

# Fylde Council Local Plan to 2032

FYLDE BOROUGH COUNCIL STATEMENT

**MATTER 6**

**GENERAL DEVELOPMENT**

**Stage 2 Hearing Sessions**

June 2017





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## **Matter 6 – General Development**

### ***Issue – Does the Plan provide a robust framework for the management and delivery of development across the Borough that is justified, effective and consistent with national policy?***

vi.i The Local Plan Development Strategy (Chapter 6), and the Local Plan as a whole, including the Development Management policies does provide a robust framework for the management and delivery of development across the Borough that is justified, effective and consistent with national policy.

vi.ii The Fylde Local Plan will promote the delivery of sustainable development to provide for new homes, employment, services, tourism, renewable energy and the infrastructure that supports them. It plans to deliver a minimum of 8,715 new homes and a minimum of 62.6 Ha (gross requirement) of employment land over the plan period to 31 March 2032. Eighty percent of the new homes and 59.6Ha of the new employment land will be at the four strategic locations for development as prescribed in Policy DLF1. Development of the strategic sites at these locations is key to ensuring that the development strategy is achieved.

vi.iii The Development Strategy and the Development Management policies have been refined through the consideration of Issues and Options, a Preferred Option and a Revised Preferred Option. At each stage of plan production, Sustainability Appraisal, evidence base updates and responses to the consultations have been used to refine the Local Plan. More recently, evidence base updates, with respect the economy and the 2014SNHP, have been used to further refine the Development Strategy.

vi.iv The Development Strategy is deliverable over the plan period, most of the development sites are commitments, and many are under construction, the trajectory sets out in detail when housing development will be delivered. Effective Joint Working has taken place with Blackpool, Wyre, Preston and Lancashire County Council’s and the statutory Duty to Cooperate has been met.

vi.v The policies of the Fylde Local Plan will deliver sustainable development in accordance with the policies in the Framework.

### **23. Does the Plan overall take adequate account of shale gas exploration, production and distribution?**

23.1 Lancashire County Council is the Minerals and Waste Planning Authority in Fylde and has responsibility for identifying sites and policies for minerals and waste development in Lancashire within the Joint Minerals and Waste Local Plan.

23.2 Paragraph 147 of the Framework states that Minerals planning authorities should also:

- *When planning for on-shore oil and gas development, including unconventional hydrocarbons, clearly distinguish between the three phases of development (exploration, appraisal and production) and address constraints on production and processing within areas that are licensed for oil and gas exploration.*

23.3 Paragraphs 150 – 185 of the Framework, Plan-Making Local Plans do not refer to on-shore oil and gas development, including unconventional hydrocarbons.

23.4 The Minerals Planning Authority(LCC) have been consulted on the Fylde Local Plan and have not requested that any policy or additional wording be included.

23.5 Fylde Council Officers hold regular Duty to Cooperate meetings with Lancashire County Council and the other Fylde Coast Authorities. Updates on the Minerals and Waste Local Plan are provided. On the 5<sup>th</sup> May 2017 LCC advised that they are going to consult over the summer on the Minerals and Waste Local Plan update, this Minerals and Waste Local Plan will include Onshore Oil and Gas Production and Distribution. Fylde Council is consulted by LCC on planning applications for ‘fracking’ as a statutory consultee.

23.6 Shale Gas exploration, production and distribution are referred to in paragraphs 1.52 and 1.53 of the Local Plan. The impacts of Shale Gas exploration are unknown. There are counter arguments for and against shale gas exploration. The industry is still in a pre-exploration phase.

23.7 The Council has supported the development of the Fylde Coast Energy Hub which has been constructed at Blackpool Airport, the main objective being to support the development of a diverse Fylde Coast Energy Sector. The building is occupied and courses to provide job-ready students in engineering and advanced technology will commence in September (paragraph 9.7 of the Local Plan).

23.8 If a shale gas production industry is developed in Fylde, the Council acknowledges it will need to monitor any effects of the developing industry and to consider the implications for the Local Plan.

