



Partial Review of the Fylde Local Plan to 2032

**References to NPPF12 within the
Fylde Local Plan to 2032**

March 2020

References to the National Planning Policy Framework within the Fylde Local Plan to 2032

This document has been produced in support of the Partial Review of the Fylde Local Plan to 2032. It provides a schedule of references made to the Framework within the adopted Fylde Local Plan to 2032 (FLP32), whether a generic reference or one to a specific paragraph. The Fylde Local Plan to 2032 was prepared under the 2012 version of the Framework (NPPF12). The revised Framework was published in July 2018 (NPPF18) and a further revised Framework in February 2019 (NPPF19). As part of the Partial Review, the adopted Fylde Local Plan to 2032 has been screened for references to and quotes from text from the NPPF12. The table below shows the results of the screening and identifies any changes that need to be made through the Partial Review.

Paragraph	Reference made	Revision needed
Para 1.3	<p><i>Appendix 1...shows: ...</i></p> <ul style="list-style-type: none"> • <i>Policies which have been superseded by the National Planning Policy Framework (the Framework);</i> 	None needed but each reference in Appendix 1 may require amending (see below)
Para 1.4	<p><i>Preparation of the Fylde Local Plan to 2032 ... has followed the guidance set out in the Framework, published in March 2012 ... The revised National Planning Policy Framework was published in July 2018.</i></p> <p>(goes on to explain paragraph 214, transitional arrangement)</p>	Need to add further reference to NPPF19.
Para 1.5	<p><i>... the need for the planning system to perform a number of roles (the Framework):</i></p> <p>(then gives the three bullets: An economic role, a social role and an environmental role)</p>	Text for these and the introductory sentence is taken from NPPF12. These paragraphs are altered in NPPF19 and therefore the changes need copying into the Local Plan
Para 1.9	<p><i>The Framework states ‘Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.’</i></p>	Needs altering to read <i>“Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood Plans can shape, direct and help to deliver sustainable</i>

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		<i>development, by influencing local planning decisions as part of the statutory development plan."</i>
Para 1.12	<i>The Duty to Cooperate is set out in ... (lists legislation) ... and the Framework</i>	No change needed
Para 1.15	<i>The Framework gives further guidance on 'planning strategically across local boundaries' and highlights the importance of joint working to meet development requirements that cannot be wholly met within a single local planning area, through either joint planning policies or informal strategies such as infrastructure and investment plans. 'Public bodies have a Duty to Cooperate on planning issues that cross administrative boundaries. The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities.' (the Framework)</i>	Text quoted from NPPF12 needs amending to reflect NPPF19 (paragraphs 24 and 25)
Para 1.16	<i>The Framework states that 'Local planning authorities will be expected to demonstrate evidence of having effectively co-operated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination'. The paragraph also provides examples of how evidence of co-operation may be demonstrated, such as jointly prepared strategies or planning policies, joint committees with neighbouring authorities to make decisions or memorandums of understanding to agree how authorities and bodies will co-operate with each other as they prepare planning policy or strategy.</i>	Text quoted from NPPF12 needs amending to reflect NPPF19
Para 1.18	<i>(The Councils) ... are collectively working together on the strategic priorities highlighted in the Framework for the Fylde Coast sub-region, which</i>	Text quoted from NPPF12 needs amending to reflect NPPF19 (paragraph 20).

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	<i>are</i> (then bullets from paragraph 156 of NPPF12 follow, some split up)	
Para 1.28	<i>The tests of soundness are set out in the Framework; the Local Plan must be:</i> (sets out the tests in full)	Text quoted from NPPF12 needs amending to reflect NPPF19 (paragraph 35).
Para 1.33	Reference to when the Framework first came into effect	No change needed
Cross-cutting themes: equality	<i>... the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. The Council should create a shared vision with communities, of the new housing developments and Gypsies and Travellers and Travelling Showpeople pitches and yards and facilities they wish to see. To support this, the Council should aim to involve all sections of the community in the development of the Local Plan (the Framework).</i>	Quote from paragraph 69 of NPPF12; not repeated in any altered form in NPPF19: needs removal
Cross-cutting themes: viability	<i>Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. The plan should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable (the Framework).</i> <i>Where safeguards are necessary to make a particular development acceptable in planning terms (such as environmental mitigation or</i>	Text from NPPF12 paragraphs 173-177; this is now all out-of-date; replaced with para 34 NPPF19 plus extracts from PPG.

