

Bryning with Warton Submission Neighbourhood Development Plan

Paragraph 8 of Schedule 4b

‘Basic Conditions’ Statement

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Bryning-with-Warton Submission Neighbourhood Development Plan Paragraph 8 of Schedule 4b 'Basic Conditions' Statement

Legal Requirements

The Submission Plan is being submitted by a qualifying body

This Submission Plan is being submitted by a qualifying body, namely Bryning-with-Warton Parish Council.

What is being proposed is a neighbourhood development plan

The plan proposal relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

The proposed Neighbourhood Plan states the period for which it is to have effect

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from the Plan being made up to 2030 (the same period as the emerging Fylde Local Plan).

The policies do not relate to excluded development

The Neighbourhood Plan proposal does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

The proposed Neighbourhood Plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.

The Neighbourhood Plan proposal relates to the Bryning-with-Warton Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area.

Basic Conditions

Have Appropriate Regard to National Policy

The Bryning-with-Warton Neighbourhood Plan has been produced with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF). Paragraphs 183-185 of the NPPF outline specific guidance in relation to the production of Neighbourhood Plans. Paragraph 184 states that “The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the local area. Neighbourhood Plans must be in general conformity with the strategic policies of the local plan.” The Bryning-with-Warton Neighbourhood Plan has been drafted with regard to the planning policies of Fylde Borough Council, and the comprehensive evidence base that supports these policies.

Paragraph 184 also states that Neighbourhood Plans should “not promote less development than set out in the Local Plan or undermine its strategic policies”. The Bryning-with-Warton Neighbourhood Plan does not undermine the strategic policies of Fylde Borough Council; the Plan aims to support these policies and site allocations by allocating land for housing growth, whilst still protecting areas of open countryside around Bryning-with-Warton from additional major development which could lead to development that is not sustainable. The policies in the Neighbourhood Plan help to support the emerging Local Plan Preferred Option policy that identifies Warton as a strategic location for development and also the strategic Enterprise Zone site at Warton.

The Plan has regard to the twelve core planning principles set out within paragraph 17 of the Framework, as set out in Table 1 below:

Table 1 NPPF Core Planning Principles and the Bryning-with-Warton Submission Neighbourhood Development Plan

NPPF Core Planning Principle	Regard that Bryning-with-Warton Neighbourhood Plan has to guidance
<p>Planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and Neighbourhood Plans setting out a positive vision for the future of the area. Plans should be kept up to date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.</p>	<p>The Parish Council has produced the Submission Plan in line with this guidance. It will provide a framework to ensure that development is genuinely plan-led, and through involvement of the local community in shaping its policies and proposals through consultation, the Plan will empower local people to shape their surroundings. The emerging vision, objectives, policies and proposals in the Plan have been developed with a thorough approach to community engagement. The Plan sets out a positive vision for the area up to 2030. The Neighbourhood Plan sets out a concise and practical suite of policies (11 in total) to guide development control decisions.</p>
<p>Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.</p>	<p>The Submission Neighbourhood Plan offers the local community the opportunity to shape the future development of Bryning-with-Warton in a creative way, ensuring that the quality of the place is enhanced by protecting surrounding areas of countryside and open space whilst at the same time supporting housing growth.</p>
<p>Planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.</p>	<p>This Submission Neighbourhood Plan refines and amplifies District-wide policies and proposals set out in Fylde’s Local Plan policies. The Submission Neighbourhood Plan supports appropriate business and economic growth in the Parish. Policies protect local retail facilities, support economic development on brownfield land. The Plan allocates additional sites for new housing development over and beyond that identified in the adopted Local Plan. These additional sites will go a significant way to meeting the final “objectively assessed” need for Fylde. This, has of yet, not been determined. The Plan promotes improvements to local transport and seeks to protect local and international wildlife sites.</p>
<p>Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and</p>	<p>The Submission Neighbourhood Plan sets out policies to protect and enhance local character and ensure that amenity is protected.</p>

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<p>buildings.</p> <p>Planning should take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.</p>	<p>The Submission Neighbourhood Plan takes regard of this guidance fully in plan-making and decision- taking.</p> <p>The Bryning-with-Warton Neighbourhood Plan seeks to protect the surrounding countryside; preserve the character and identity of the village; and promote a thriving rural community.</p> <p>Existing local centres and facilities are protected.</p>
<p>Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy).</p>	<p>The Submission Neighbourhood Plan promotes a masterplanned approach to transport improvement, particularly less reliance on the private car. The Submission Plan seeks to protect and improve locally important green spaces. The Plan also includes a policy to reduce risk of surface water run-off from new development.</p>
<p>Planning should contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in the Framework.</p>	<p>The Submission Neighbourhood Plan is fully consistent with this principle.</p> <p>The Plan sets a policy framework for protection and enhancement of open green spaces, and supporting local and international biodiversity and wildlife which, taken together, will have a beneficial impact on the natural environment and pollution reduction.</p> <p>Proposals for increasing opportunities for walking have the potential to improve traffic flow through the area reducing carbon emissions, and with their concomitant environmental improvements are likely to have a positive impact on air quality.</p>
<p>Planning should encourage the effective use of land by reusing land that has been previously developed (Brownfield land), provided that it is not of high environmental value.</p>	<p>The Submission Bryning-with-Warton Neighbourhood Plan is not at variance with this principle, and seeks to safeguard locally important open spaces from further new housing development. The Plan promotes the development of brownfield sites for economic development, where possible.</p>

