

WOODPLUMPTON NEIGHBOURHOOD DEVELOPMENT PLAN

Submission Draft Version

**A report to Preston City Council
into the examination of the
Woodplumpton Neighbourhood Development Plan
by Independent Examiner, Rosemary Kidd**

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1.0 Summary

- 1.1 The Woodplumpton Neighbourhood Development Plan has been prepared to establish a vision for the parish and to help influence the shape and growth of development whilst retaining the rural character of the villages of Catforth and Woodplumpton, several hamlets and the surrounding countryside, all within the parish of Woodplumpton.
- 1.2 I have made a number of recommendations in this report in order to make the wording of the policies and their application clearer, including improvements to the mapping of sites referred to to ensure that the Plan meets the Basic Conditions. Section 6 of the report sets out a schedule of the recommended modifications.
- 1.3 The main recommendations concern:
 - The deletion of Policies ECON1, ENV1 and ENV2;
 - Clarification of the wording of the Vision and Objectives, and the policies and the supporting text; and
 - The inclusion of a Policies Map.
- 1.4 Subject to the recommended modifications being made to the Neighbourhood Plan, I am able to confirm that I am satisfied that the Woodplumpton Neighbourhood Development Plan satisfies the Basic Conditions and that the Plan should proceed to referendum.

2.0 Introduction

Background Context

- 2.1 This report sets out the findings of the examination into the Woodplumpton Neighbourhood Development Plan.
- 2.2 The Parish of Woodplumpton is situated on the north western edge of the city of Preston. The parish includes the villages of Catforth and Woodplumpton and a number of hamlets. At 2011 there were 2154 people living in the parish.

Appointment of the Independent Examiner

- 2.3 I was appointed as an independent examiner to conduct the examination on the Woodplumpton Neighbourhood Development Plan (WNDP) by Preston City Council (PCC) with the consent of Woodplumpton Parish Council (WPC) in November 2021. I do not have any interest in any land that may be affected by the WNDP nor do I have any professional commissions in the area currently and I possess appropriate qualifications and experience. I am a Member of the Royal Town Planning Institute with over 30 years' experience in local authorities preparing Local Plans and associated policies.

Role of the Independent Examiner

- 2.4 As an independent Examiner, I am required to determine, under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether the legislative requirements are met:
- The Neighbourhood Development Plan has been prepared and submitted for examination by a qualifying body as defined in Section 61F of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
 - The Neighbourhood Development Plan has been prepared for an area that has been designated under Section 61G of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
 - The Neighbourhood Development Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004, that is the Plan must specify the period to which it has effect, must not include provisions relating to 'excluded development', and must not relate to more than one Neighbourhood Area; and
 - The policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of the Planning and Compulsory Purchase Act 2004 Section 38A.
- 2.5 An Independent Examiner must consider whether a neighbourhood plan meets the "Basic Conditions". The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by

section 38A of the Planning and Compulsory Purchase Act 2004. The Basic Conditions are:

1. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
2. the making of the neighbourhood plan contributes to the achievement of sustainable development;
3. the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
4. the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations, as incorporated into UK law; and
5. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

The following prescribed condition relates to neighbourhood plans:

- Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (various Amendments) Regulations 2018) sets out a further Basic Condition in addition to those set out in the primary legislation: that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

- 2.6 The role of an Independent Examiner of a neighbourhood plan is defined. I am not examining the test of soundness provided for in respect of examination of Local Plans. It is not within my role to comment on how the plan could be improved but rather to focus on whether the submitted Neighbourhood Plan meets the Basic Conditions and Convention rights, and the other statutory requirements.
- 2.7 It is a requirement that my report must give reasons for each of its recommendations and contain a summary of its main findings. I have only recommended modifications to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the Basic Conditions and the other requirements.

The Examination Process

- 2.8 The presumption is that the neighbourhood plan will proceed by way of an examination of written evidence only. However, the Examiner can ask for a public hearing in order to hear oral evidence on matters which he or she wishes to explore further or so that a person has a fair chance to put a case.
- 2.9 I have sought clarification on a number of factual matters from the Qualifying Body and/or the local planning authority in writing. I am satisfied that the responses received have enabled me to come to a conclusion on these matters without the need for a hearing.
- 2.10 I had before me background evidence to the plan which has assisted me in understanding the background to the matters raised in the Neighbourhood Plan. I

have considered the documents set out in Section 5 of this report in addition to the Submission draft of the WNDP.

- 2.11 I have considered the Basic Conditions Statement and the Consultation Statement as well as the Screening Opinions for the Strategic Environmental Assessment and Habitats Regulation Assessment. In my assessment of each policy, I have commented on how the policy has had regard to national policies and advice and whether the policy is in general conformity with relevant strategic policies, as appropriate.

Legislative Requirements

- 2.12 The neighbourhood plan making process has been led by Woodplumpton Parish Council which is a “qualifying body” under the Neighbourhood Planning legislation which entitles them to lead the plan making process.
- 2.13 Paragraph 2.2 of the Basic Conditions Statement confirms that Neighbourhood Plan area was designated by PCC on 8 September 2017. In response to my question, WPC has confirmed that there are no other neighbourhood plans covering this area.
- 2.14 A neighbourhood plan must specify the period during which it is to have effect. The front cover of the Plan states that this is from 2017 - 2026. The dates in paragraph 3 of the Basic Condition Statement are incorrectly stated. The Plan does not include any information about its review. PCC has informed me that they are currently reviewing the Local Plan and are aware of the need to review the WNDP to be in line with this. To address this, I am recommending that Section 4 of the Plan should be expanded to include a statement on the need to review the Plan.
- 2.15 WPC has suggested revising the date of the WNDP to 2023 – 2038. I consider that this is not an appropriate way forward as the preparation of the WNDP has not given consideration to the needs of the parish over this longer timescale. Furthermore, the impact of policies in the forthcoming Local Plan review will need to be considered as well as any changes in national planning guidance.
- 2.16 Paragraph 3 of the Basic Conditions statement states that the plan does not deal with excluded development: county matters (mineral extraction and waste development), nationally significant infrastructure or any matters set out in Section 61K of the Town and Country Planning Act 1990.
- 2.17 The Neighbourhood Development Plan should only contain policies relating to the development and use of land. I am satisfied that the WNDP policies are compliant with this requirement.
- 2.18 The Basic Conditions Statement confirms the above points and I am satisfied therefore that the WNDP satisfies all the legal requirements set out in paragraph 2.4 above.

Recommendation 1: Add the following to Section 4:

“Review of the Neighbourhood Plan

“The WNDP has an end date of 2026 in line with the end date of the adopted Local Plan. There is no requirement for Neighbourhood Plans to be reviewed. However, there are some circumstances that may mean a review should be considered:

- ***Changes to national planning policy or guidance.***
- ***A review of the Local Plan***
- ***Monitoring of the plan reveals an issue with policy implementation.***
- ***A change in the evidence base.***
- ***A change in local circumstances.***

“WPC will monitor the changes in national policy, progress in preparing the emerging Central Lancashire Local Plan (which has an end date of 2038) and associated planning documents and consider whether the WNDP continues to accord with them. We will also monitor the effectiveness of the plan’s policies in the delivery of the NW Preston development area and the safeguarding of the rural character of the parish. If necessary, background documents will be updated.”

The Basic Conditions

Basic Condition 1 – Has regard to National Policy

- 2.19 The first Basic Condition is for the neighbourhood plan *“to have regard to national policies and advice contained in guidance issued by the Secretary of State”*. The requirement to determine whether it is appropriate that the plan is made includes the words *“having regard to”*. This is not the same as compliance, nor is it the same as part of the test of soundness provided for in respect of examinations of Local Plans which requires plans to be *“consistent with national policy”*.
- 2.20 The Planning Practice Guidance assists in understanding *“appropriate”*. In answer to the question *“What does having regard to national policy mean?”* the Guidance states a neighbourhood plan *“must not constrain the delivery of important national policy objectives.”*
- 2.21 In considering the policies contained in the Plan, I have been mindful of the guidance in the Planning Practice Guide (PPG) that:
- “Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like.”*
- 2.22 The NPPF of July 2021 is referred to in this examination in accordance with paragraph 214 of Appendix 1, as the plan was submitted to the Council after 24 January 2019. Paragraph 4.1 in the Basic Conditions Statement refers to the NPPF of 2012, however quotations are from the July 2021 NPPF.