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	<p><i>compensation), the development should not be approved if the measures required cannot be secured through appropriate conditions or agreements. The need for such safeguards should be clearly justified through discussions with the applicant, and the options for keeping such costs to a minimum fully explored, so that development is not inhibited unnecessarily (the Framework,).</i></p> <p><i>The Council should set out the policy on local standards in the Local Plan, including requirements for affordable housing. They should assess the likely cumulative impacts on development in their area of all existing and proposed local standards when added to nationally required standards. In order to be appropriate, the cumulative impact of these standards and policies should not put implementation of the plan at serious risk, and should facilitate development throughout the economic cycle (the Framework). Any affordable housing or local standards requirements that may be applied to development should be assessed at the plan-making stage, where possible, and kept under review (the Framework).</i></p> <p><i>Where practical, CIL charges should be worked up and tested alongside the Local Plan. The CIL should support and incentivise new development, particularly by placing control over a meaningful proportion of the funds raised within the neighbourhoods where development takes place (the Framework). It is important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion. To facilitate this, it is important that the Council understand district-wide development costs at the time Local Plans are drawn up. For this reason, infrastructure and development policies should be planned at the same time, in the Local Plan (the Framework).</i></p>	

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Para 1.53	<i>The Framework specifies that peat is no longer classed as a mineral</i>	No change needed
Para 3.4	<i>The Vision reflects the twelve core land-use planning principles set out in the Framework</i>	The core principles in paragraph 17 of NPPF12 have been removed from NPPF19. Para. 3.4 needs deletion but the Vision itself remains consistent with NPPF19.
Para 4.4	<i>In line with the Framework, the objectives, policies and proposals contained in the Local Plan are underpinned by the 'presumption in favour of sustainable development'</i>	No change needed
Para 7.2	<i>Under the Framework, land within settlements should generally be treated as suitable for development.</i>	No change needed
Para 7.5	Lists purposes of green belt from paragraph 80 of NPPF12	Text unchanged in para.134 of NPPF19: no change needed
Para 7.7	<i>The Framework sets out the types of development that are considered to be exceptions to inappropriate development and those forms of development that are not inappropriate provided they preserve the openness of, and do not conflict with the purposes of including land within, the Green Belt</i>	NPPF19 (paras 145 and 146) continues to do as the text describes: no change needed
Para 7.21	<i>The Framework provides clear guidance in support of mixed use development ... The Framework contains a particular recommendation for live / work. It says that when drawing up local plans, councils should 'facilitate flexible working practices, such as the integration of residential and commercial uses within the same unit' (the Framework).</i>	The quote is from paragraph 21 of NPPF12; needs amending to new wording in paragraph 81 of NPPF19: "allow for new and flexible working practices (such as live-work accommodation)"
Para 7.29	<i>The Framework stresses that great importance should be given to the design of the built environment</i>	No change needed

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7.39	<i>The Ministerial Statement ... along with the Framework, have made it clear that the Government's policy will focus on facilitating development and new jobs in sustainable locations and generally on encouraging more residential development, including on vacant employment sites</i>	No change needed
Para 8.9	Employment Land and Premises Study has regard to the Framework	No change needed
Para 8.17	<i>... the Framework makes it quite clear that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose and land allocations should be regularly reviewed.</i>	Text from NPPF12 needs deletion and replacement with a more general reference to the Framework
Para 8.22	<i>The Framework states that local plans should support economic growth and expansion in the rural areas by taking a positive approach to sustainable new development. It also says that local plans should promote the development and diversification of agricultural and other land based rural businesses.</i>	The quote is from the introductory section of paragraph 28 in NPPF12; the section has been removed; needs amending to reflect text in paragraph 83 of NPPF19.
Policy EC4	<i>Any proposed main town centre uses must satisfy the sequential and impact tests set out in the National Planning Policy Framework</i>	No change needed
Para 8.38	<i>National policy with regard to planning for retail, leisure and town centres is set out in the Framework. The Local Plan will generally rely upon national policy</i>	No change needed
Policy EC5	<i>Proposals for retail, leisure and office development in 'edge of centre' or 'out-of-centre' locations will be considered in line with the Framework, bearing in mind the impacts on existing centres</i>	No change needed
Para 8.55	<i>The sequential approach to planning applications for main town centre uses, as set out in the Framework, will operate requiring a town centres first approach. Proposals for development in</i>	No change needed, except in reference to "office" development requiring impact assessment: not