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<p>Planning should promote mixed-use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as wildlife, recreation, flood risk mitigation, carbon storage or food production).</p>	<p>Policies in the Submission Plan seek to ensure a sustainable mix of uses within the local centre to enhance its viability and sustainability. The Plan at a higher level also seeks an appropriate mix of housing and economic growth in Warton. The Plan incorporates multiple use buffer zones.</p>
<p>Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations</p>	<p>The Submission Neighbourhood Plan is fully in line with this principle.</p> <p>The Plan area includes one statutory Listed Building and no Conservation Area.</p>
<p>Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable</p>	<p>The Submission Neighbourhood Plan seeks to promote the use of sustainable forms of transport through policies promoting walking by identifying a series of green buffers, and by supporting appropriately designed signage. The policy promoting the viability of the local centre will also facilitate more sustainable patterns of transport, by ensuring that services are available at a local level. The plan seeks a masterplanned approach to future transport issues in Warton to help reduce reliance on the private car.</p>
<p>Planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural services to meet local needs</p>	<p>The Draft Neighbourhood Plan is fully in accord with this principle. Policies in the plan safeguard and seek to improve local green spaces and promote a network of green buffer areas to support walking and cycling. In addition, policies that support the local centre will help to support local services for the benefit of residents.</p>

Have Special Regard to the Desirability of Preserving any Listed Building or it's Setting or any Features of Special Architectural or Historic Interest

The Submission Neighbourhood Plan has special regard to the desirability of preserving listed buildings and their settings, and features of architectural or historic interest within the Parish.

Have Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area

The Plan area has no Conservation Area.

The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010(2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007(3)) (either alone or in combination with other plans or projects).

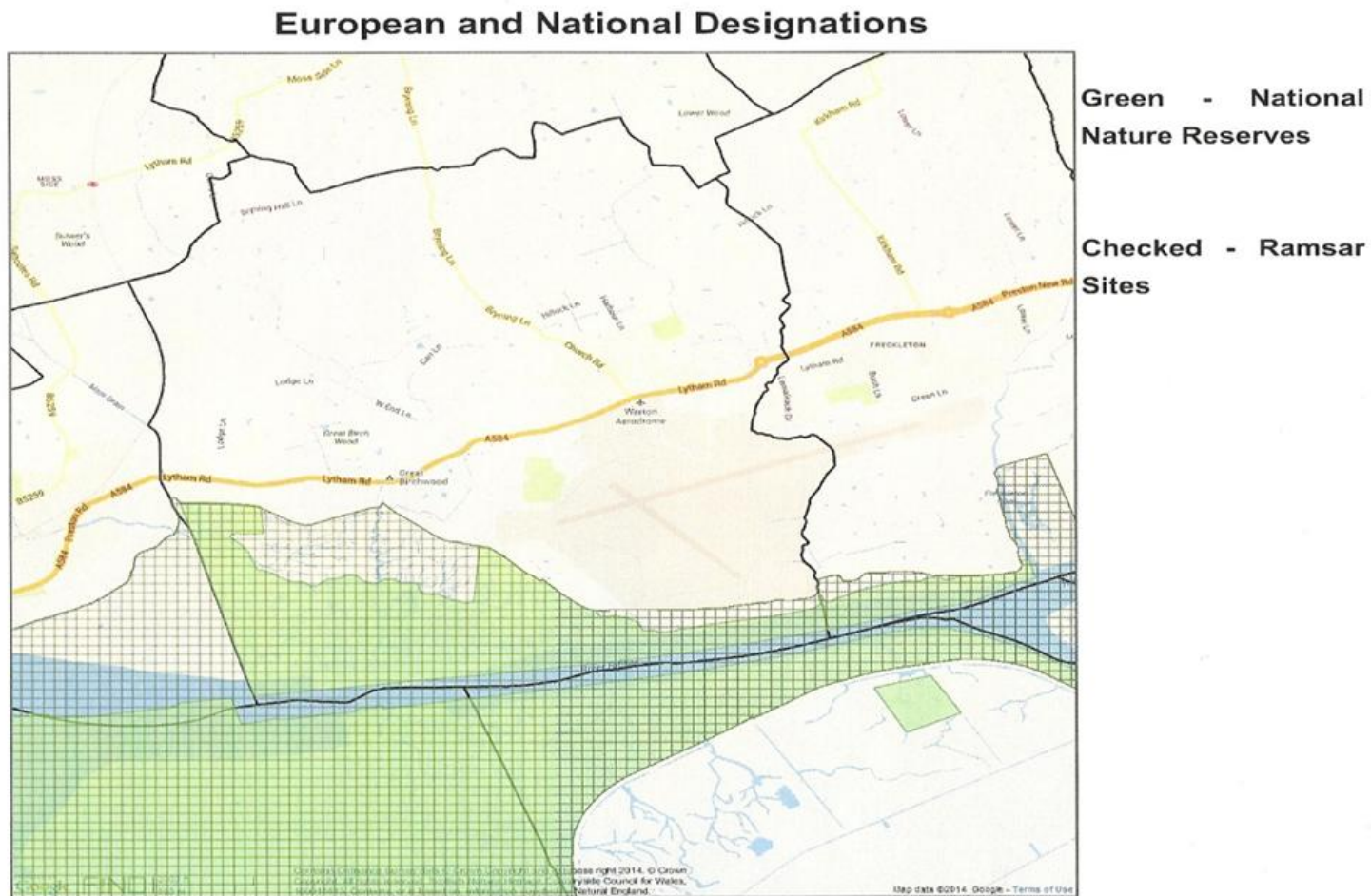
The Neighbourhood Plan has been subject to a separate Sustainability Appraisal that accompanies the Submission Plan and this Basic Condition Statement.