- 2.23 The Planning Practice Guidance on Neighbourhood Plans states that neighbourhood plans should “*support the delivery of strategic policies set out in the Local Plan or spatial development strategy and should shape and direct development that is outside of those strategic policies*” and further states that “*A neighbourhood plan should, however, contain policies for the development and use of land. This is because, if successful at examination and referendum, the neighbourhood plan becomes part of the statutory development plan.*”
- 2.24 Table 1 of the Basic Conditions Statement includes comments on how the WNDP has taken account of the guidance set out in NPPF relevant to each policy. I consider the extent to which the plan meets this Basic Condition No 1 in Section 3 below.

Basic Condition 2 - Contributes to sustainable development

- 2.25 A qualifying body must demonstrate how a neighbourhood plan contributes to the achievement of sustainable development. The NPPF as a whole constitutes the Government’s view of what sustainable development means in practice for planning. The NPPF explains that there are three dimensions to sustainable development: economic, social and environmental.
- 2.26 Table 1 of the Basic Conditions Statement considers in general terms how the Plan supports the delivery of the three themes of sustainable development.
- 2.27 I am satisfied that the Plan contributes to the delivery of sustainable development and therefore meets this Basic Condition.

Basic Condition 3 – is in general conformity with strategic policies in the development plan

- 2.28 The third Basic Condition is for the neighbourhood plan to be in general conformity with the strategic policies contained in the Development Plan for the area. The adopted Development Plan relevant to the area comprises the Central Lancashire Core Strategy adopted 2012 and the Preston Local Plan 2012-26 Site Allocations and Development Management Policies (DPD) adopted 2015 and covering the period 2012 to 2026.
- 2.29 Consultation on the new Central Lancashire Local Plan Part 1 Preferred Options Document to 2036 was carried out from 19 December 2022 to 24 February 2023. As the Plan is at an early stage, I have not taken into account its proposals. It would be helpful to plan users to include a reference to this new Local Plan within the planning context section of the Introduction.
- 2.30 Table 3 of the Basic Conditions Statement assesses how the Neighbourhood Plan policies are in general conformity with the relevant strategic planning policies.
- 2.31 I consider in further detail in Section 3 below the matter of general conformity of the Neighbourhood Plan policies with the strategic policies.

Recommendation 2: include the new Central Lancashire Local Plan Part 1 Preferred Options Document to 2036 in the list of Local Plan documents in the Planning Context section of the Introduction.

Basic Condition 4 – Compatible with EU obligations and human rights requirements

- 2.32 A neighbourhood plan must be compatible with European Union obligations as incorporated into UK law, in order to be legally compliant. Key directives relate to the Strategic Environmental Assessment Directive and the Habitats and Wild Birds Directives. A neighbourhood plan should also take account of the requirements to consider human rights.
- 2.33 Regulation 15 of the Neighbourhood Planning Regulations as amended in 2015 requires either that a Strategic Environmental Assessment (SEA) is submitted with a Neighbourhood Plan proposal or a determination from the competent authority (PCC) that the plan is not likely to have “significant effects.”
- 2.34 A screening opinion was carried out by PCC on the submission draft Woodplumpton Neighbourhood Plan. Consultation was carried out with the statutory environmental bodies in April / May 2021 and the following responses were received:
- Natural England agreed with the report’s conclusions that the Woodplumpton Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.
 - English Heritage concluded that the draft Neighbourhood Plan would have no significant environmental impacts on the historic environment and no further assessment is required.
 - The Environment Agency agreed with the views of the Council that an SEA is not required.
- 2.35 The screening opinion was updated to incorporate the consultation responses. The results are contained in the report entitled the Draft Woodplumpton Neighbourhood Development Plan Strategic Environmental Assessment Screening Report and Habitats Regulations Assessment (HRA) Screening Opinion November 2022. The assessment concluded that the Woodplumpton Neighbourhood Plan will not require a SEA. The Assessment establishes that no significant effect on the environment is likely to arise from the implementation of the neighbourhood plan.
- 2.36 Assessments 1 and 2 of the Screening Report set out the SEA assessment. Section 5 sets out the conclusion that confirms that.

“5.1 As a result of the assessment, it is unlikely there will be any significant environmental effects arising from the Draft Woodplumpton Neighbourhood Plan that were not covered in the Sustainability Appraisal of the Preston Local Plan. As

such, the Draft Woodplumpton Neighbourhood Plan does not require a full SEA to be undertaken.”

The reason for this conclusion is as follows: *“The NP promotes criteria based policies that seek to shape future development proposals, on a small scale basis, that reduces and manages impacts on the environment (both natural and built).*

“There are no European designated sites within the neighbourhood area, or any within close proximity to the neighbourhood area that would be likely to be affected.

“As a lower tier plan all development proposals have been subject to assessment against higher tier policies, plans and legislation that seek to protect locally, nationally and internationally designated sites. This includes the adopted Central Lancashire Core Strategy (2012) and the adopted Preston Local Plan (2015) that are specifically relevant to heritage and natural assets within the neighbourhood area and beyond. The Local Plan had a full sustainability appraisal undertaken and the NP would not have any significant environmental effects that have not already been considered via the sustainability appraisal of the Local Plan. Given the existing designated assets within the neighbourhood area are given additional protection in the neighbourhood plan and the presence of mitigating policies not only in the NP but also within the wider development plan for Preston, the content and broad approach of the plan is not considered to have a significant effect on the environment, or a significant adverse effect on designated sites. Therefore an SEA is not required.”

- 2.37 In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a neighbourhood plan is deemed likely to result in significant negative effects occurring on a Special Area of Conservation or Special Protection Area, or other ecologically important European site (Ramsar) as a result of the plan’s implementation.
- 2.38 A HRA screening opinion was carried out by PCC on the submission draft Woodplumpton Parish Neighbourhood Plan. Consultation was carried out with Natural England in from 13 April to 19 May 2021 who responded: *“Natural England agrees with the report’s conclusions that the Woodplumpton Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore no further assessment work would be required.”*
- 2.39 Paragraph 7.1 states that *“There are no internationally designated wildlife sites within the Woodplumpton Neighbourhood Area. For the purposes of this screening assessment, sites that fall within a 10km radius are also considered. To clarify there are no international designated wildlife sites within 10km of the NDP.”*
- 2.40 The Woodplumpton Neighbourhood Plan policies and proposals are written to be in conformity with those in the adopted Preston Local Plan which has been subject to Appropriate Assessment. Paragraph 8.1 concludes that *“As a result of the above assessment, it is considered that the policies of the draft Woodplumpton Neighbourhood Plan are in general conformity with those contained in Preston’s Local Plan. It is therefore concluded that the draft Woodplumpton Neighbourhood*

Plan is unlikely to have a negative impact on any internationally designated wildlife sites and as such, the recommendation is made that a full AA is not required.”

- 2.41 I am satisfied that the SEA and HRA assessments have been carried out in accordance with the legal requirements.
- 2.42 Section 4.4 of the Basic Conditions Statement considers how the Plan has had regard to Human Rights and states that:
- “The Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human rights and complies with the Human Rights Act 1998.”*
- 2.43 From my review of the Consultation Statement, I have concluded that the consultation on the WNDP has had appropriate regard to Human Rights.
- 2.44 I am not aware of any other European Directives which apply to this particular Neighbourhood Plan and no representations at pre or post-submission stage have drawn any others to my attention. Taking all of the above into account, I am satisfied that the WNDP is compatible with EU obligations and therefore with Basic Conditions Nos 4 and 5.

