumstances. for purposes other than for:</u>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>Exceptions to this are:</p> <ul style="list-style-type: none"> a) <u>buildings for agriculture and forestry;</u> b) <u>provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;</u> c) <u>the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;</u> d) <u>the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;</u> e) <u>limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or</u> f) <u>limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.</u> <p>a) Agriculture and forestry uses;</p> <p>b) Essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purpose of including land in it;</p> <p>c) The limited extension or alteration or replacement of a dwellings building provided the works do it does not result in disproportionate additions over and above the size of the original dwelling building. This must be appropriate to the form and scale of the existing building;</p> <p>d) The replacement of a building, providing that the new building is in the same use and not materially larger than the one it replaces</p> <p>e) The re-use of existing buildings in accordance with Policy G2;</p> <p>f) The limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) , whether redundant or in continuing use, which would not have a greater impact on the openness of the Green belt and the purpose of including land within it than the existing development</p> <p>eg) Proposals for renewable energy schemes may be acceptable in the Green Belt, providing they satisfy national guidance.</p> <p>There are a number of major developed employment sites within the Green Belt. These sites can be developed within their curtilage. These major developed employment sites should</p>

Ref	Page	Policy/ Paragraph	Main Modification
			continue to secure jobs and prosperity without further prejudicing the Green Belt. Such development is considered appropriate in the terms of the National Planning Policy Framework.
MM25	67	10.26	10.26 The construction of new buildings in the Green Belt is strictly limited. However, essential facilities such as changing rooms, stables, general farm buildings and residential garages for example may be acceptable if they maintain the openness of the Green Belt. <u>Such proposals will be considered on their merits having regard to the requirements of the NPPF and Policy G1.</u>
MM28	68	Policy G2	<p>The re-use of existing buildings within the Green Belt will be allowed provided that it meets <u>the following criteria</u>:</p> <p>a) The proposal does not have a materially greater impact on the openness of the Green Belt and the purposes of including land in it;</p> <p>ab) The building is of permanent and substantial construction, of sufficient size and suitable for conversion to the proposed use without the need for additions or alterations which would change <u>harm</u> its existing form or character;</p> <p>b) Permission will only be permitted where the proposals significantly improve on the existing structure, or simply propose to rebuild the structure as it was originally;</p> <p>c) The development respects the design of the building where appropriate, unless the proposals improve the design of the building and provide visual improvements by using alternative materials</p> <p>c) The building is capable of conversion with minimal reconstruction;</p> <p>b) d) The proposed development would not result in an adverse impact in respect of noise, odours, emissions or traffic; and</p> <p>c) e) The building and site has access to a public highway available for use without creating <u>traffic hazards and without involving significant road improvements which would have an undue environmental impact.</u></p> <p>All applications . . .</p>
MM30	71	Policy G5	<p>Policy G5 – Areas of Separation</p> <p>The three Areas of Separation are shown on the Proposals Map as between:</p> <ul style="list-style-type: none"> • Bamber Bridge and Lostock Hall (Central Park); • Walton-le-Dale and Penwortham (including part of Central Park); and • Farington, Lostock Hall and Penwortham. <p>The Council will protect this land from inappropriate development <u>in line with Policy G1 and the NPPF.</u> other than Green Infrastructure uses, leisure and recreational uses, which would not adversely impact on the visual</p>

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			or spatial continuity of the Green Infrastructure and separation area.
MM34	77	Policy G2	Policy G12- Green Corridors/ <u>Green</u> Wedges
MM36	80	A new paragraph after 10.77	A new policy is proposed – Policy G16 Biodiversity and Nature Conservation and accompanying justification. See Inspector’s suggested change to this policy.
MM37	80/81	A new paragraph 10.81	New wording proposed to explain how the Council will incorporate forthcoming work on the ecological networks. <u>10.81 As well as the need to protect, conserve and enhance designated sites it is also important to protect, conserve and enhance nationally and locally important species that use a variety of sites/habitats as part of a nature conservation network. Lancashire County Council is producing an Ecological Network covering the County, including South Ribble’s borough. Once finalised this will be an important contribution to the nature conservation agenda and will need to be protected, conserved, maintained and enhanced where appropriate. The Ecological Network will be presented in text and visually through maps within the Biodiversity and Nature Conservation SPD to ensure compatibility between the DPD, SPD and LCC’s Ecological Network.</u>
MM38	98	Appendix 4 Retail Maps	In line with the retail policy amendments there have also been a series of alterations to the retail maps to provide greater clarity within the document.
MM39	New Page	Appendix 8	Add a Performance Monitoring Framework as <u>Appendix 8: Performance Monitoring Framework</u>

INSPECTOR’S SUGGESTED CHANGES TO ENSURE SOUNDNESS:

Policy D2 as modified (Appendix to MM20)

Inspector’s alteration to the last paragraph of modified Policy D2 to ensure that the plan is positively prepared and consistent with the Framework:

~~“Once a planning permission has expired, there will be no presumption that it will be renewed unless a start has been made on construction. Any application for renewal of permission will be considered having regard to a demonstration of the deliverability of the scheme and the annual monitoring of housing site delivery.”~~

New policy G16 (Appendix to MM36)

Inspector’s alterations to ensure consistency with Framework:

The borough’s Biodiversity and Ecological Network resources will be protected, conserved and enhanced. The level of protection will be commensurate with the site’s status and proposals will be assessed having regard to the site’s importance and the contribution it makes to wider ecological networks:

~~Priority will be given to~~ Regard will be had to:

- Protecting and safeguarding all designated sites of international, national, regional, county and local level importance including all Ramsar, Special Protection Areas, Special Areas of Conservation, national nature reserves, sites of special scientific interest and biological heritage sites, geological heritage site, local nature reserves, wildlife corridors together with any ecological network approved by the Council;
- Protecting, safeguarding and enhancing habitats for European, nationally and locally important species;
- When considering applications for planning permission protecting, conserving and enhancing the borough's ecological network and providing links to the network from and/or through a proposed development site.

In addition development ~~must adhere~~ should have regard to the provisions set out below:

- ~~a) The production of a net gains in biodiversity~~ a) the need to minimise impacts on biodiversity and providing ~~where possible~~ by designing in wildlife and by ensuring that any adverse impacts are significant harm is avoided or if unavoidable are is reduced or appropriately mitigated and/or, as a last resort, compensated;
- ~~b) The provision of opportunities for habitats and species to adapt to climate change;~~ b) the need to promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations;
- ~~c) The support and encouragement of enhancements which contribute to habitat restoration;~~
- ~~d) Protecting and enhancing existing habitats and features on all sites;~~
- e) Where there is reason to suspect that there may be protected habitats/species on or close to a proposed development site planning applications must be accompanied by a survey undertaken by an appropriate qualified professional;
- ~~f) In exceptional cases~~ where the benefits for development in social or economic terms is considered to ~~significantly~~ outweigh the impact on the natural environment, appropriate and proportionate mitigation measures and/or compensatory habitat creation of an equal or greater area will be required through planning conditions and/or planning obligations.