23.9 In order to provide clarity and update the plan with respect to shale gas exploration, production and distribution paragraph 1.53 should be deleted and replaced with:

*“Lancashire County Council continue to work on a Minerals and Waste Local Plan for Lancashire which will include Onshore Oil and Gas Exploration, Production and Distribution. The industry is still in a pre-exploration phase. If a shale gas production industry is developed in Fylde, the Council acknowledges it will need to monitor the scale and rate of shale gas development via the Authority Monitoring Report and review any cumulative impacts..”*



**24. Does the Plan overall make sufficient provision for inclusive design and accessible environments in accordance with paragraphs 57, 58, 61 and 69 of the Framework?**

24.1 Policies M1 Masterplanning the Strategic Locations for Development, Policy GD6 Promoting Mixed Use Development, Policy GD7 Achieving Good Design in Development, Policy HW1 Health and Well Being, Policy HW2 Community Facilities, Policy HW3 Protection and Provision of Indoor and Outdoor Sports Facilities, T4 Enhancing Sustainable Transport, Policy ENV3 Protecting Existing Open Space (the Green Infrastructure network), Policy ENV4 Provision of New Open Space (the Green Infrastructure network) Policy ENV5 Historic Environment and Policy T4 Enhancing Sustainable Transport Choice are all relevant to paragraphs 57, 58, 61 and 69 of the Framework.

24.2 However, in order to provide greater emphasis on inclusive design and accessible environments the Council suggests the following modifications to Policy GD7. A new criterion should be added at the beginning of GD7.

- a. *In order to promote community cohesion and inclusivity, new development will be expected to deliver mixed uses, strong neighbourhood centres and active street frontages which bring together all those who live, work and play in the vicinity.*

It is proposed that the criterion j of policy GD7 is amended to as follows:

- j. Ensuring the layout, design and landscaping of all elements of the proposal, including any internal roads, pedestrian footpaths, cycle ways and open spaces, ~~are of high quality and respect the character of the site and local area~~ create user friendly, sustainable and inclusive connections between people and places resulting in the integration of the new development into the built and historic environment.*

Also that Criterion k is amended as follows:

- k. Creating safe ~~and secure environments that minimise opportunity for crime and maximise natural surveillance~~ and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion, and there are clear and legible pedestrian and cycle routes and high quality public space, which encourages the active and continual use of public areas.*

## **Policy M1**

**25. Policy M1 requires 'each allocated site' within the Strategic Locations for Development (SLD) to produce a masterplan and design code, to be approved by the Council and turned into SPDs.**

**a. Is the policy justified and consistent with national policy?**

25a.1 The Council considers the Policy to be justified, it is the most appropriate strategy, and is preferable to not taking a comprehensive approach. It is justified because some the strategic sites at the Strategic Locations for Development were being developed by a number of developers and the Council wanted a comprehensive approach to masterplanning the site as whole, rather than piecemeal uncoordinated development e.g. Land north of Blackpool Road, Kirkham.

25a.2 Paragraphs 17, 38, 52, 58, 59, 69 and 70 of the Framework relate to planning for larger scale development, such as extensions to existing villages and towns, in order to provide sustainable development.

25a.3 The Council is still of the opinion that this is crucial for the strategic development sites where more than one developer may be involved and there is therefore a risk that a comprehensive approach may not be taken.

25a.4 However, the Council agrees that the policy should be clarified by the addition of a threshold:

***Policy M1***

***Masterplanning the Strategic Locations for Development***

*Masterplans and Design codes will be prepared by the prospective developers, with the approval of the Council for each ~~allocation site~~ strategic development site (+100 dwellings) within the Strategic Locations for Development .....*

**b. Have the timescales for producing masterplans and design codes for each allocated site been taken into account in considering the timescales for site delivery? Are there any implications for the housing trajectory?**

25b.1 There have been delays in local plan production, and nearly all of the strategic development sites at the strategic locations for development have planning permission. The only sites which do not have full planning permission are Whyndyke Farm MUS2, which has an outline consent with 106 waiting to be signed. This site is part of the Governments Healthy New Town initiative and is being progressed by a team within the Council. Also Cropper Road West, Whitehills HSS5, this site is not projected to commence until 2020/21, it is in multiple ownership and includes a local centre therefore it should be comprehensively masterplanned.

25b.2 Design and Access statements are required to be submitted in support of any planning application for major development. Such statements will need to demonstrate how the provisions of policy M1 have been considered in the formulation of the development proposal. .

25b.3 The Council concludes that the requirement for masterplans/design codes will not impact on site delivery. Therefore, there are no implications for the Housing Trajectory.