Consultation on the Neighbourhood Plan

- 2.45 I am required under The Localism Act 2011 to check the consultation process that has led to the production of the Plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.
- 2.46 The WNDP builds on the Parish Plan which was commenced in 2006. At the time a survey of households was carried out to garner comments on the issues facing the parish, followed by a more detailed questionnaire sent to all households. From this analysis, significant issues were identified and appropriate short, medium and long-term actions agreed. In addition to these, specific actions associated with the 12 key areas, common themes and major issues were identified and addressed. The Neighbourhood Plan built on these foundations.
- 2.47 The subsequent designation of the North West Preston strategic site has led to considerable concerns among residents and this has been discussed at numerous Parish Council meetings.
- 2.48 The Consultation Statement does not give details of the early stages of consultation on the emerging plan. WPC has provided me with further details of these. Consultation events were held as follows:
- The Winter 2017 Parish Newsletter which is delivered to every household on the electoral register, introduced the Neighbourhood Plan and included an initial draft Vision and an invitation to be involved in the production of the Character Assessment;

- Two consultation events took place in March 2019 to consider the draft Vision and Objectives and the Character Assessment with publicity through the parish newsletter;
- Consultation on the draft Vision and Objectives and policies was held on the 6 July 2019 in Catforth Primary School and Woodplumpton Parish Rooms to seek views on the draft document. The event was advertised on the Parish Council's Website and in the Summer edition of the Parish Council Newsletter;
- Consultation on the Regulation 14 draft Plan ran from 14 September 2020 to 23 October 2020. A letter, titled "Pre-submission Consultation Statement" was sent to all houses in the Parish notifying them of the Consultation exercise. It outlined the process of putting the plan together including previous consultation work and how the Plan had been developed in the light of previous comments. It explained how to respond given the restrictions in place with respect to Covid. Due to Covid 19, it was not possible to hold a public launch event so residents were encouraged to view the Pre-submission Version on the parish website and email any comments to the Clerk. Statutory organisations were also consulted.
- Many of the local landowners are farmers and would have been made aware of the progress of the neighbourhood plan and the opportunities to comment through the parish newsletters. Copies of the Plan were left at the sales offices of developers working in the area. Although there was no particular consultation events for young people, events were open to them to attend.

2.49 Consultation on the Regulation 16 Submission draft Plan was carried out by PCC from 8 February 2023 to 22 March 2023. In total 12 responses were received from statutory consultees and 12 from local residents.

2.50 I am satisfied that from the evidence presented to me in the Consultation Statement and provided by WPC in responses to my questions, that adequate consultation has been carried out during the preparation of the WNDP.

2.51 I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulations 14, 15 and 16 in the Neighbourhood Planning (General) Regulations 2012.

3.0 Neighbourhood Plan – As a whole

- 3.1 The Neighbourhood Plan is considered against the Basic Conditions in this section of the Report following the structure and headings in the Plan. Given the findings in Section 2 above that the plan as a whole is compliant with Basic Conditions No 4 (EU obligations) and other prescribed conditions, this section largely focuses on Basic Conditions No 1 (Having regard to National Policy), No 2 (Contributing to the achievement of Sustainable Development) and No 3 (General conformity with strategic policies of the Development Plan).
- 3.2 Where modifications are recommended, they are presented and clearly marked as such and highlighted in bold print, with any proposed new wording underlined.
- 3.3 Basic Condition 1 requires that the examiner considers whether the plan as a whole has had regard to national policies and advice contained in guidance issued by the Secretary of State. Before considering the policies individually, I have considered whether the plan as a whole has had regard to national planning policies and supports the delivery of sustainable development.
- 3.4 The PPG states that “*a policy should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area*”. I will consider this requirement as I examine each policy.
- 3.5 The Introduction to the Plan explains the reasons for drawing up the WNDP and identifies three issues to be addressed: the design of new development, the provision of infrastructure and the Community Infrastructure Levy. It includes a brief section describing the parish and setting out the planning context. This refers to the strategic development proposed in the Preston Local Plan for around 5,300 homes and associated local centres and infrastructure, part of which will be in the plan area. The North West Preston Masterplan SPD provides the framework for this development.
- 3.6 A representation has been submitted that states that Policy MD2 and the North West Preston Masterplan SPD set out the policy framework for delivering this strategic development site. It is suggested that the WNDP should be revised to make it clear that it relates only to the rural area outside of the North West Preston Development Area.
- 3.7 I have noted the designated neighbourhood plan area covers the whole of the parish and the policies may therefore address development in the NWP area. I do have concerns about the lack of clarity in some of the policies about where they are to be applied and I have proposed modifications where applicable.
- 3.8 It is considered that it would be helpful to plan users to include a map in the Plan to define the area of the strategic development. To improve the clarity of the Plan, it is recommended that a statement should be included in the Introduction to explain how the WNDP will be applied in the strategic development area and how the additional

neighbourhood plan policies will guide the development in addition to the strategic policies and the guidance set out in the Masterplan.

- 3.9 There is no Policies Map for the Plan. The only site specific policy is Policy COM2. A Policies Map should be prepared to show the locations of the community facilities identified in Policy COM1 at a scale whereby they can be identified by plan users and decision makers. A key should be included.
- 3.10 The WNDP includes policies on community facilities, the layout and design of new housing, the rural economy, footpaths, cycleways and bridleways, the rural area, nature conservation and biodiversity.
- 3.11 A Design Code has also been prepared. Appendix 1 contains an early draft and should be updated with the final version and the Character Assessment dated September 2018. The Introduction to the Design Code dated September 2018 states that:
- “The purposes of this character assessment are:*
- 1) to enable the Woodplumpton Parish Council Neighbourhood Planning group to produce its neighbourhood plan by informing policies in particular regarding the effect of development on the character of the natural and built environment of the Parish.*
 - 2) enable decision makers and applicants for planning permission to better understand the character of Woodplumpton Parish when submitting or determining planning applications or appeals for proposals in the area*
 - 3) to inform other people whether residents, visitors, funders, project managers or investors who are interested in the area.”*
- 3.12 Fylde Council has commented that the map of the Character Areas should be updated to include the area of the North West Preston site within the suburban fringe. The text of the Character Assessment states that there are no clear edges to the Character Areas. However the boundary of the North West Preston Development Area is clearly defined. I am recommending that the Character Assessment maps should show the whole of the NW Preston area within the suburban Character Area.
- 3.13 Several policies refer to the Design Code for further details. However, it is disappointing to find that the Character Assessment does not include details and maps to show the locally specific information needed to interpret the environmental policies of the Plan.
- 3.14 The policies of the plan are in a dark grey colour and are not clearly distinguishable for the supporting text. It would be helpful to plan users to place them in a box and embolden the text. It is recommended the punctuation of the policies should be checked. Where all the criteria of the policy are to be applied, the word “and” should be added to the end of the penultimate criterion for clarity.
- 3.15 The WNDP makes no allocation for future housing development. The housing Policies HOU1 and HOU2 address the layout and design of new housing and the

conversion of agricultural buildings. The PPG states that *“Neighbourhood plans are not obliged to contain policies addressing all types of development.”*

- 3.16 I consider that the lack of policies allocating sites for housing in the WNDP accords with national and strategic guidance which does not require neighbourhood plans to include the topic.
- 3.17 The plan refers to some of the Council’s SPDs relevant to the subject. However, a number of key documents are not referred to. It would be helpful to plan users if a more comprehensive list of cross references of policies and SPD were included.

Recommendation 3:

Include a map of the plan area in the Introduction showing the area of the North West Preston strategic development.

Revise the first three paragraphs on page 6 of the Introduction as follows to explain the role of the North West Preston Masterplan SPD and how the WNDP is to be applied in this area:

“Special mention needs to be made of the North West Preston Masterplan Supplementary Planning Document and Preston Local Plan Policy MD2. Policy MD2 sets out criteria for the development of land identified in the Core Strategy in North West Preston for residential led mixed use development of around 5,300 homes and associated local centres and infrastructure. These include a health centre an east - west link from Preston Western Distributor Road to Lightfoot Lane, a secondary school, 2 primary schools and green infrastructure including play provision. The scale of the proposed development will have a very significant impact on the site, its setting and thereby the character of the Parish.

“According to the Supplementary Planning Document, Policy MD2 of the Preston Local Plan 2012-26 is the key overarching policy for the SPD with the Masterplan ‘seeking to expand on the level of detail in the policy’ by ‘providing an indicative framework and general design principles to guide development in a co-ordinated and comprehensive way’.

“It adds that ‘The Masterplan will be a material planning consideration in the determination of planning applications in the area and sets out how the Council would like to see the adopted criteria of Policy MD2 implemented.’

“The Neighbourhood Plan policies will form part of the Development Plan for the whole of the Parish including the North West Preston area and will, along with the policies in the Local Plan be the starting point for determining planning applications in the area in accordance with National Planning Policy Framework (NPPF). The policies in the

Neighbourhood Plan cannot and do not alter the allocation of the site for development as it is a matter of strategic policy.

“The Masterplan will be a material consideration for decisions made in the area and Local Plan Policy MD2 will apply.

“As the area is developed, the character of this part of the Parish will be significantly affected, effectively extending the Cottam suburban area further into Woodplumpton Parish.

“It is also an aspiration of the Plan to ensure that facilities in the North West Preston Area can be accessed by other people in Woodplumpton Parish and this has implications for transport including the design, extent of highways and Public Rights of Way as well as public transport provision.”