There is a network of sites in Europe protected for their flora, fauna or birds under the Habitats or Birds Directive: collectively these are known as "European Sites".

There are two European Sites within the Bryning with Warton Neighbourhood Plan Boundary, see Figure 1.

These are the Ribble and Alt Estuaries Special Protection Area (SPA) and the Ribble and Alt Estuaries Ramsar Site.

Figure 1 – European Sites



Plans that may have a significant effect on European Sites have to undertake a Habitat Regulations Assessment (HRA).

A Habitat Regulations Assessment has already been undertaken for Fylde's Local Plan Preferred Option. This found that a number of policies would have "no identifiable impact" on protected European Sites. A number of other policies were selected for more detailed screening. For these policies the conclusion was reached that any effects on European Sites "are unlikely to be substantial" and "could only be realistically significant if combined by the pressures and threats exerted by other plans". It was concluded that further assessment of the Local Plan's final policies could be avoided if these policies were strengthened "to include specific references to European Sites" and caveats added to seek "project specific HRA through the development process".

The Bryning with Warton Neighbourhood Plan policies have had regard to the emerging planning policy in the Fylde Local Plan Preferred Option and do not have any identifiable impact on European Sites and the two development site allocations of H1 and H2 are smaller allocations of sites made in the Preferred Option. The conclusion with regards these areas was that further assessment could be avoided if these policies were strengthened "to include specific references to European Sites" and caveats added to seek "project specific HRA through the development process". The Neighbourhood Plan does this and for this reason it has been concluded a separate HRA is not required for this Plan.

Contribute to the Achievement of Sustainable Development

The Submission Neighbourhood Development Plan contributes strongly to the achievement of sustainable development. A full Sustainability Appraisal of the plan has been prepared.

Paragraphs 6-10 of the National Planning Policy Framework outline the Government's definition of sustainable development.

The UK Government's interpretation of the concept of sustainable development builds on that of the UN resolution 24/187, which is 'meeting the needs of the present without compromising the ability of future generations to meet their own needs.'

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The NPPF amplifies this simple definition, at paragraph 7, stating that sustainable development has three dimensions, economic, social and environmental. Planning needs to perform a number of roles in relation to these issues:

- ❑ “an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- ❑ a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of the present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well- being; and
- ❑ an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

In Paragraph 6, the NPPF states that “the policies in paragraphs 18-219, taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system”.

Table 1 above gives a clear and comprehensive narrative of how the framework complies with the Core Planning Principles of the NPPF, and by corollary, the achievement of sustainable development.

Table 2 below summarises how the policies and allocations in the Submission Plan contribute to the economic, social and environmental aspects of sustainable development.

Table 2 Submission Plan’s contribution to the economic, social and environmental aspects of sustainable development.

Sustainable Development Role	Neighbourhood Development Plan’s Contribution
Economic	The Submission Neighbourhood Plan seeks to support the Local Centre through the protection of important local retail and leisure facilities. The plan seeks to protect existing employment uses and support the development of the Enterprise Zone. By supporting significant housing growth the plan recognises the need to plan for housing and jobs together.
Social	The Neighbourhood Plan sets a strong framework that will help to support the achievement of sustainable social development. The plan promotes housing growth; protects the village centre; promotes health and well-being and seeks more local employment opportunities.
Environmental	<p>The Submission Neighbourhood Plan sets out policies that protect local wildlife and biodiversity and protects open space around the settlement as a valued local asset.</p> <p>The plan protects European Sites.</p> <p>The Plan seeks to promote more sustainable transport patterns through the creation of walking routes which will encourage more pedestrian journeys.</p> <p>Policies seek to promote the local distinctiveness of the area, and recognise locally important natural and built heritage assets.</p> <p>The Plan incorporates a policy to deal with surface water run-off.</p>

Be in General Conformity with Strategic Local Planning Policy

The Submission Neighbourhood Plan is in general conformity with strategic Local Plan policies Contained in the Fylde Local Plan 2005 (as amended). Table 3 below sets out the relevant strategic policies from these documents and the way that the Neighbourhood Plan conforms to these.