**c. Is the policy consistent with the wording set out in Policies SL1-SL4 regarding masterplans and design codes?**

25c.1 The policy is consistent with the wording set out in Policies SL1-SL4 regarding masterplans and design codes. However, for clarification the wording below Policies SL1-SL4 should be modified to include the threshold in the Policy:

***Policies SL1-SL4***

*Masterplans and approved design codes for each ~~specific~~ strategic development site (+100 dwellings) listed above (where they do not have planning permission) within ...*

**Policy GD1 - Settlement boundaries**

**26. Policy GD1 refers to development being focussed on previously developed land within and immediately abutting the existing settlements. Does this relate to allocated sites and if so are settlement boundaries drawn around them? Are the boundaries around each settlement justified?**

26.1 This does relate to allocated sites, though most of them are greenfield sites and most of them have planning permission. All allocated sites are within the settlement boundary as illustrated by the Fylde Local Plan to 2032 Policies Map SD002a. The last sentence of paragraph 8.1 explains that where strategic and non-strategic sites are allocated adjacent to existing settlements, forming urban extensions – the boundaries have been amended on the **Policies Map** so as to include them within the settlement boundary.

26.2 The Council agrees that the policy could be made clearer by the following modification:

***Policy GD1 Settlement Boundaries***

*The boundaries of settlements in Fylde are shown on the **Policies Map**. ~~Development will be focussed on previously developed land within and immediately abutting the existing settlements subject to other relevant Local Plan policies being satisfied.~~*

*Development proposals outside settlement boundaries will be in accordance with GD2, GD3 and GD4, except where alternative settlement boundaries have been agreed in a Neighbourhood Plan.*

Development proposals on greenfield sites within existing settlement boundaries will be assessed against all relevant Local Plan policies. In addition, the following matters will be taken into consideration:

- a) The sustainability of the site, namely how well it relates to the settlement, and how easy it is to access the settlement centre and other local services on foot or by sustainable modes of transport;
- b) The extent of, and the likely impact upon the site's visual, amenity, leisure, recreational, biodiversity value, tree cover; and the scope for effective mitigation measures;
- c) ~~Whether the site includes any best and most versatile agricultural land, and if so, whether the proposed development can be configured to minimise the loss or sterilisation of the agricultural land. The best and most versatile agricultural land is a finite resource. Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be used in preference to that of a higher quality. That the layout of the site ensures that sterilisation of adjacent agricultural land does not occur;~~
- d) Whether the site includes any mineral safeguarding area, and if so, whether the proposed development can be configured to minimise the loss or sterilisation of the mineral resource;
- e) Whether the proposal is at risk of flooding and / or will result in an increase in surface water run-off. This will be expected to be investigated and confirmed as part of any planning application submission. It will be necessary to attenuate any discharge of surface water through the incorporation of sustainable drainage systems (SuDS). The preference will be for no surface water to discharge to the public sewer, directly or indirectly, if more sustainable alternatives are available.
- f) The cumulative impact of successive development proposals in the same settlement, or in the same part of a settlement;
- g) The scope for provision of community facilities, general improvements to the locality, or other community benefits;
- h) The historic environment with particular reference to the contribution the site makes to the character and setting of the local area.

~~Development proposals on greenfield sites within or immediately abutting the existing settlements' boundaries will be assessed against all relevant Local Plan policies, including but not limited to, policies on the settlements' development targets, infrastructure, open and recreational space, the historic environment, nature conservation, mineral safeguarding, flood risk, as well as any land designations or allocations.~~

~~The significant loss of the best and most versatile agricultural land will be resisted unless it is necessary to deliver development allocated in the Local Plan, or for strategic infrastructure.~~

26.3 See also the response to question 30 which addresses the inclusion of the list of criteria (a-h).

26.4 The settlement boundaries defined by the Fylde Local Plan Policies Map have been derived by the plan making process and are the most appropriate strategy when considered against the alternatives, based on proportionate evidence. Therefore, the boundaries around each settlement are justified.

**27. Will some settlement boundaries be determined through Neighbourhood Plans? If so, does this need to be referenced in GD1?**

27.1 At the time of writing no settlement boundaries have been altered by Neighbourhood Plans, however, the settlement boundary of Elswick may be altered by a Neighbourhood Plan, which is still in very early stages of production. For clarity a reference has been included in GD1 – see the response to question 26.

**28. The policy refers to ‘settlement development targets’. Is this appropriate and consistent with national policy?**

28.1 The Council considers that this is appropriate and consistent with national policy. The Council sets out the Development Strategy in Chapter 6 with Policy S1 defining The Proposed Settlement Hierarchy. The policy describes the roles of the settlements, their services and the types and scale of development that is expected to take place over the plan period. This overall strategy has been subject to sustainability appraisal at every stage of plan production, the overall objective being that of ‘sustainable development’ as defined by the NPPF.

28.2 This is further refined in Policy DLF1 which sets out the percentages of total development that are expected to occur at the strategic locations for development. Policies SL1 – SL5 provide lists of commitments and allocations by settlement.