Embolden the text of the policies and place them in a box.

Check and correct the punctuation of the policies.

Update Appendix 1 with the final version of the Design Code and Character Assessment. Update the map of Character Areas to show the site of the North West Preston Strategic Development Area within the suburban area.

A Policies Map should be prepared to show the locations of the community facilities identified in Policy COM2 at a scale whereby they can be identified by plan users and decision makers. A key should be included.

Include a list in the Appendix of strategic and Local Plan policies and SPD relevant to the plan area and the North West Strategic Development area. Check and update those referred to under each policy.

The Neighbourhood Plan

Vision and Objectives

- 3.18 The Plan includes a positive Vision statement with 11 objectives which have been developed from the consultation on the Woodplumpton Parish Plan. Work on the Parish Plan started in 2006 and it sets out a number of actions for the Parish Council to pursue to address concerns raised by the community at the time.
- 3.19 I have concerns that there are a number of subjects that have been carried over from the Parish Plan and included in the objectives on matters that cannot be addressed in planning policies in a neighbourhood plan. They would be appropriate for inclusion as Parish Council Actions in an Appendix to the Plan. However, the WNDP does not include a section on Parish Council Actions. I am therefore recommending that the Vision and Objectives are reviewed to relate only to those subjects included in the policies of the Plan. In response to my question, WPC has proposed revisions to the Vision and Objectives which I have considered. The Vision Statement in the draft Plan sets out four aspirations or commitments for the Parish Council. I am recommending modifications to the wording to present it in a more appropriate style as a vision of the future of the parish. I am recommending that the fourth statement should be deleted as there are no policies in the WNDP on this subject.
- 3.20 The sections in the plan entitled "Intention" should be updated to reference the revised objectives.

Recommendation 4: Revise the Vision and objectives as follows:

Revise the second Vision statement to read: "*Through the design and provision of new infrastructure, the improved well-being and safety of the Parish will be achieved, which would be of benefit to the community as a whole.*"

Revise the third Vision statement as follows: "*Our open / green spaces will be protected, maintained and enhanced for the benefit of all the community, now and in the future.*"

Delete the fourth Vision Statement.

Number the objectives.

Revise objective 3 to read: "*Develop and enhance existing, and where appropriate, new open / green spaces.*"

Delete objectives 4, 5, 6 and 7.

Include a new objective as follows: "*Seek to deliver new and improved community infrastructure to meet the needs of future residents and which benefit the whole community.*"

Delete “Publicise and” from objective 10.

Update the Intention section under each policy to link to the revised Objectives.

Policy COM1 New and Improved Community Facilities

- 3.21 The policy sets out criteria to be applied in considering proposals for new and improved community facilities. The justification identifies the need for community facilities, particularly school places, as part of the strategic development. Table 4.2 of the North West Preston Masterplan SPD sets out a summary of the proposed community infrastructure. Core Strategy Policy 25 sets out the measures to be used to ensure that local communities have adequate community facilities.
- 3.22 It is considered that the first paragraph of the policy is vague and imprecise. A modification is recommended to improve its clarity. Planning policies cannot state whether planning permission will or will not be granted. NPPF paragraph 2 states that: *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.”*
- 3.23 PCC has made a representation that it considers that the policy is in conflict with CS Policy 1 (Locating Growth) and PLP Policy EN1 (Development in the Open Countryside). The Consultation Statement records the discussion between WPC and PCC in the light of the comments made on the pre-submission draft and the actions taken by WPC to revise the plan.
- 3.24 The Plan area includes three types of location referred to CS Policy 1: the North West of Preston strategic development site allocated under Policy 1 a(ii); the area within the village boundary of Woodplumpton; other small villages and hamlets within the open countryside. Policy 1 (f) sets out the considerations for smaller villages. It states: *“(f) In other places - smaller villages, substantially built up frontages and Major Developed Sites - development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes.”* The NPPF and Policy EN1 set out the exceptional circumstances where new development may be acceptable in the rural areas and the countryside.
- 3.25 I consider that Policy COM1 is confusing. Point (a) refers to rural areas and point (d) uses the term “rural parts of the parish”. Point (d) refers to the “suburban part of the Parish or North West Preston”. The remaining criteria are not limited to a specific location and therefore could be applied in all parts of the parish including the strategic development site. The North West Preston site has the benefit of a Masterplan which provides guidance on the need for and potential location of community facilities.

- 3.26 I have asked the LPA confirm the current position on the provision of community facilities in the NW Preston strategic area and whether Policy COM1 would provide suitable guidance for the development of the new community facilities to serve the strategic development area. WPC has responded to propose the inclusion of a summary of the principles for the location of local centres for community facilities from the Masterplan. No firm details of the locations of and the type of community infrastructure have been agreed at the time of the examination on the WNDP.
- 3.27 To improve the clarity of the policy, I am proposing to divide the policy into three, setting out appropriate criteria that apply throughout the plan area separately from those applicable to the rural area and for the strategic site. The justification to Policy COM1 should explain that the criteria for the strategic site are in addition to those set out in the strategic policies and the Masterplan.
- 3.28 It would be helpful to plan users to define the extent of the rural area and the strategic development site; I am recommending that a reference should be included to the map in the Introduction showing the extent of the North West Preston site and the rural areas.
- 3.29 Point (b) is considered to be imprecise as solutions may be found if problems are identified. A modification is recommended to improve the clarity.
- 3.30 Point (i) states that sufficient land for playground and playing fields should be “reserved” where schools are to expanded. PCC has commented that the requirement should be linked to their SPD on open space. To improve the clarity of this point, I am proposing a modification that such land should be “provided”.
- 3.31 The Justification to the policy provides detailed evidence and projections on school places aimed to evidence the need for new school places. It is noted that these will quickly become out of date. No information is provided on the possible need for other community facilities.
- 3.32 PCC has noted that the section on NW Preston is out of context and out of date and the quotes lack a source. I am recommending that the justification and evidence set out under Policy COM1 should be reviewed and updated before the WNDP is updated.
- 3.33 It would be helpful to include a list of abbreviations in the Introduction to the Plan eg LCC and EWL.
- 3.34 Subject to the recommended modifications, it is considered that the policy accords with national and strategic policies.

Recommendation 5: Revise Policy COM1 as follows:

Revise the first paragraph to read: “New community facilities which meet the needs of the local community *will be supported, provided that:*”

Throughout the plan area:

- a) *The site has a safe means of access for vehicles and pedestrians and adequate parking provision in accordance with PCC parking standards;*
- b) first sentence of criterion f),
- c) criterion e); and
- d) *the following criteria relevant to the area of the development proposal:*

Within the rural area:

- e) the application is accompanied by evidence of local need for the facility; this should include a demonstration that other options have been considered such as the use of an existing open space or the conversion of an existing building;
- f) the proposal is small scale;
- g) the building should be designed to take account of the character of the rural area as described in the Woodplumpton Character Assessment; and
- h) criterion g).

Within the North West Preston Development Area

- i) the building should be designed to take account of the character of the suburban fringe in the Cottam area as described in the Woodplumpton Character Assessment

- j) criterion i) revised to read: “.....is *provided* for the pupils’ needs.)

Delete the page references to the Woodplumpton Character Assessment from the policy and include a reference to the Character Assessment in the justification as follows:

“The character of Woodplumpton Parish is not uniform and there are significant differences between areas. The Woodplumpton Character Assessment (Appendix 7) identifies four different character areas within the Parish: the Suburban fringe which covers all the North West Preston site and 3 Rural Character Areas of Woodplumpton, Catforth and Eaves, all with their distinct features. As such it is appropriate to ensure that any new community facilities in the Parish respect the character of their immediate area. (See pages 14-35 of the Character Assessment for the overall assessment of the Parish and 36-57 for the individual character areas).

Include a reference in the justification to the map in the Introduction to show the “rural area” and the “North West Preston development site”.

Include the following statement in the justification to the Policy under the heading NW Preston: *“The criteria in the policy that relate to the development of community facilities in the NW Preston development area should be applied in addition to those set out in strategic policies and the NW Preston Masterplan.”*

In the Evidence section, include the latest position on local centres and community facilities from the North West Preston Development Area.

Update the justification and evidence on school sites and education provision.