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	<i>'edge of centre' or 'out-of-centre' locations will be considered in line with the Framework. Consequently, when assessing proposals for retail, leisure and office development outside of town centres, a local threshold for development comprising more than 750sq.m. will require an impact assessment.</i>	included in NPPF19 paragraph 89.
Para 9.2	<i>A key objective of the Framework is to significantly boost the supply of housing ... the planning system should aim to deliver a sufficient quantity, quality, and range of homes consistent with land use principles and other policies in the Framework</i>	No change needed
Para 9.15	<i>... with regard to the 'presumption in favour of sustainable development' contained within paragraph 14 of the Framework</i>	Needs changing to paragraph 11. Other text: no change needed
Para 9.23	<i>... the Council has clearly allocated enough land to facilitate the provision of homes in line with the Framework.</i>	No change needed
Policy H2	<i>Affordable housing requirements set out in Policy H4 may be met partly by the provision of homes designed to accommodate the elderly, where these also fall into the definition of affordable housing set out in the Framework.</i>	No change needed
Para 9.49	<i>The Framework recommends that councils should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area (The Framework, paragraph 53).</i>	Remove paragraph number, otherwise no change needed (in paragraph 70 of NPPF19)
Para 9.51	<i>The Framework requires councils to plan for a mix of housing based on the needs of different groups including people wishing to build their own homes.</i>	No change needed.

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Para 9.57	<i>The Framework states that councils should normally approve planning applications for change to residential use and any associated development from commercial buildings (Class B uses) where there is an identified need</i>	This quote was from paragraph 51 of NPPF12; this has now been replaced by NPPF19 paragraph 121 which is weaker, with more significant caveats. Requires altering to accord with NPPF19 paragraph 121
Para 9.58	<i>The Framework states that the long term retention of allocated sites should be avoided where there is no reasonable prospect of the land being brought forward for B1, B2 and B8 uses. However, the Fylde Employment Land Study recommends ...</i>	Quotes directly from NPPF12 paragraph 22 but then goes on to state why protection of employment sites is justified by evidence. Text needs revision to remove out-of-date text and to replace with more general text.
Para 9.81	<i>The Framework supports, as an exception, the construction of isolated new homes in the countryside where the home is required to meet the essential need of a rural worker, or the building provides exceptional quality of design</i>	This is now in paragraph 79 NPPF19, previously was in paragraph 55 NPPF12; this sentence paraphrases the whole set of categories which is detailed in the policies; no change needed.
Para 11.1	<p><i>One of the 12 core planning principles set out in the Framework states that planning should proactively drive and support sustainable economic development, and this includes the delivery of infrastructure.</i></p> <p><i>Additionally, the Framework requires that planning policies should recognise and seek to address potential barriers to investment, including any lack of infrastructure.</i></p>	<p>The core planning principles in paragraph 17 of NPPF12 are gone from NPPF19 although some are subsumed within the text of other sections. This text has gone altogether: reference to Framework needs to be removed but the statement itself could be retained.</p> <p>This was from paragraph 21 of NPPF12; retained in NPPF19 paragraph 81c) but need to remove “recognise and”</p>

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Para 11.45	<p><i>... a working or former aerodrome could be put forward for consideration as a site for mixed use development (the Framework) that includes continuing, adapting or restoring aviation services in addition to other uses ...</i></p> <p><i>The guidance also requires planning authorities to have regard to the extent to which an aerodrome contributes to connectivity outside the authority's own boundaries, working together with other authorities and Local Enterprise Partnerships as required by the Framework (paragraph 46 of the updated aviation guidance, 2015).</i></p>	<p>This reference to the Framework is unnecessary but its retention would not make the plan in conflict with NPPF19.</p> <p>No conflict with NPPF19</p>
Para 11.59	<p><i>The Framework encourages councils to set local parking standards for residential and non-residential development, taking into account:</i></p> <ul style="list-style-type: none"> <i>• the accessibility of the development;</i> <i>• the type, mix and use of development;</i> <i>• the availability of and opportunities for public transport;</i> <i>• local car ownership levels; and</i> <i>• an overall need to reduce the use of high emission vehicles.</i> <p><i>Councils should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network.</i></p>	<p>This quotes from NPPF12 paragraph 39, the part after the bullets may come from the earlier PPG. Needs editing for consistency with paragraphs 105, 106 of NPPF19 as follows: replace fifth bullet with “the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles”; after the bullets the text should be replaced by the whole of paragraph 106 of NPPF19 (minus the reference to the later chapter of the Framework).</p>
Para 12.8	<p><i>The Framework encourages councils to adopt policies that support the government's transition to a low carbon economy. To achieve this, the planning system should adopt proactive policies to mitigate and adapt to climate change.</i></p>	<p>This remains consistent with NPPF19 paragraphs 148 and 149: no change needed.</p>
Policy CL1:	<p><i>Planning decisions should follow the sequential, risk-based approach to the</i></p>	<p>Remains consistent with the approach in</p>