28.3 Paragraph 7.21 evidences the settlement development targets, the Council has prepared a Settlement Hierarchy Background Paper which assesses the level of services and facilities in each settlement. The Background Paper includes Tier 1: Larger Rural Settlements, which the Council considers could accommodate between 100 and 150 homes over the plan period and Tier 2 Smaller Rural Settlements which could accommodate 50 homes over the plan period.

28.4 The targets are ‘targets’ they are not ceilings and they reflect the Proposed Settlement Hierarchy in Policy S1, the Development Strategy set out in the revised DLF1 and Policy SL5 Development Sites outside the Strategic Locations for Development. The Council considers that it is sustainable to have targets particularly for the rural settlements, otherwise it is highly likely that while the Local Plan was being prepared the most popular villages e.g. Wrea Green would have received unsustainable amounts of development and other villages would have received very little.

28.5 The Sustainability Appraisal of the Issues and Options Local Plan recommended that a degree of rural development occurs which is more than that proposed in Options 1,2,3 and 5 but not as much as Option 4, on a small scale and to a design that reflects rural character.

**29. Is it necessary to refer to agricultural land within a settlement boundary policy?**

29.1 The Local Plan does not allocate any best and most versatile agricultural land, therefore it is agreed that this wording should be deleted from the policy.

29.2 A reference to the sterilisation of agricultural land, by for example the development of the only access into it, should be included in the policy (see the response to question 30).

**30. In relation to greenfield land within settlement boundaries paragraph 8.3 lists other matters that will be taken into consideration when considering development proposals. Should these matters be included in the policy? Would this be justified?**

30.1 For clarification, given the modification proposed to GD1, paragraph 8.3 should be deleted; however the bullets should be added to the policy as Criteria a – h, starting with the statement:

In addition, the following matters will be taken into consideration:

The third criterion should be amended to read:

- c. That the layout of the site ensures that sterilisation of adjacent agricultural land does not occur;

This is considered to be justified as these matters should all be taken into consideration when assessing development proposals.

**Policy GD2 – Green Belt**

**31. The policy states that national guidance for development in the Green Belt will be applied. Should this refer to national policy rather than guidance and include reference to other policies in the Plan including GD4, GD5, H6 and H7? Does the plan clearly set out how development in the Green Belt will be assessed?**

31.1 The policy should be amended as follows:

***Policy GD2  
Green Belt***

*The Green Belt within Fylde is shown on the Policies Map. Within that area national ~~guidance~~ policy for development in the Green Belt will be applied.*

31.2 Paragraph 1.8 of the Local Plan states:

*The Local Plan should be read as a whole and every policy and supporting justification should be considered equally together and a balanced judgement needs to be made when determining planning applications.*

Therefore, policies do not cross reference every other relevant policy.

31.3 The plan relies on the Framework which clearly sets out how development in the Green Belt will be assessed. From the PPG Paragraph: 010 Reference ID: 12-010-20140306 Revision date: 06 03 2014:

*In drafting policies the Local Planning Authority should avoid undue repetition, for example by using generic policies to set out the policies that may be common to different types of development. There should be no need to reiterate policies that are already set out in the National Planning Policy Framework.*

31.4 However, the plan should be made clearer by reference to all of the relevant policies in the Framework. This is dealt with under question 33.

**32. Paragraph 8.6 of the justification text states that no review of the Green Belt has been undertaken, but minor alterations of the Green Belt may be required to accommodate the boundaries of some site allocations or to amend minor anomalies. Paragraph 8.7 also refers to boundary changes. What are the details of these changes and are they consistent with paragraph 83 of the Framework which states that Green Belt boundaries should only be altered in exceptional circumstances?**

32.1 The only change that has been made to the Green Belts of Fylde is a single change at the Coastal Dunes, Clifton Drive North, Blackpool Airport Corridor (site HSS4). A map showing the change is included with this response as Appendix 1.

32.2 For clarity the last sentence of paragraph 8.7 should be amended to read:

A minor change has been made to the green belt boundary at the Coastal Dunes, Clifton Drive North, Blackpool Airport Corridor (site HSS4). The original greenbelt boundary was not a defensible boundary, it cut across the corner of the Pontins Holiday Camp and was occupied by built development including chalets, indoor leisure facilities and a Go Kart track.

The boundary has been redrafted to run around the edge of the previously developed land ( Holiday Camp) which is currently being redeveloped for housing.