Table 3 Conformity with Local Strategic Policy

<p>Strategic Local Policy Fylde Local Plan July 2005 Saved Policies</p> <p><i>(Note only Strategic Policies relevant to the Bryning-with-Warton Neighbourhood Development Plan have been included)</i></p>	<p>Neighbourhood Plan</p>
<p>POLICY SP1</p> <p>SUBJECT TO OTHER POLICIES OF THE PLAN, DEVELOPMENT WILL BE PERMITTED WITHIN THE LIMITS OF DEVELOPMENT OF THE SETTLEMENT OF WARTON</p>	<p>The Neighbourhood Plan, Policy BWH1, defines a new settlement boundary for Warton. This seeks to manage future growth within this new settlement boundary.</p>
<p>POLICY SP2</p> <p>IN COUNTRYSIDE AREAS, DEVELOPMENT WILL NOT BE PERMITTED EXCEPT WHERE PROPOSALS PROPERLY FALL WITHIN CERTAIN CATEGORIES</p>	<p>The Neighbourhood Plan seeks to protect the countryside – by promoting a level of growth at sites H1 and H2 that seeks to retain the village’s size and character. Development in the countryside will be limited to certain categories broadly compatible with the Local Plan. Development to the North has been restricted due to the countryside aspect, intending to protect and enhance this aspect of the village.</p>
<p>POLICY SP5</p> <p>IN THE COUNTRYSIDE AREAS AND GREEN BELTS, THE RE-USE, ADAPTATION OR CONVERSION OF AGRICULTURAL OR OTHER RURAL BUILDINGS TO NEW COMMERCIAL, INDUSTRIAL, OR RECREATIONAL USES WILL BE PERMITTED.</p>	<p>Neighbourhood Plan Policy BWE1 includes the following criteria:</p> <p>c) It re-uses or converts an existing building, without the need for substantial reconstruction or extensions; or</p> <p>d) It is a proposal for homeworking that would not have an adverse impact on existing or future residential amenity or the local environment and the rural area.</p>

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<p>POLICY SP8</p> <p>THE REASONABLE EXPANSION OF EXISTING BUSINESSES AND COMMERCIAL OPERATIONS WILL BE PERMITTED IN THE COUNTRYSIDE AREAS SUBJECT TO CRITERIA.</p>	<p>These are considered to be in general conformity with SP5.</p> <p>Neighbourhood Plan Policy BWE1 includes the following criteria:</p> <ul style="list-style-type: none"> c) It would support rural diversification; d) It re-uses or converts an existing building, without the need for substantial reconstruction or extensions; or e) It is a proposal for homeworking that would not have an adverse impact on existing or future residential amenity or the local environment and the rural area. <p>These are considered to be in general conformity with SP5.</p>
<p>POLICY HL1 – THIS POLICY SEEKS TO CONSTRAIN HOUSING DEVELOPMENT IN A POSITION OF OVER-SUPPLY. IT IS CONSIDERED OUT OF DATE, AND NO LONGER IN LINE WITH NATIONAL PLANNING POLICY.</p>	<p>HL1 is no longer in line with national planning policy.</p>
<p>POLICY HL2 – SETS OUT THE PRINCIPLES THAT WILL BE USED TO ASSESS NEW HOUSING DEVELOPMENT.</p>	<p>Policies BWH1 and BWH2 promote similar principles and are in “general conformity”.</p>
<p>POLICY EMP2</p> <p>WITHIN THE DEFINED EXISTING BUSINESS AND INDUSTRIAL AREAS AND THE SITES ALLOCATED UNDER POLICY EMP1, LAND IN CLASS B BUSINESS AND INDUSTRIAL USES WILL BE RETAINED IN THAT CLASS. PROPOSALS FOR BUSINESS AND INDUSTRIAL DEVELOPMENT OR REDEVELOPMENT WILL BE PERMITTED SUBJECT TO THE PARTICULAR USE CLASSES INDICATED FOR EACH SITE BELOW AND TO THE OUTCOME OF ANY CONSULTATIONS WITH THE HEALTH</p>	<p>POLICY BWE2 – PROTECTING EXISTING EMPLOYMENT includes the following:</p> <p>The larger employment sites, including the existing employment area at BAE Systems, shown on Figure 8 will be protected for employment uses (Use Classes B1, B2 and B8).</p> <p>This policy is in general conformity.</p>