Paragraph	Reference made	Revision needed
	<i>location of development, as required by the Framework.</i>	paragraphs 155-165: no change needed
Paragraph 12.20	<i>In accordance with the Framework, inappropriate development in areas at risk of flooding will be avoided by directing development away from areas at highest risk.</i> (Explanation of sequential test and exception test follows) <i>There is more information on these tests in the Framework, and in the Planning Practice Guidance.</i>	No change needed
Para 12.21	<i>... (having followed the 'sequential' and 'exception' tests set out in the Framework) ...</i>	No change needed
Para 12.39	<i>The Framework states that councils should promote the use of Sustainable Drainage Systems (SuDS) for the management of surface water run-off.</i>	No change needed
Para 12.48	<i>The Council has considered the allocation of appropriate areas of search for commercial scale renewable and low carbon energy, in accordance with the Framework.</i>	Remains in accordance with the Framework, paragraph 151b) in NPPF19. No change needed.
Para 12.55	<i>The Framework recognises that many renewable and low carbon energy projects will constitute inappropriate development in the Green Belt</i>	No change in NPPF19 paragraph 147 from NPPF12 paragraph 91: no change needed.
Para 12.58	<i>The Framework recognises that new development should be expected to comply with adopted Local Plan policies on decentralised energy supply unless the applicant can demonstrate that it is not feasible or viable.</i>	No change in NPPF19 paragraph 153a) from NPPF12 paragraph 96: no change needed.
Para 13.6	<i>The Council intends to carry out landscape appraisals to assist in identifying valued landscapes that accord with paragraph 109 of the Framework.</i>	Paragraph 13.6 contains a reference to paragraph 109 of the NPPF12. Paragraph 170a) NPPF19 states that valued landscapes should only be protected commensurate with their statutory status

Paragraph	Reference made	Revision needed
		or if they have been identified in a development plan. The FLP32 does not designate any valued landscape therefore this reference to valued landscapes requires removal in line with NPPF19.
13.17	<i>The identification and protection of Areas of Tranquillity complies with paragraph 123 of the Framework</i>	This is now in NPPF19 paragraph 180b) but they are now termed “tranquil areas”. Needs amending to say “tranquil areas” and remove reference to paragraph number
Policy ENV2	<i>The Fylde Ecological Network, comprising the Grassland Network, the Wetland and Heath Network and the Woodland Network has been identified and mapped by LCC and Lancashire Wildlife Trust, in compliance with the Framework and is accessible on the Planning Policy website.</i>	No change needed
Para 13.29	<i>Paragraph 9 of the Framework stresses the importance of moving from a net loss of biodiversity to achieving net gains for nature as part of achieving sustainable development. Section 11 of the Framework plus other legislation, regulations and guidance set out both how this is to be achieved, and legal duties and requirements for nature conservation.</i>	This section of NPPF12 paragraph 9 has been removed; NPPF12 section 11 now falls under chapter 15 of NPPF19: need to reword to reflect contents of NPPF19 paragraphs 170d), 174b) and 175d) and remove paragraph and section numbers.
Para 13.31	<i>It [the Lancashire Ecological Network] also provides a foundation for how Lancashire fits into other networks regionally, nationally and internationally and sets the context for other local networks which may be identified, in line with the Framework.</i>	No change needed