**33. Paragraph 89 of the Framework states that the construction of new buildings in the Green Belt is inappropriate except for the development types listed. Other forms of development are also not inappropriate and these are listed in paragraph 90. Paragraph 88 clearly states that ‘very special circumstances’ will not exist unless harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations. Does paragraph 8.7 of the Plan accurately reflect the Framework in relation to very special circumstances?**

33.1 For clarity paragraph 8.7 should be amended:

Inappropriate development in the Green Belt will be resisted unless there are very special circumstances. Paragraphs 87 – 91 of the Framework sets out the types of development that are inappropriate in the Green Belt ~~these special circumstances~~. Policy ENV3, relating to the Green Infrastructure network Protecting Existing Open Space (the Green Infrastructure network), sets out the positive community benefits the Green Belt can provide in terms of landscape, amenity and open space.

### **Policy GD3 - Areas of Separation**

**34. Two Areas of Separation are proposed within the plan.**

**a. Are the areas of separation justified and is the policy consistent with the Framework?**

34a.1 The Adopted Central Lancashire Core Strategy Policy 19 provides for ‘areas of separation’ to protect the identity, local distinctiveness and green infrastructure of certain settlements and neighbourhoods and to ensure that those places at greatest risk of merging are protected. For Preston, which abuts Fylde’s eastern boundary, the wording is that Areas of Separation (AoS) will be designated ‘around’ Broughton, Goosnargh and Grimsargh.

34a.2 Fylde Council discussed the purpose of AoS at Duty to Cooperate meetings with Preston and decided to investigate whether a consistent approach to that applied in Central Lancashire would be justified in Fylde.

34a.3 In 2014 Fylde Council produced an Area of Separation Background Paper ED010 pages 1-9, which sets out why the AoS are justified and how the policy is consistent with the framework.

**b. How have the boundaries been determined and will they be effective?**



34b.1 The process of determining the boundaries is described in detail in the Area of Separation Background Paper ED010 which describes how initially the AoS policy was first included in the Fylde Local Plan Part 1: Preferred Options document which was issued for consultation between the 27<sup>th</sup> June and the 22<sup>nd</sup> August 2013. There was one proposed AoS between Wrea Green and Kirkham. There were 159 representations with respect to the Policy with 12 additional areas of separation suggested at various locations throughout the Borough.

34b.2 The Council then carried out additional work and developed five sequential assessment criteria and a proforma which are included at Section 4 of the Area of Separation Background Paper. All of the proposed AoS were assessed in relation to the Criteria, and the Council's Landscape Architect carried out an Assessment of the landscape character which was added to the proformas. All of this evidence, and maps of the proposed AoS are included in Section 5 of ED010 Assessment of Suggested Areas of Separation Against Criteria. Section 6 contains a Summary of the Areas taken forward.

34b.3 The Council decided to take two AoS forward. The main purpose of an AoS is to protect the identity and local distinctiveness of certain settlements. The worthy purpose is to ensure that those places at greatest risk of merging will be prevented from doing so. The Council selected two AoS, they restrict development between Wrea Green and Kirkham, and Newton and Kirkham, the gaps between these settlements being 313m and 1014m respectively. There are significant development pressures in both areas.

34b.4 The boundaries were consulted upon at the Revised Preferred Option and Submission stages. Prior to the Revised Preferred Option consultation the boundary of the Wrea Green and Kirkham AoS was altered following an appraisal by the Council's landscape architect, a small area was removed and the boundary changed to follow the natural tree line.

34b.5 At the Revised Preferred Option stage 20 responses were received with respect to the two proposed AoS. There are summarised in the Statement of Regulation 18 Consultation (SD010) pages 668-671.

34b.6 The Council considered the responses and decided not to amend Policy GD3 or the boundaries of the two proposed AoS.

34b.7 At the Publication Stage a further 8 responses were received SD011 The Statement of Regulation 20 Consultation(Regulation 22(1)(c)(v)document) pages 80-82. There were two proposed amendments to the boundary of the Wrea Green and Kirkham AoS, the Council decided not to amend the boundary.

34b.8 The boundaries of the two AoS have been established through the collection of evidence by the Council and three successive rounds of plan making and consultation.

34b.9 Policy GD3 is considered to be effective because it restricts inappropriate development in two very small gaps between two rural settlements and the Kirkham and Wesham Strategic Location for Development. Inappropriate development in the AoS would result in the merging of Kirkham with Wrea Green and Newton, resulting in the identity and distinctiveness of Wrea Green and Newton being lost.