<p>AND SAFETY EXECUTIVE.</p> <p>BRITISH AEROSPACE, WARTON B1,B2,B8</p>	
<p>POLICY EMP3</p> <p>OUTSIDE THE DEFINED EXISTING AND PROPOSED BUSINESS AND INDUSTRIAL AREAS, INDUSTRIAL AND BUSINESS DEVELOPMENT WITHIN THE DEFINED SETTLEMENTS WILL BE PERMITTED PROVIDING THE FOLLOWING CRITERIA CAN BE MET:-</p> <p>1. THE SITE IS SUITABLY RELATED TO THE HIGHWAY NETWORK;</p> <p>2. IN THE CASE OF USES LIKELY TO EMPLOY LARGE NUMBERS OF PEOPLE, THE SITE IS WELL SERVED OR IS CAPABLE OF BEING WELL SERVED BY PUBLIC TRANSPORT;</p> <p>3. THE PROPOSAL WOULD NOT PREJUDICE THE AMENITIES OF ADJACENT RESIDENTIAL AREAS.</p>	<p>POLICY BWE1 – PROMOTING EMPLOYMENT GROWTH includes the following:</p> <p>Development to provide new and improved employment opportunities for local people and to help businesses to start-up and grow will be permitted when:</p> <p style="padding-left: 40px;">a) It is within the Warton settlement boundary and would not have an adverse impact on residents or other business users.</p> <p>This policy is in general conformity.</p>
<p>POLICY TREC 13</p> <p>ALL EXISTING AREAS OF PUBLIC OPEN SPACE WILL BE SAFEGUARDED FROM DEVELOPMENT UNLESS AS A RESULT OF DEVELOPMENT, EQUIVALENT OR IMPROVED PROVISION WOULD BE ACHIEVED IN THE LOCALITY.</p>	<p>POLICY BWLC2: COMMUNITY, LEISURE FACILITIES AND OPEN SPACES includes the following:</p> <p>The following open spaces will be protected, Figure 10:</p> <p>P1 - Bridges Playing Fields, this site will be protected for sport and recreation use and proposals for their improvement will be permitted.</p> <p>Sites P2-P3 are open spaces to be provided in future development that once in place will be protected. Sites P6 and P7 are existing allotments.</p>

	<p>This policy is in general conformity.</p>
<p>POLICY TREC 14</p> <p>PLAYING FIELDS AND RECREATIONAL FACILITIES, INCLUDING THE FOLLOWING FACILITIES, WILL BE SAFEGUARDED FROM DEVELOPMENT. PLANNING PERMISSION FOR DEVELOPMENT ON PLAYING FIELDS AND OTHER RECREATIONAL FACILITIES WILL NOT BE PERMITTED UNLESS CERTAIN CRITERIA ARE MET.</p>	<p>POLICY BWLC2: COMMUNITY, LEISURE FACILITIES AND OPEN SPACES includes the following:</p> <p>The following open spaces will be protected, Figure 10: P1 - Bridges Playing Fields, this site will be protected for sport and recreation use and proposals for their improvement will be permitted.</p> <p>This policy is in general conformity.</p>
<p>POLICY TREC 17</p> <p>WITHIN HOUSING DEVELOPMENTS, THE PROVISION OF AN AMENITY OPEN SPACE WITH FACILITIES FOR CHILDREN'S PLAY, WHERE APPROPRIATE, WILL BE REQUIRED TO THE FOLLOWING MINIMUM STANDARDS:-</p> <p>16 SQ M PER 1 BEDROOM DWELLING 24 SQ M PER 2 BEDROOM DWELLING 32 SQ M PER 3 BEDROOM DWELLING 40 SQ M PER 4 BEDROOM DWELLING 48 SQ M PER 5 BEDROOM DWELLING</p> <p>UNLESS OTHERWISE AGREED THE OPEN SPACE MUST BE PROVIDED AS A SINGLE CENTRAL USEABLE FACILITY.</p> <p>FOR HOUSING PROPOSALS THAT WOULD PRODUCE OR CONTRIBUTE TO A DEVELOPMENT OF 100 DWELLINGS OR</p>	<p>POLICY BWH2: WARTON WEST AND WARTON EAST includes the following:</p> <p>To ensure that the large allocations of Warton West and East retain the village character of Warton and do not have an adverse impact on quality of life the following will have to be incorporated in any development proposals:</p> <ol style="list-style-type: none"> 1. The inclusion of appropriate buffer areas to protect the amenity of existing and future residents and the countryside setting of Warton. These buffer areas should enhance existing and create new wildlife habitats and corridors, see Figure 7. These buffer areas should be substantial areas of open space, avoiding the creation of narrow footpath sized strips of land that simply become alleys or ginnels; 2. Suitable high quality, on site, public open space provision. <p>This policy is in general conformity.</p>