Policy COM2 Protecting Existing Community Facilities

- 3.35 The policy lists 13 community facilities and seeks to retain them for the benefit of the community. These include 2 marinas as well as the village halls, schools, public houses, the post office, rugby football club and a café and nursery.
- 3.36 PLP Policy WB1 seeks to safeguard community facilities and sets out the evidence that must be provided to support any development that would result in the loss of a community facility. The policy does not list marinas as community facilities. In order to be consistent with the Local Plan Policy, I am recommending that marinas should not be designated as community facilities.
- 3.37 PCC has commented that part 4 of the policy is negatively worded. I am recommending a modification to address this.
- 3.38 It is considered that the wording of the policy is imprecise and unclear. It would be helpful to plan users for reference to PLP Policy WB1 to be included. Modifications are recommended to clarify the wording by amalgamating points 1, 2 and 4.

Recommendation 6: Revise Policy COM2 as follows:

“1. The community facilities listed below should be safeguarded. Proposals that help to retain and improve the facilities for community use will be supported. Development proposing the change of use or loss of any premises or land currently or last used as a community facility will only be supported where the proposal satisfies the requirements set out in Preston Local Plan Policy WB1. List Sites 1-5, 8-13.”

Delete points 2 and 4.

“3. Development adjacent to a community facility should not cause an unacceptable impact on the community facility and, where possible, should help to provide additional or improved community facilities.”

List the community facilities in the policy.

Show the locations of the community facilities listed on the Policies Map, on a scale whereby the location and curtilage of the sites can be clearly identified.

Add the following to the justification: *“Where a development proposal would result in the change of use or loss any land currently or last used as a community facility, Preston Local Plan Policy WB1 should be taken into account. This policy sets out the factors that have to be demonstrated to justify the loss of a community facility.”*

Policy HOU1 Layout and Design of New Housing

- 3.39 The policy sets out the factors to be considered in achieving a high standard of design and layout of new development. The penultimate paragraph of the policy states that point 2a) will apply to all proposals and points 2b) to 2e) will only be practical on larger sites. It is noted that point 1 refers to “any development”. I am recommending modifications to the policy to make it clear where the policy applies to all new housing developments and where it applies to large sites of 10 or more dwellings.
- 3.40 CS Policy 17 sets out the strategic policy for the design of new buildings which states that they will be expected to take account of the character and appearance of the local area and a number of design factors. This provides the framework for the design policies in the WNDP: it would be helpful to plan users to include a reference to this policy. The Central Lancashire Design Guide SPD (2012) sets out the principles that will be applied to achieve good design in new developments.
- 3.41 The Woodplumpton Design Code and Character Assessment set out the local guidance to help to implement this strategic policy and guidance. I am recommending modifications to the policy to make it clearer and to direct the user to the relevant guidance in the supplementary documents.
- 3.42 Neighbourhood Plan policies cannot specify that specific documents should be provided to the Parish Council or that developers should report to the Parish Council on any matter.
- 3.43 Point 2c) is considered to be vague and imprecise and incapable of being applied consistently by decision makers. Strategic policies and guidelines in the Masterplan are available concerning the provision of open space, play areas and community facilities in the strategic new development. I am recommending that this point should be deleted.
- 3.44 The requirement for Travel Plans is set out in the NW Preston Masterplan. There is no need to repeat it in the neighbourhood plan. The Parish Council cannot stipulate that developers report their implementation to them. I am therefore recommending that point 2e) should be deleted.
- 3.45 LCC as the Lead Local Flood Authority has commented that the section on SuDS should be more closely aligned to current national planning policy and guidance and Policy Direction 27: Sustainable Water Management of the emerging Central Lancashire Local Plan.
- 3.46 There is no need to repeat national and strategic policies verbatim in the neighbourhood plans. I am, however, proposing a modification to revise point 2f) to include a cross reference to the NPPG guidance and the adopted and emerging strategic policies and to make appropriate revisions to the justification.

- 3.47 The last two paragraphs of the policy are not policy statements and should be deleted. I have made recommendations to the wording of the policies to make it clear which aspects apply to all development and which to large developments.
- 3.48 The fourth paragraph of the justification comments on why larger detached houses are not favoured. The QB has noted that this is a finding of the Character Assessment (page 17). I am recommending that the final sentence of point 2a) should be placed in this paragraph of the justification to explain the type of housing that is preferred in order to integrate new housing into the rural area.
- 3.49 The fifth and sixth paragraphs of the justification repeat the Drainage Hierarchy from the National Planning Practice Guidance (now paragraph 56 not paragraph 80). It is not necessary to repeat national guidance in the justification to a policy and I am recommending that these paragraphs should be deleted. The paragraph may be revised to refer readers to the latest strategic policies.

Recommendation 7: Revise Policy HOU1 to read:

1. ***“All new housing development should achieve a high standard of design and layout compatible with the character of the area in which it is located as described in the Woodplumpton Character Assessment. The design and layout of the development should give consideration to the factors set out in Core Strategy Policy 17 and the Woodplumpton Design Code.*”**
2. ***“All new housing development should be designed and laid out to help to integrate the housing into the surrounding area by ensuring that its form, layout, materials, siting, height, scale and design are compatible with that of the adjoining and surrounding buildings. Where appropriate, the proposal should take account of its setting and its impact on the nearby countryside, the landscape setting, and the local street scene.*”**
3. ***“Developments of 10 or more dwellings should include pedestrian and cycleway links to the local network of walking and cycling routes and to the local facilities, in particular shops, schools, public open spaces and public transport routes. New highways within housing developments should be designed to reduce traffic speeds and to prioritise cycling and walking.*”**
4. ***“Developments of 10 or more dwellings should provide a good mix of house types and tenures in accordance with the North West Preston Masterplan SPD. Social and affordable housing shall be ‘pepper-potted’ within the development so that the development is designed to be tenure blind in accordance with the Central Lancashire Affordable Housing SPD.*”**
5. ***“All new housing development should incorporate SuDS to minimise surface water run off in accordance with guidance in the NPPG and the adopted and emerging strategic policies.”***

Revise the fourth paragraph of the justification as follows: ***“In the rural areas, smaller 2-3 bed semi-detached houses or a small terrace are more likely to be capable of being integrated into the rural character than larger detached dwellings, although plot-size restrictions may mean a small detached house would be acceptable. Larger detached houses require more land and so will have a greater detrimental effect on the rural character in terms of loss of green space or agricultural land. They are also less likely to be genuinely affordable.”***

Delete the fifth and sixth paragraphs of the justification on the Drainage Hierarchy and replace with the following: ***“The National Planning Policy Guidance on Flood Risk and Coastal Change sets out the national approach to managing flood risk and how sustainable drainage solutions can contribute. The adopted Central Lancashire Core Strategy Policy 29 on Water Management and the emerging Central Lancashire Local Plan Policy Direction 27 on Sustainable Water Management provide the strategic approach to the management of surface water.”***

Include reference to the North West Preston Masterplan SPD in the Interpretation section.

Policy HOU2 Conversion of Agricultural Buildings (falling out of use) within Woodplumpton parish to residential use

- 3.50 The Policy sets out eight criteria that are to be applied in the consideration of proposals for the conversion of agricultural buildings. The title of the policy includes the words “(falling out of use) within Woodplumpton parish”. It is considered to be unnecessary and should be deleted.
- 3.51 NPPF paragraph 80 sets out the exceptional circumstances when new dwellings may be acceptable in the countryside. Criterion c) states *“the development would re-use redundant or disused buildings and enhance its immediate setting”*.
- 3.52 Preston Local Plan Policy EN1 Development in the Open Countryside includes criterion b) on the re-use or re-habitation of existing buildings. Detailed guidance on the conversion of re-use, replacement or extension to buildings in the countryside is set out in Section I of the “Central Lancashire Rural Development Supplementary Planning Document. 2012”. It is recommended that this SPD is included in the list of documents at the end of the section on Interpretation.
- 3.53 I have noted the comments made by PCC to this policy reflecting the latest position on permitted development rights on the conversion of rural buildings. In effect this policy would only be applicable for proposals to convert agricultural buildings to more than 5 dwellings. It will not be applicable to those that are being converted within the terms of permitted development. I consider that the statement in the justification that the policy *“extends permitted development rights to larger developments”* is inaccurate and should be deleted. PCC expresses doubt about whether this policy is

relevant given the current position with permitted development rights. No evidence has been provided as to how many larger proposals come forward that require planning permission. I am proposing to modify the first line of policy to state that it will relate to schemes that exceed the permitted development limits of over 5 dwellings or with a floor area of more than 450m².