**c. Para 8.10 states that the policy will apply to all forms of development in the areas. Is this justified? Does the policy clearly define what development will and will not be acceptable within these areas? Is it clear what is meant by the use of the term 'inappropriate development'? How will development proposals be assessed?**

34c.1 It is considered justified to assess all forms of development in the AoS against GD3. This allows the Council to assess any form of development with respect to its harm to the effectiveness of the gap between settlements. These AoS are very narrow gaps between settlements and even very small amounts of development are likely to have a detrimental impact.

34c.2 The concept of an Area of Separation was supported in the Central Lancashire Core Strategy Examination, the Inspector referred to it having a worthy purpose to ensure that those places at greatest risk of merging will be protected from doing so. In addition the Inspector noted that in practice the Area of Separation Policy may well be more restrictive than Greenbelt. ED010 page 6.

*'95. Policy 19: Areas of Separation and Major Open Space is drafted to protect the identity and local distinctiveness of certain settlements and neighbourhoods by these two types of designation. The worthy purpose is to ensure that those places at greatest risk of merging will be protected from doing so. The Policy can be compared to green Belt policy, although the construction of new buildings for, for example, agriculture and essential facilities for sport and recreation which may be considered acceptable in a Green Belt, may not be acceptable in an Area of Separation or a Major Open Space. To that extent it would appear that Policy 19 may in practice be more restrictive than Green Belt policy.'*

34c.3 The Council considers that for the policy could be made clearer by means of the following modification, if considered necessary:

### **Policy GD3**

#### **Areas of Separation**

~~An Area of Separation is designed to preserve the character and distinctiveness of individual settlements by restricting inappropriate development that would result in the coalescence of two distinct and separate settlements.~~

~~Areas of Separation identified on the Policies Map are designated to avoid coalescence and to main the character and distinctiveness of the following settlements:~~

Areas of Separation shown on the Policies Map are designated between

- Kirkham and Newton;and
- Wrea Green and Kirkham

~~Development will be assessed in terms of its impact upon the Area(s) of Separation, including any harm to the effectiveness of the gap ~~openness of the land~~ between the settlements and, in particular, the degree to which the development proposed would compromise the function of the Area(s) of Separation in protecting the identity and distinctiveness of settlements. ~~Extensions to existing homes will be permissible within the Area of Separation. No new homes will be permitted within the curtilage of existing homes in the Area of Separation.~~~~

The final paragraph of Policy GD3 should be included as an additional paragraph to the justification.

34c.4 For clarity the final sentence of Paragraph 8.10 should be deleted.

~~The policy will apply to all forms of development in these two areas.~~

34c.5 It is considered that the amendments to the policy allow the decision maker to assess any type of development in relation to its impact on the function of the AoS(s). The Glossary to the plan (p192) includes reference to Areas of Separation, including that development in these areas will be restricted to that appropriate within an area of Green Belt. Inappropriate development is not defined by the Policy, it will be for the decision maker to assess whether or not development is inappropriate and this will depend upon its degree of harm to the effectiveness of the gap between settlements.

34c.6 Development proposals will be assessed upon their degree of harm to the effectiveness of the gap between settlements. The Council's Landscape Architect will assist the Council's Development Management officers by providing an assessment which can then be used in the determination of planning applications.

## **Policies GD4 and GD5 – Development in the countryside**

### **35. Do Policies GD4 and GD5 apply to the countryside, Areas of Separation and the Green Belt? Is this clear within the policy? Are the policies justified and consistent with national policy?**

35.1 The countryside area on the policies map, relating to Policy GD4, is shown as green colouring. The Areas of Separation (GD3) and Green Belt (GD2) are shown by different forms of hatching applied over this green. Therefore, where Policies GD5 or GD6 apply, Policy GD4 also applies and Policy GD5 also applies where such sites described in the policy occur.

35.2 Although reference could be made additionally to Green Belt and Areas of Separation within the policy, it is considered that this could result in confusion, as the particular requirements for development in the Green Belt and Areas of Separation are covered in separate policies GD2 and GD3; these would then have to be cross-referred. The plan has been written to be read as a whole, avoiding widespread cross-referral between policies, for the sake of the clarity of the individual policies.

35.3 Policy GD4 is intended to limit development outside defined areas and allocated sites. The purpose of the policy is to direct development away from countryside areas to the more suitable locations that have been provided in the plan, in order to prevent profligate use of land and to protect the countryside for its intrinsic benefits including its use for agriculture, its provision of ecological networks and its intrinsic character. This is in accordance with the core planning principles of paragraph 17, and within paragraphs 54 and 55 of the Framework.