<p>MORE, THE PROVISION OF TWICE THE ABOVE REQUIREMENTS WILL BE REQUIRED.</p>	
<p>POLICY TREC 18</p> <p>DEVELOPMENT ON ALLOTMENT GARDENS WILL NOT BE PERMITTED UNLESS IT CAN BE DEMONSTRATED THAT LITTLE DEMAND EXISTS AND THE ALLOTMENTS ARE SUBSTANTIALLY UNDER-USED OR THAT ALTERNATIVE EQUIVALENT OR IMPROVED FACILITIES WILL BE PROVIDED IN THE SAME LOCALITY.</p>	<p>POLICY BWLC2: COMMUNITY, LEISURE FACILITIES AND OPEN SPACES includes the following:</p> <p>The following open spaces will be protected, Figure 10:</p> <p>Sites P6 and P7 are existing allotments.</p> <p>This policy is in general conformity.</p>
<p>POLICY EP2</p> <p>DEVELOPMENT WILL NOT BE PERMITTED UPON OPEN SPACES, DEFINED ON THE PROPOSALS MAP, WHICH ARE CONSIDERED TO BE ESSENTIAL TO THE SETTING, CHARACTER OR VISUAL AMENITIES OF TOWNS AND VILLAGES.</p>	<p>POLICY BWLC2: COMMUNITY, LEISURE FACILITIES AND OPEN protects open spaces.</p> <p>POLICY BWH2: WARTON WEST AND WARTON EAST seeks the following:</p> <p>To ensure that the large allocations of Warton West and East retain the village character of Warton and do not have an adverse impact on quality of life the following will have to be incorporated in any development proposals:</p> <ol style="list-style-type: none"> 1. The inclusion of appropriate buffer areas to protect the amenity of existing and future residents and the countryside setting of Warton. These buffer areas should enhance existing and create new wildlife habitats and corridors, see Figure 7. These buffer areas should be substantial areas of open space, avoiding the creation of narrow footpath sized strips of land that simply become alleys or ginnels. <p>POLICY BWNE2 – seeks to protect and enhance local character and landscape.</p> <p>This policy is in general conformity.</p>

<p>POLICY EP10</p> <p>THE DISTINCT CHARACTER AND IMPORTANT HABITATS OF FYLDE BOROUGH WILL BE PROTECTED, BOTH IN TERMS OF ITS COASTAL AND INLAND ELEMENTS. IN PARTICULAR, PRIORITY WILL BE GIVEN TO THE PROTECTION OF IMPORTANT LANDSCAPE AND HABITAT FEATURES, INCLUDING SAND DUNES, MUD FLATS, MARINE MARSHES, BEACHES, BROADLEAVED WOODLAND, SCRUB MEADOWS, HEDGEROWS, WETLANDS, PONDS AND WATERCOURSES.</p> <p>APPROPRIATE MANAGEMENT OF THESE FEATURES WILL BE ENCOURAGED GENERALLY AND PARTICULARLY BY THE IMPOSITION OF PLANNING CONDITIONS, BY THE USE OF PLANNING AGREEMENTS AND BY ENTERING INTO MANAGEMENT AGREEMENTS WITH LANDOWNERS AND DEVELOPERS WHERE APPROPRIATE.</p>	<p>POLICY BWNE1 - PROTECTING AND ENHANCING LOCAL WILDLIFE AND HABITATS</p> <p>All development proposals will be required to demonstrate that local wildlife and habitats have been suitably assessed and, where appropriate, protected and enhanced including through sensitive and appropriate landscape and environmental management.</p> <p>This policy is in general conformity.</p>
<p>POLICY EP11</p> <p>NEW DEVELOPMENT IN RURAL AREAS SHOULD BE SITED IN KEEPING WITH THE DISTINCT LANDSCAPE CHARACTER TYPES IDENTIFIED IN THE LANDSCAPE STRATEGY FOR LANCASHIRE AND THE CHARACTERISTIC LANDSCAPE FEATURES DEFINED IN POLICY EP10. DEVELOPMENT MUST BE OF A HIGH STANDARD OF DESIGN. MATTERS OF SCALE, FEATURES AND BUILDING MATERIALS SHOULD REFLECT THE LOCAL VERNACULAR STYLE.</p>	<p>POLICY BWNE2 - PROTECTING AND ENHANCING LOCAL CHARACTER AND LANDSCAPE</p> <p>All new development proposals will be required to demonstrate that they:</p> <ul style="list-style-type: none"> • Enhance and reinforce local distinctiveness. Applicants will be required to clearly demonstrate how the general character, scale, mass and layout of the site, building or extension fits in with the ‘grain’ of the surrounding area with a Design and Access Statement. • Reflect the existing local settlement patterns and the predominant rural character of this area of the Fylde Coast, where isolated farmsteads and small villages predominate, in contrast to the major built-up areas of the coast to the west.

	<ul style="list-style-type: none"> • Enhance the distinctive character and countryside setting of the rural landscape, including incorporation of buffer zones, see Figure 11, when development adjoins the settlement boundary. • Use materials to complement the quality and character of the surrounding area. <p>This policy is in general conformity.</p>
<p>POLICY EP14</p> <p>IN RELATION TO PLANNING APPLICATIONS FOR THE CONSTRUCTION OF NEW HOUSING OR OTHER DEVELOPMENTS, DEVELOPMENT SCHEMES MUST MAKE SUITABLE PROVISION FOR LANDSCAPE PLANTING. WHERE APPROPRIATE, PLANNING PERMISSION WILL BE GRANTED WITH CONDITIONS TO ENSURE THE PROPER IMPLEMENTATION AND MAINTENANCE OF SUCH SCHEMES.</p>	<p>POLICY BWH2: WARTON WEST AND WARTON EAST seeks the following:</p> <ol style="list-style-type: none"> 1. The inclusion of appropriate buffer areas to protect the amenity of existing and future residents and the countryside setting of Warton. These buffer areas should enhance existing and create new wildlife habitats and corridors, see Figure 7. These buffer areas should be substantial areas of open space, avoiding the creation of narrow footpath sized strips of land that simply become alleys or ginnels. <p>This policy is in general conformity.</p>
<p>POLICY EP15</p> <p>DEVELOPMENT PROPOSALS WHICH MAY AFFECT A EUROPEAN SITE OR A PROPOSED EUROPEAN SITE WILL BE SUBJECT TO THE MOST VIGOROUS EXAMINATION.</p>	<p>POLICY BWNE1 - PROTECTING AND ENHANCING LOCAL WILDLIFE AND HABITATS</p> <p>All development proposals will be required to demonstrate that local wildlife and habitats have been suitably assessed and, where appropriate, protected and enhanced including through sensitive and appropriate landscape and environmental management.</p> <p>This policy includes “appropriate assessment”. The higher assessment criteria will be expected to be applied to European Sites.</p> <p>This policy is in general conformity.</p>