- 3.54 No explanation has been given as to how criterion h) is to be interpreted by decision makers. I have asked WPC for evidence as to how criterion h) would be applied. They have proposed that it should be deleted. I am recommending a modification to this effect.
- 3.55 To improve the clarity of the policy to ensure that all criteria are to be applied in the consideration of development proposals, then the word “and” should be deleted from the end of criterion f) and added to the end of criterion g) with the punctuation corrected.
- 3.56 It is considered that subject to the recommended modifications, the policy is consistent with national and strategic policies on development in rural areas and the conversion of agricultural buildings.

Recommendation 8: Revise Policy HOU2 as follows:

Delete “(falling out of use) within Woodplumpton parish” from the title to the policy.

Revise the first line of the policy to read: “The principle of conversion of agricultural buildings to more than 5 dwellings or with a floor area of more than 450m² will be supported where:”

Delete “and” from criterion f).

Revise criterion g) to read “.....level of trips; and”.

Delete criterion h)

Delete “Policy HOU2 extends this right to larger developments which satisfy the criteria of the policy and other policies elsewhere in the Neighbourhood Plan and Preston Local Plan.” from the Interpretation.”

Include reference to the “*Central Lancashire Rural Development Supplementary Planning Document, 2012*” under the Interpretation.

Policy ECON1 Protection of Rural Economy

- 3.57 This policy seeks to protect local businesses and visitor attractions from inappropriate development which prejudices their ability to function. I consider that this policy is vague and imprecise and is not capable of being applied consistently by decision makers. The policy does not therefore accord with national planning guidance which states that “*a policy should be clear and unambiguous. It should be*

drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area". I am therefore recommending that it should be deleted. Moreover, the new strategic development area is a location where a wide range of business and community development will be encouraged.

- 3.58 It is noted that Policy EP2 – Protection of Existing Employment Areas seeks to protect existing employment areas and states that “*proposals on these sites will be subject to a balanced assessment against the criteria contained within Core Strategy Policy 9 and Policy 10.*” This policy is aimed at protecting employment areas, not individual employment businesses. It is considered that it would not a suitable approach for the implementation of Policy ECON1.

Recommendation 9: Delete Policy ECON1 and its supporting text.

Policy ECON2 Support for Rural Economy

- 3.59 This policy sets out a detailed approach to the type of economic development that would be approved to support the rural economy. Whilst the title of the policy refers to the Rural Economy, the policy wording does not explicitly refer to the rural area. The first paragraph of the Interpretation infers that the policy applies to both the rural and suburban parts of the parish. I have recommended a modification to make it clear that the policy applies to the rural areas only.
- 3.60 NPPF paragraphs 84 and 85 set out national guidance to support the development of the rural economy and services. CS Policy 13 Rural Economy sets out the strategic policy to support business development in the rural areas. Point (c) supports “*caravan and camping uses on appropriate sites subject to there being a proven demand*”. Point (f) sets out the circumstances where the conversion and re-use of farm buildings would be acceptable for farm diversification. Paragraph 9.42 of the justification to the policy states that “*rural based tourism will generally be supported in appropriate rural areas where it is shown to have no environmental harm*”.
- 3.61 The first section of Policy ECON2 sets out six types of business development that will be approved providing that they do not harm the character of the area. I have recommended a modification to point 1c) to improve its clarity.
- 3.62 NPPF paragraph 2 states that “*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.*” A planning policy cannot state whether or not a proposal will be approved as many factors will have to be considered. A modification is recommended to make it clear where the policy will be applied and to better align it with national policy.

- 3.63 The Interpretation include definitions of “holiday accommodation” and “second homes or holiday homes”. It is recommended that these should be included in the Glossary of Terms in Appendix 6 for completeness.
- 3.64 Subject to the modifications recommended, it is considered that the policy accords with national and strategic policies.

Recommendation 10: Revise Policy ECON2 as follows:

Revise part 1 to read: “Proposals for new and existing business which do not harm the character of the area will be supported where they support the growth of the rural economy in the following ways:”

- a) A more diverse agricultural economy;
- b) The retention and expansion of existing local businesses;
- c) Encouraging a wider range of rural tourism, particularly those businesses which complement existing tourism related businesses, provided that proposals for holiday accommodation accord with the criteria set out in part 2 of this policy.
- d) to f) no changes proposed.”

Revise part 2 to read: “Proposals for new or extension to existing holiday accommodation will be supported provided that all the following criteria are met:”

Add “and” at the end of criterion e).

Delete the last sentence of criterion f).

Number the final paragraph of the policy and three bullet points “Holiday occupancy conditions....LPA” as part 3.

Delete “As well as Policy ECON1 protecting existing businesses,” from the first paragraph of the Justification as a consequence of the recommendation to delete Policy ECON1.

Replace the first paragraph of the Interpretation with the following: “This policy will be applied in the rural areas within the parish.”

Add the definitions of “holiday accommodation” and “second homes or holiday homes” to the Glossary.

Policy MOV1 Improvements to Provision of Footpaths, Cycle-paths and Bridleways

- 3.65 The policy supports new and improved footpaths, cycle paths and bridleways and expects them to be designed to a high standard. There is a note at the end of the policy referring to the Design Code in Appendix 1. Section 2.2 of the Design Code lists a number of design measures to promote ease of movement. Reference is also

made to the Central Lancashire Design Code SPD and the Manual for Streets section 6.3; in addition the Interpretation section refers to guidance on the design of paths in rural areas produced by Hampshire Countryside Service.

- 3.66 The Canals and River Trust has commented to suggest that the policy could be expanded to include the canal towpaths. They have noted that the justification includes a reference to the importance of tow paths in the footpath network. They have also suggested that a reference to their Guidance for Towpath Design.. I have included a modification to incorporate their suggestions.
- 3.67 It is considered that the policy accords with Local Plan Policy ST2 and Core Strategy Policy 3 which seeks to ensure that existing pedestrian, cycle and equestrian routes are protected and extended.
- 3.68 In order to make the policy clearer, it is recommended that it be revised to state that improvements should be carried out in accordance with the Design Code.

Recommendation 11: Revise Policy MOV1 as follows:

Revise the first sentence of the policy to read: "...footpaths, towpaths, cycle paths and bridleways....."

Revise the last sentence of the policy to read: "...and easy to use in accordance with the Woodplumpton Design Code in Appendix 1".

Include the following text at the end of the Interpretation section: "*The Canal and River Trust have prepared Guidance for Towpath Design.*"

Policy MOV2 Promoting Walking and Cycling in New Development

- 3.69 The policy promotes walking and cycling in new developments by encouraging the provision of links to existing networks and to public transport, schools and shops.
- 3.70 It is considered that the policy accords with Local Plan Policy ST2 and Core Strategy Policy 3 which promotes measures to facilitate improved footpaths and cycleways. The Interpretation includes a list of possible improvements.
- 3.71 The third paragraph of the policy refers to "Links to public transport, schools and shops both in and beyond should be enhanced". "Both in and beyond is unnecessary as the policy can only be applied within the parish. A modification is recommended to clarify the wording of this paragraph.

Recommendation 12: Revise Policy MOV2 as follows:

Delete "both in and beyond" from the third paragraph of the policy.

Policy ENV1 Land Use in Rural Woodplumpton

- 3.72 The policy seeks to protect a wide range of green infrastructure and open land uses from “inappropriate development which would threaten the integrity of one or more of the uses”. The policy is written in general terms and there are no maps or assessment to show the locally specific areas to be safeguarded. No guidance is given on what is considered to be “inappropriate development” or what may be acceptable with respect to each form of land use.
- 3.73 The Core Strategy and Preston Local Plan contain several policies concerned with safeguarding green infrastructure and the countryside.
- 3.74 It is considered that the policy is vague and imprecise and is not capable of being applied consistently by decision makers. The policy does not therefore accord with national planning guidance which states that *“a policy should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area”*.
- 3.75 I am therefore recommending that the policy is deleted.

Recommendation 13: Delete Policy ENV1.