35.4 Policy GD5 is necessary because in its absence, in the event of one of the sites becoming available, there would be the potential for piecemeal development. This could nevertheless be difficult to resist on a previously-developed site, even though it would fail to develop the site sustainably or to develop the site as a whole to best advantage. The criteria therefore reflect the locations of the sites within the countryside and the sensitivity that results, the importance of a comprehensive scheme for the redevelopment of a site, and the need to promote sustainable development in a countryside location.

### **36. Are both policies consistent with Policy S1 which includes allowing ‘minor infill development’ within rural areas?**

36.1 Policy S1 provides a very brief outline of development acceptable outside settlements within the settlement hierarchy in the plan. To an extent this goes over the same ground as Policy GD4, which sets out what is acceptable but in more detail. However, Policy GD4 omits the reference to minor infill development.

36.2 It is considered that the reference to minor infill development in rural areas is necessary in order to ensure consistency with national guidance that all settlements can play a role in delivering sustainable development in rural areas. Clarification could be achieved if necessary by replacing the wording “except where development involves a like-for-like re-development of an existing property, the appropriate re-use of an existing building or minor infill development” in Policy S1 by “except where development is allowed by Policy GD4”, and adding an additional criterion “f. minor infill development” to Policy GD4.

**37. Is reference within Policy GD4c to ‘minor extensions’ to existing homes and other buildings appropriate and justified? Is it consistent with national policy?**

37.1 The issue of the scale of extensions to homes in the countryside is dealt with principally by Policy H7, which allows extensions resulting up to a 33% increase in relation to the ground floor area of the original home. The reference to minor extensions within Policy GD4 is therefore consistent with the more specific policy H7. The specific justification is set out in the Council’s response to question 22 of these Stage 2 MIQs.

**38. Paragraph 8.14 which relates to Policy GD5 refers to Policy GD4. Is this correct?**

38.1 The reference to Policy GD4 in paragraph 8.14 is an attempt to cross-refer Policy GD4, as the sites concerned are all covered by the countryside area defined by Policy GD4. However, the effect of policy GD5 is to provide different policy requirements from those generally required in the countryside under Policy GD4, for the specific type of site described in Policy GD5. The cross-reference is therefore not really appropriate, and for clarity the reference to GD4 in the paragraph could be directly replaced by reference to GD5, i.e. the policy itself.

**39. Is it clear in GD5 what is meant by ‘large developed sites’?**

39.1 The policy is defined essentially by the sites that are listed. These are large sites located within the countryside area, that in the event that one of them came forward for redevelopment, would represent a substantial previously-developed site detached from any settlement. Redevelopment of such a site would constitute strategic amounts of development.

**40. Should reference be made to the NDA redundant facilities site at Springfield within Policy GD5? Can the Council clarify why redundant farms, holiday caravan parks and sites are excluded from the policy?**

40.1 The policy is written to provide a framework within which any of the sites listed could be considered if it arose. In respect of the Westinghouse Springfields site although it is acknowledged that the site is undergoing progressive decommissioning, activities that constitute the original use remain ongoing. The policy does not apply to development connected with the site's existing use, including the decommissioning of the existing use, rather, it applies to a situation when portions of the site are to be redeveloped for new uses.

40.2 Farms and holiday caravan parks, generally, have smaller amounts and extent of permanent built development than the examples listed. On the basis that presumption exists for like-for-like quantities, extent and scale of permanent built development, the sites listed would require very careful planning as redevelopment would result in strategic amounts of development. Smaller sites can be dealt with suitably through the other policies of the plan.

**41. Policy GD5 promotes mixed use development on large developed sites in the countryside. Is the policy sufficiently clear about the mix of uses that would be acceptable on such sites?**

41.1 Because the nature of the sites that fall within the scope of the policy vary greatly, in particular the existing structures but also their suitability for different subsequent uses, the likely mix of uses that are suitable for the site may vary. Nevertheless, the size of sites will mean that a mix of uses will be necessary in order to ensure that the site is redeveloped sustainably. It is not considered practical to make detailed specifications within the policy concerning the mix; rather, this could be dealt with by means of a development brief, once it be known that a site would be coming forward.

**Policy GD6 – Promoting Mixed Use Development**

**42. The policy appears to only refer to strategic sites. Is this correct and if so is this consistent with other policies including GD5?**

42.1 The policy is intended to stress the importance of mixed-use development on strategic sites, and more widely in strategic locations, but is not intended to exclude encouragement of mixed use on any site where appropriate. For clarity and to make the policy effective, if considered necessary, it could be amended to state:

“Mixed use development will be encouraged, particularly on strategic sites, in order to provide...”