<p>POLICY EP16</p> <p>DEVELOPMENT PROPOSALS WITHIN OR LIKELY TO AFFECT SITES OF SPECIAL SCIENTIFIC INTEREST WILL BE SUBJECT TO SPECIAL SCRUTINY.</p>	<p>See above.</p>
<p>POLICY EP17</p> <p>DEVELOPMENT WHICH IS LIKELY TO IMPACT SIGNIFICANTLY OR FUNDAMENTALLY ON THE BIOLOGICAL/GEOLOGICAL RESOURCES OF SITES DEFINED AS BIOLOGICAL HERITAGE SITES OR GEOLOGICAL HERITAGE SITES, WILL NOT BE PERMITTED. LANCASHIRE COUNTY COUNCIL AND THE LANCASHIRE WILDLIFE TRUST WILL BE CONSULTED WHERE APPROPRIATE AND ACCOUNT WILL BE TAKEN OF THE VIEWS OBTAINED. DEVELOPERS MAY BE REQUIRED TO PREPARE AND SUBMIT ENVIRONMENTAL ASSESSMENTS WHERE APPROPRIATE, HAVING REGARD TO THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 1999.</p>	<p>See above.</p>
<p>POLICY EP18</p> <p>EXISTING NATURAL FEATURES SHOULD BE RETAINED WHERE POSSIBLE, WITHIN DEVELOPMENT SCHEMES AND WHERE APPROPRIATE, ADDITIONAL FEATURES SHOULD BE CREATED AS PART OF THE DEVELOPMENT SCHEME. WHERE THE RETENTION OF EXISTING FEATURES IS NOT</p>	<p>POLICY BWNE1 - PROTECTING AND ENHANCING LOCAL WILDLIFE AND HABITATS is in general conformity and contains the following:</p> <ul style="list-style-type: none"> • Retention and enhancement of existing coastal features, watercourses, wetlands, ponds, mature native trees and hedgerows. • Maintenance and creation of linkages between open spaces and habitats, particularly by using existing watercourses.

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<p>PRACTICABLE, REPLACEMENT FEATURES WILL BE REQUIRED.</p>	<ul style="list-style-type: none"> • New habitats within the identified buffer areas (Figure 11); • A Green Infrastructure approach that creates a permanent network of green spaces for access, recreation and wildlife corridors. • Improved access to the countryside by improving the network of existing public rights of way. <p>This policy is in general conformity.</p>
<p>POLICY EP23</p> <p>DEVELOPMENT WILL NOT BE PERMITTED WHICH WOULD ADVERSELY AFFECT THE QUALITY OF COASTAL WATERS, RIVERS, CANALS, LAKES, PONDS AND OTHER BODIES OF WATER. DEVELOPMENT WHICH WOULD BE LIKELY TO GIVE RISE TO POLLUTION OF INLAND SURFACE WATER OR COASTAL WATERS WILL NOT BE PERMITTED.</p>	<p>POLICY BWNE1 - PROTECTING AND ENHANCING LOCAL WILDLIFE AND HABITATS is in general conformity and contains the following:</p> <ul style="list-style-type: none"> • Retention and enhancement of existing coastal features, watercourses, wetlands, ponds, mature native trees and hedgerows. <p>This policy is in general conformity.</p>
<p>POLICY EP30</p> <p>DEVELOPMENT WILL NOT BE PERMITTED WHICH WOULD:-</p> <ol style="list-style-type: none"> 1. ITSELF BE SUBJECT TO AN UNACCEPTABLE RISK OF FLOODING; 2. CREATE AN UNACCEPTABLE INCREASE IN THE RISK OF FLOODING WITHIN THE DEVELOPMENT SITE, OR ELSEWHERE; 3. ADVERSELY AFFECT THE WATER ENVIRONMENT AS A 	<p>The Neighbourhood Plan includes the following policy:</p> <p>POLICY BWNE3 - DESIGN TO REDUCE SURFACE WATER RUN OFF</p> <p>New development should be designed to maximise the retention of surface water on the development site and to minimise runoff. Sustainable drainage systems (SuDS) should be implemented wherever possible.</p> <p>The design of new buildings and infrastructure should take account of existing topography to manage the flow of water along specific flow routes away from property and into appropriate storage facilities.</p> <p>Water attenuation facilities such as lagoons, ponds and swales should be provided within</p>