Policy ENV2 Open Landscape Views

- 3.76 This policy seeks to protect and enhance the open views across the landscape. There are no maps or assessment to show key views. The third part of the policy and the Interpretation section refers the reader to the Character Assessment for further detail of views. This refers to the Lancashire Landscape Assessment which notes that *“many hedgerows have been removed giving large fields, open road verges and long views punctuated by small deciduous secondary woodlands mostly in the form of shelter belts for sheep and which provide a backdrop to views”*. It goes on to state that *“Only in a few places in the rural area does the enclosure increase such as where the roads narrow to a single track, where there are higher boundary treatments such as higher hedges or trees or where there are clusters of buildings”*.
- 3.77 The Woodplumpton Village Character Area builds on this description and states *“As in the wider rural part of the Parish, views are generally very open and there is little enclosure except along parts of Woodplumpton Road but even here there are only a few places where there are buildings on both sides of the road and a few culs-de-sac off Woodplumpton Road including The Orchard, Plumpton Field and Whittle Green”*.
- 3.78 From this description, it could be argued that this policy could be applied to any part of the countryside area within the parish. In view of the lack of information about the

location of important views, it is considered that the policy is vague and imprecise and is not capable of being applied consistently by decision makers. The policy does not therefore accord with national planning guidance. I am therefore recommending that the policy is deleted.

Recommendation 14: Delete Policy ENV2.

Policy ENV3 Nature Conservation and Biodiversity

- 3.79 The policy supports the conservation, management and enhancement of local features of interest for their biodiversity and geodiversity. Eleven types of features are listed in the first part of the policy. Most of these are generalised statements; the only site specific locations are in point c) which promotes the nature conservation and ecological value of green infrastructure, woodland and wildlife corridors designated in the PLP.
- 3.80 Core Strategy Policy 22 sets out the strategic policy to conserve and enhance areas of biological and ecological importance. PLP Policy EN2 Protection and Enhancement of Green Infrastructure sets out the importance of Green Infrastructure, Policy EN10 Biodiversity sets out the priorities for protecting, safeguarding and enhancing biodiversity sites and various provisions that developers must adhere to address. PLP Policy EN11 Species Protection sets out provisions to be considered where development may impact on protected species.
- 3.81 The North West Preston SPD para 4.6 states that “*Development proposals should seek opportunities to create, expand, enhance and/or re-establish ecological networks, linkages and corridors that permeate through and around the site and should accord with biodiversity supplementary planning guidance.*”
- 3.82 It is considered that the policy accords with the strategic policy. However, I have concerns that the policy provides little locally specific information on the locations of areas that are protected and where nature conservation is to be promoted. The LPA has provided me with an extract of the Local Plan Policies map which shows the strategic green infrastructure referred to under criterion c). It would be helpful to plan users to include this map in the text to the policy.
- 3.83 There is an overlap between points a) and f) on hedgerows. I am recommending that point f) should be deleted.
- 3.84 In response to my question on the reclamation plan at Bradleys Sand Quarry, WPC has requested that point h) should be deleted.
- 3.85 As no assessment has been carried out of existing views, the consequential recommendation is that Policy ENV2 should be deleted. To be consistent, I am recommending a modification to delete the last part of point g). In any case tree and woodland planting will inevitably impact on views in the future as the trees mature. It would be difficult to state in advance whether or not any areas of growing woodland would obscure or have a negative impact on short or long distant views.

- 3.86 Point j) proposes the creation of new Wildlife Corridors between sites of biodiversity. WPC has confirmed that no assessment has been undertaken to identify potential wildlife corridors and that this is an aspirational statement.
- 3.87 Section 2 of the policy sets out provision for the impacts on any protected species to be taken into account in the design of proposals and for opportunities for Biodiversity Net Gain to be identified. To ensure that developers take account of the PLP policies on the subject, it is recommended that reference to them should be included in part 2 of the policy.
- 3.88 The Environment Agency has commented that the DEFRA BIO metric 2.0 has been superseded. They have advised on suitable replacement wording for the second paragraph of the Interpretation, which I am recommending as a modification. PCC has also commented to say that the text should be updated.

Recommendation 15: Revise Policy ENV3 as follows:

Include an extract from the Local Plan Policies Map within the justification to show the sites referred to under point c).

Delete points f) and h).

Delete “whilst ensuring existing open views are not obscured.” from point 1g).

Revise point 2) to read: “.....as the design of the scheme develops *in accordance with PLP Policies ENV10 and ENV11* and advice from Natural England and PCC.”

Revise the first paragraph of the Interpretation to read: “Local Plan Policies EN2, EN10 and EN11 for Green Infrastructure, Biodiversity and Nature Conservation, and Species Protection provide further matters to be considered in the design of development proposals.

Revise the second paragraph of the Interpretation section to read:

“By November 2023, providing a minimum 10% biodiversity net gain (BNG) in new development will be a legal requirement due to provisions within the Environment Act 2021. Developers should have regard to the latest planning practice guidance on BNG in new development proposals.

“Developers can establish the pre-development and post-development biodiversity value of their proposals using the DEFRA Biodiversity Metric. Where development proposals do not demonstrate a minimum 10% biodiversity net gain, developers should identify appropriate opportunities and enhancements to achieve it.”

Section 4 Delivery

- 3.89 The section describes how the Parish Council is proposing to monitor the effectiveness of the policies in the Plan.
- 3.90 I have concerns that as the end date of the plan is 2026 to coincide with the timescale of the Local Plan, there is a need to consider its review without delay. Work has commenced on the review of the Local Plan although this is at an early stage at the time of the examination on the WNDP.
- 3.91 I am recommending that a paragraph is added to Section 4 (see Recommendation 1) to highlight the need to consider an early review of the Plan to take account of revisions to strategic policies. It is recommended that this includes more detailed work on how the policies could be framed to provide more locally specific guidance.

Representations

- 3.92 National Highways has proposed the following revisions to the report of consultation and the Design Code. It is recommended that the revisions are made as requested:
- The reference to 'Highways Agency' in the list of consultees should be changed to 'National Highways'.
 - It could be useful, within the Design Code section of the Plan to refer to Department for Transport Policy Circular 01/2022 'The Strategic Road Network and the delivery of sustainable development', which contains the requirements for the assessment of developments affecting the Strategic Road Network (SRN) that National Highways is consulted on; not just in terms of traffic impacts, but also physical impacts of development adjoining the SRN. Given that the M55 motorway forms part of the SRN that runs through the Parish, an awareness of the Circular may be worthwhile having for any promoters of development on land adjoining the motorway.

Recommendation 16:

Revise the Design Code to include reference to the Department for Transport Policy Circular 01/2022 "*The Strategic Road Network and the delivery of sustainable development*".

Revise the list of consultees to refer to the National Highways in lieu of Highways Agency.

- 3.93 United Utilities has proposed several policies for inclusion in the WNDP concerning sustainable drainage, water efficiency, landscaping, ground water protection and additional guidance in the Design Code on drainage and flooding.
- 3.94 At this stage of plan making only minor changes to policies can be made, it is considered that these policies would introduce significant new policy and guidance

areas that have not been the subject of public consultation. No action should be taken on them in the neighbourhood plan and they should be considered in the future review of the Local Plan.

- 3.95 A resident is requesting that sites for larger very low density and high quality housing are made available on the edge of villages and that development of housing is not limited to infilling only. It is considered that this is outside the policy framework of this neighbourhood plan and is a matter for consideration in the Local Plan review.
- 3.96 A resident has requested that the photograph of his property is removed. Whilst I have no views on the matter, it is suggested that the request is agreed to.
- 3.97 When the Plan is finalised, the references to other documents and the weblinks should be checked and updated.

4.0 Referendum

- 4.1 The Woodplumpton Neighbourhood Development Plan reflects the views held by the community as demonstrated through the consultations and, subject to the modifications proposed, sets out a realistic and achievable vision to support the future improvement of the community.
- 4.2 I am satisfied that the Neighbourhood Plan meets all the statutory requirements, in particular those set out in paragraph 8(1) of schedule 4B of the Town and Country Planning Act 1990 and, subject to the modifications I have identified, meets the Basic Conditions namely:
- has regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contributes to the achievement of sustainable development;
 - is in general conformity with the strategic policies contained in the Development Plan for the area; and
 - does not breach, and is otherwise compatible with, EU obligations and human rights requirements
- 4.3 **I am pleased to recommend to Preston City Council that the Woodplumpton Neighbourhood Development Plan should, subject to the modifications I have put forward, proceed to referendum.**
- 4.4 I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. In all the matters I have considered I have not seen anything that suggests the referendum area should be extended beyond the boundaries of the plan area as they are currently defined. I recommend that the Neighbourhood Plan should proceed to a referendum based on the neighbourhood area designated by Preston Council on 8 September 2017.