**43. Paragraph 8.19 refers to categories set out in Policy GD6. Can the Council clarify what this means?**

43.1 Policy GD6 explains where mixed –use development will particularly be promoted. Categories a. b. and c. of the policy provide a mixture of types of situation for mixed-use development and a criterion for its acceptability. To provide clarity, some revised wording is provided below under question 44, which clearly separates the categories of situation where mixed-use development will be sought, from the requirement at the end that mixed-use development does not undermine housing delivery.

**44. Is the policy sufficiently clear about the mix of uses that would be acceptable on sites?**

44.1 The policy will apply to a wide range of sites, of varying sizes. The mix of uses that are likely to be suitable for individual sites will vary. It is therefore not considered practical to make detailed specifications within the policy concerning the mix.

44.2 The policy states that the element of mixed use development will depend on the particular site and the character of the surrounding area. This responsiveness to the circumstances and flexibility in the policy are considered essential for the effectiveness of the policy.

44.3 The policy states that its intention is to provide local retail centres and access to employment, commercial, leisure, community and recreational opportunities close to where people live and work. It is implicit in this that those uses would be possible within the mix, and it is also implicit that these could be mixed with residential. However, be it considered that this needs to be explicit in order to be effective, and to remove some superfluous elements, the policy could be modified as follows:

Mixed use development will be encouraged, particularly on strategic sites, ~~in order to provide.~~ The mix of uses could include local retail centres, and access to employment, commercial, leisure, community and recreational opportunities close to where people live and work uses as well as residential. ~~New businesses will be encouraged to locate within settlements and on redeveloped sites. Community facilities should be multi-functional – this could include areas for skills training programmes. Local businesses should be encouraged to provide training or apprenticeships to local people.~~ The element of mixed use development will depend on the particular site and the character of the surrounding area.

Mixed use development will be promoted where the following apply:

- a. An area within which the scale and character of uses is such that no single land use predominates. Residential, retailing, business, health, community, educational facilities, recreation, sport, open space and industrial uses may all be represented;
- b. Where residential and commercial uses can be integrated within the same unit, creating flexible working practices and live / work units, or opportunities for home working;  
or-
- c. On Strategic Development Sites MUS1, MUS2, MUS3 and MUS4, and on other Strategic Development Sites where appropriate.
- e. ———Mixed use development would be supported providing it does not undermine housing delivery.

### **Policy GD7 – Achieving Good Design in Development**

#### **45. Do the various criteria, particularly under the section on general principles of good design, provide a clear indication of how a decision maker should react to development proposals? Are the requirements justified?**

45.1 The policy requires development proposals to adhere to a series of design principles the general principles being labelled a. to m. The introductory text introduces the principles by the phrase “including the following:”. The significance of the individual principles would be clearer if this were to become “including each of the following requirements:” Each principle is written in the form, for example, “a. Ensuring...”. Although this could be replaced in each principle by, for example “a. Developers must ensure”, this is considered an unnecessarily pointed means of expressing what is clear through the current wording.

45.2 The Framework (paragraph 56 and onwards) places great importance on the design of the built environment, and requires Local Plans to include robust and comprehensive policies to set out what is expected. Policy GD7 provides design principles that should be adhered to. These are all well-understood planning principles, that have been subject to refinement over several rounds of public consultation. It is intended that the Council will produce a Good Design SPD, to provide further detail on the application of the policy where needed.

**46. The Ministerial Statement (MS) of 25 March 2015 set out a new approach for the setting of technical standards for new housing comprising new additional Building Regulations on water and access and a new national space standard. The MS states that *‘the optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need and where the impact on viability has been considered ...’*. Policy GD7 requires all new homes to *‘comply with all***



***relevant design and quality codes in the National Technical Standards'. Is this approach justified and based on robust evidence of identified need? Has the impact of applying these standards on viability and land supply been considered? (Also refer to Policy H2)***

46.1 The requirement in Policy GD7 for developments to comply with all design and quality codes in the National Technical Standards does not imply requirement to meet the requirements of any of the new optional standards. Rather, it writes into Local Plan policy the requirement for compliance with the mandatory standards, in line with the Building Regulations.

**47. The policy includes reference to advertisements. Is the policy adequate in this regard taking into account that the Advertisement Regulations state that “A local planning authority shall exercise its powers under these Regulations in the interests of *amenity and public safety*”?**

47.1 The criterion w. of Policy GD7, which refers to advertisements, considers the particular potential effects of advertisements on amenity, reflecting particularly the presence of sensitive town centres and sea-front locations within the borough, where poorly-considered advertisements could have severe adverse effects. In respect of public safety, the criterion p. of Policy GD7 satisfactorily addresses this issue for all types of development.