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Para 13.36	<i>The Framework requires councils to plan positively for the creation, protection, enhancement and management of biodiversity and Green Infrastructure.</i>	This was in paragraph 114 of NPPF12; now in paragraph 171 of NPPF19 but altered; needs altering to accord with amended wording in NPPF19.
Policy ENV3	<i>a) Existing Open Space, including sports and playing pitches (subject to policy HW3: Protection and Provision of Indoor and Outdoor Sports Facilities), will be protected unless the requirements of paragraph 74 of the Framework are met and the findings of any published and adopted needs assessment are met.</i>	This specific reference to the paragraph number in Policy ENV3 was required by the Inspector and is an integral part of the policy. The content of NPPF12 paragraph 74 is repeated in NPPF19 paragraph 97, with a very minor addition; the reference is fine: needs altering to replace 74 with 97.
Para 13.52	<i>Where a proposed development will result in substantial harm or total loss 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 Framework.</i>	The content of NPPF12 paragraph 133 is repeated in NPPF19 paragraph 195, with very minor alteration; the reference is fine: needs altering to remove reference to paragraph number
Para 13.59	<i>The Framework advises councils that local heritage can be significant and go well beyond nationally designated assets. It is highly probable that there are many unlisted buildings of particular significance and quality in Fylde that have little by way of formal recognition or protection.</i>	Neither NPPF12 nor NPPF19 make this reference. Remove reference to Framework but leave remainder of text in place
Cross cutting themes to ch13	<i>Access to high quality open spaces can make an important contribution to the health and wellbeing of communities (the Framework). Planning policies should protect and enhance public rights of way and access. Councils should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks (the Framework).</i>	These are still in NPPF19 paragraphs 96 and 98; no change needed

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Glossary	Affordable Housing Definitions from 2012 Framework	Modify to refer to 2019, also change the definitions accordingly
Glossary	National Planning Policy Framework	Modify to introduce 2018 and 2019 amendments, explain how revised through Partial Review
Appendix 1 EMP5 Hazardous Installations	<i>Paragraph 164 of the Framework</i>	Replace with “Paragraph 95 of the Framework” (NPPF19)
Appendix 1 TREC5 Major Tourism Development	<i>Paragraphs 26 and 27 of the Framework</i>	Replace with “Paragraphs 89 and 90 of the Framework” (NPPF19)
Appendix 1 TREC15 and TREC16 Golf Courses and other outdoor facilities requiring extensive areas of open land	<i>Paragraph 28 of the Framework</i>	Replace with “Paragraph 83 of the Framework” (NPPF19)
Appendix 1 EP26 Air Pollution	<i>Paragraph 124 of the Framework</i>	Replace with “Paragraph 181 of the Framework” (NPPF19)
Appendix 1 EP27 Noise Pollution	<i>Paragraph 123 of the Framework</i>	Replace with “Paragraphs 180 and 182 of the Framework” (NPPF19)
Appendix 1 EP28 Light Pollution	<i>Paragraph 125 of the Framework</i>	Replace with “Paragraph 180 of the Framework” (NPPF19)
Appendix 1 EP30 Flood Risk	<i>Paragraph 100 of the Framework</i>	Replace with “Paragraphs 155 – 165 of the Framework” (NPPF19)
Appendix 1 SH13 and SH14 – Proposals for retail development at edge of centre and out of centre sites	<i>Paragraphs 24, 25, 26, 27 of the Framework</i>	Replace with “Paragraphs 86 – 90 of the Framework” (NPPF19)
Appendix 1 SH15 Small scale retail units outside defined centres	<i>Paragraph 25 of the Framework</i>	Replace with “Paragraph 88 of the Framework” (NPPF19)

Paragraph	Reference made	Revision needed
Appendix 1 CF8 Major Telecommunications Development	<i>Paragraph 43 of the Framework</i>	Replace with “Paragraph 113 of the Framework” (NPPF19)
Appendix 8 introduction	<i>The Framework sets out four tests of soundness which the Local Plan is expected to conform to, one of which is that the Plan needs to be ‘effective’ (the Framework). One of the ways effectiveness can be demonstrated is that the Plan is able to be monitored.</i>	No change required
Appendix 8 Indicator 1	<i>the presumption in favour of sustainable development as set out in the Framework would apply.</i>	No change required
Appendix 9 Evidence base: General	Lists the 2012 and 2018 Framework	Need to add 2019 Framework and to change the date shown for PPG



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