<p>RESULT OF AN INCREASE IN SURFACE WATER RUN-OFF</p>	<p>development sites.</p> <p>Sustainable design of buildings which support rain water harvesting are supported. Storage of rain water for non-drinking water purposes such as watering gardens and flushing toilets is encouraged.</p> <p>Areas of hard standing such as driveways and parking areas should be minimised and porous materials used where possible.</p> <p>This policy is in general conformity.</p>
<p>POLICY SH10</p> <p>WITHIN THE LOCAL SHOPPING CENTRES AND VILLAGES, THE DEVELOPMENT OF SMALL-SCALE SHOPPING AND OTHER LOCAL FACILITIES WHICH WOULD IMPROVE THE DIVERSITY AND VITALITY OF THE LOCAL CENTRE WILL BE PERMITTED.</p>	<p>Policy BWLC1: SHOPS AND SERVICES is in general conformity.</p> <p>To improve the range of, and access to shopping and community facilities within Warton, the following development principles will take effect:</p> <ol style="list-style-type: none"> 1. Within the Principal Village Centre (Figure 9) the shopping and service area will be maintained. Within this area new shopping and service development will be permitted. 2. Proposals for non-retail and non- service uses, requiring planning permission, will only be permitted within the Principal Village Centre where it can be clearly demonstrated the shop or service use is no longer suitable for, and viable, for such a use. <p>Outside of the Principal Village Centre proposals for local needs retail and service uses will only be permitted when they are in accessible locations and within the settlement boundary.</p> <p>This policy is in general conformity.</p>

<p>POLICY SH12</p> <p>WITHIN THE LOCAL SHOPPING CENTRES AND VILLAGES, CHANGES OF USE FROM RETAIL TO NON-RETAIL USES WILL NOT BE PERMITTED UNLESS IT CAN BE SHOWN THAT:-</p> <ol style="list-style-type: none"> 1. THERE IS AN ALTERNATIVE LOCAL SHOP WHICH CAN CONVENIENTLY SERVE THE AREA; 2. THE UNIT IS VACANT AND THERE HAVE BEEN REASONABLE ATTEMPTS TO SELL/LET IT FOR RETAIL USE. <p>IN PARTICULAR WITHIN LOCAL SHOPPING CENTRES, PROPOSALS FOR CHANGE OF USE WHICH WOULD INVOLVE CONSOLIDATION OF EXISTING NON-RETAIL USES WHICH WOULD UNDERMINE THE VITALITY AND FUNCTION OF THE CENTRE WILL NOT BE PERMITTED.</p>	<p>Policy BWLC1: SHOPS AND SERVICES is in general conformity, see above.</p>
<p>POLICY CF1</p> <p>DEVELOPMENT INVOLVING THE PROVISION, EXTENSION OR IMPROVEMENT OF COMMUNITY OR UTILITY SERVICES WILL BE PERMITTED, SUBJECT TO THE FOLLOWING CRITERIA:-</p> <ol style="list-style-type: none"> 1. THE DEVELOPMENT IS LOCATED WITHIN A SETTLEMENT EXCEPT WHERE NECESSARILY REQUIRED TO PROVIDE A SERVICE TO A RURAL AREA; 	<p>POLICY BWLC2: COMMUNITY, LEISURE FACILITIES AND OPEN SPACES is in general conformity and includes the following:</p> <p>Proposals to improve and provide centrally located and integrated parish-wide community and leisure facilities will be permitted.</p> <p>This policy is in general conformity.</p>

<p>2. THE DEVELOPMENT IS APPROPRIATELY LOCATED HAVING REGARD TO ADJACENT AND NEARBY LAND USES AND WOULD NOT PREJUDICE RESIDENTIAL AMENITY;</p> <p>3. THE DEVELOPMENT IS APPROPRIATELY SITED, DESIGNED AND LANDSCAPED AND WOULD NOT PREJUDICE VISUAL AMENITIES OR THE CHARACTER OF THE AREA;</p> <p>4. ADEQUATE VEHICULAR ACCESS, PARKING, LOADING AND MANOEUVRING AREAS FOR VEHICLES CAN BE PROVIDED;</p> <p>5. SATISFACTORY FOUL AND SURFACE WATER DRAINAGE DISPOSAL ARRANGEMENTS CAN BE PROVIDED.</p>	
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Be Compatible with EU Obligations

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

The Neighbourhood Plan has been subjected to a full Sustainability Appraisal.

The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below.

The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights (“The Convention”). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely:

Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission Neighbourhood Plan is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK’s statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual’s rights and obligations. The process for Neighbourhood Plan production is fully compatible with this Article, allowing for extensive consultation on its proposals at various stages, and an independent examination process to consider representations received.

Article 14 provides that “The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.” The Parish Council has developed the policies and proposals within the Plan in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group of individuals.

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