5.0 Background Documents

5.1 In undertaking this examination, I have considered the following documents:

- Woodplumpton Neighbourhood Development Plan 2017 - 2026 Submission Draft
- Woodplumpton Neighbourhood Development Plan Basic Conditions Statement July 2021
- Woodplumpton Neighbourhood Development Plan Consultation Statement v4.
- Woodplumpton Neighbourhood Development Plan Screening Report for SEA and HRA November 2022
- Woodplumpton Neighbourhood Plan Design Code September 2018 (unabridged version)
- National Planning Policy Framework July 2021
- Planning Practice Guidance (as amended)
- The Town and Country Planning Act 1990 (as amended)
- The Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012
- Central Lancashire LDF Core Strategy July 2012
- Preston Local Plan 2012 – 2026 adopted 2015
- North West Preston Masterplan SPD 2017
- Central Lancashire Design Guide SPD 2012
- Central Lancashire Affordable Housing SPD 2012
- Central Lancashire Rural Development Supplementary Planning Document 2012
- Central Lancashire Controlling Re-Use of Employment Premises Supplementary Planning Document (SPD) 2012
- Guidance for Towpath Design, Canals and River Trust, 2013

6.0 Summary of Recommendations

Recommendation 1: Add the following to Section 4:

“Review of the Neighbourhood Plan

“The WNDP has an end date of 2026 in line with the end date of the adopted Local Plan. There is no requirement for Neighbourhood Plans to be reviewed. However, there are some circumstances that may mean a review should be considered:

- ***Changes to national planning policy or guidance.***
- ***A review of the Local Plan***
- ***Monitoring of the plan reveals an issue with policy implementation.***
- ***A change in the evidence base.***
- ***A change in local circumstances.***

“WPC will monitor the changes in national policy, progress in preparing the emerging Central Lancashire Local Plan (which has an end date of 2038) and associated planning documents and consider whether the WNDP continues to accord with them. We will also monitor the effectiveness of the plan’s policies in the delivery of the NW Preston development area and the safeguarding of the rural character of the parish. If necessary, background documents will be updated.”

Recommendation 2: include the new Central Lancashire Local Plan Part 1 Preferred Options Document to 2036 in the list of Local Plan documents in the Planning Context section of the Introduction.

Recommendation 3:

Include a map of the plan area in the Introduction showing the area of the North West Preston strategic development.

Revise the first three paragraphs on page 6 of the Introduction as follows to explain the role of the North West Preston Masterplan SPD and how the WNDP is to be applied in this area:

“Special mention needs to be made of the North West Preston Masterplan Supplementary Planning Document and Preston Local Plan Policy MD2. Policy MD2 sets out criteria for the development of land identified in the Core Strategy in North West Preston for residential led mixed use development of around 5,300 homes and associated local centres and infrastructure. These include a health centre an east - west link from Preston Western Distributor Road to Lightfoot Lane, a secondary school, 2 primary schools and green infrastructure including play provision. The scale of the proposed development will have a very significant impact on the site, its setting and thereby the character of the Parish.

“According to the Supplementary Planning Document, Policy MD2 of the Preston Local Plan 2012-26 is the key overarching policy for the SPD with the Masterplan ‘seeking to expand on the level of detail in the policy’ by ‘providing an indicative framework and general design principles to guide development in a co-ordinated and comprehensive way’.

“It adds that ‘The Masterplan will be a material planning consideration in the determination of planning applications in the area and sets out how the Council would like to see the adopted criteria of Policy MD2 implemented.’

“The Neighbourhood Plan policies will form part of the Development Plan for the whole of the Parish including the North West Preston area and will, along with the policies in the Local Plan be the starting point for determining planning applications in the area in accordance with National Planning Policy Framework (NPPF). The policies in the Neighbourhood Plan cannot and do not alter the allocation of the site for development as it is a matter of strategic policy.

“The Masterplan will be a material consideration for decisions made in the area and Local Plan Policy MD2 will apply.

“As the area is developed, the character of this part of the Parish will be significantly affected, effectively extending the Cottam suburban area further into Woodplumpton Parish.

“It is also an aspiration of the Plan to ensure that facilities in the North West Preston Area can be accessed by other people in Woodplumpton Parish and this has implications for transport including the design, extent of highways and Public Rights of Way as well as public transport provision.”

Embolden the text of the policies and place them in a box.

Check and correct the punctuation of the policies.

Update Appendix 1 with the final version of the Design Code and Character Assessment. Update the map of Character Areas to show the site of the North West Preston Strategic Development Area within the suburban area.

A Policies Map should be prepared to show the locations of the community facilities identified in Policy COM2 at a scale whereby they can be identified by plan users and decision makers. A key should be included.

Include a list in the Appendix of strategic and Local Plan policies and SPD relevant to the plan area and the North West Strategic Development area. Check and update those referred to under each policy.

Recommendation 4: Revise the Vision and objectives as follows:

Revise the second Vision statement to read: ***“Through the design and provision of new infrastructure, the improved well-being and safety of the Parish will be achieved, which would be of benefit to the community as a whole.”***

Revise the third Vision statement as follows: ***“Our open / green spaces will be protected, maintained and enhanced for the benefit of all the community, now and in the future.***

Delete the fourth Vision Statement.

Number the objectives.

Revise objective 3 to read: ***“Develop and enhance existing, and where appropriate, new open / green spaces.”***

Delete objectives 4, 5, 6 and 7.

Include a new objective as follows: ***“Seek to deliver new and improved community infrastructure to meet the needs of future residents and which benefit the whole community.”***

Delete “Publicise and” from objective 10.

Update the Intention section under each policy to link to the revised Objectives.

Recommendation 5: Revise Policy COM1 as follows:

Revise the first paragraph to read: ***“New community facilities which meet the needs of the local community will be supported, provided that:”***

Throughout the plan area:

- a) ***The site has a safe means of access for vehicles and pedestrians and adequate parking provision in accordance with PCC parking standards;***
- b) ***first sentence of criterion f),***
- c) ***criterion e); and***
- d) ***the following criteria relevant to the area of the development proposal:***

Within the rural area:

- e) ***the application is accompanied by evidence of local need for the facility; this should include a demonstration that other options have been considered such as the use of an existing open space or the conversion of an existing building;***
- f) ***the proposal is small scale;***
- g) ***the building should be designed to take account of the character of the rural area as described in the Woodplumpton Character Assessment; and***
- h) ***criterion g).***

Within the North West Preston Development Area

i) the building should be designed to take account of the character of the suburban fringe in the Cottam area as described in the Woodplumpton Character Assessment

j) criterion i) revised to read: “.....is *provided* for the pupils’ needs.)

Delete the page references to the Woodplumpton Character Assessment from the policy and include a reference to the Character Assessment in the justification as follows:

***“The character of Woodplumpton Parish is not uniform and there are significant differences between areas. The Woodplumpton Character Assessment (Appendix 7) identifies four different character areas within the Parish: the Suburban fringe which covers all the North West Preston site and 3 Rural Character Areas of Woodplumpton, Catforth and Eaves, all with their distinct features. As such it is appropriate to ensure that any new community facilities in the Parish respect the character of their immediate area. (See pages 14-35 of the Character Assessment for the overall assessment of the Parish and 36-57 for the individual character areas).*”**

Include a reference in the justification to the map in the Introduction to show the “rural area” and the” North West Preston development site”.

Include the following statement in the justification to the Policy under the heading NW Preston: “*The criteria in the policy that relate to the development of community facilities in the NW Preston development area should be applied in addition to those set out in strategic policies and the NW Preston Masterplan.*”

In the Evidence section, include the latest position on local centres and community facilities from the North West Preston Development Area.

Update the justification and evidence on school sites and education provision.

Recommendation 6: Revise Policy COM2 as follows:

“1. The community facilities listed below should be safeguarded. Proposals that help to retain and improve the facilities for community use will be supported. Development proposing the change of use or loss of any premises or land currently or last used as a community facility will only be supported where the proposal satisfies the requirements set out in Preston Local Plan Policy WB1. List Sites 1-5, 8-13.”

Delete points 2 and 4.

“3. Development adjacent to a community facility should not cause an unacceptable impact on the community facility and, where possible, should help to provide additional or improved community facilities.”

List the community facilities in the policy.

Show the locations of the community facilities listed on the Policies Map, on a scale whereby the location and curtilage of the sites can be clearly identified.

Add the following to the justification: *“Where a development proposal would result in the change of use or loss any land currently or last used as a community facility, Preston Local Plan Policy WB1 should be taken into account. This policy sets out the factors that have to be demonstrated to justify the loss of a community facility.”*

Recommendation 7: Revise Policy HOU1 to read:

1. *“All new housing development should achieve a high standard of design and layout compatible with the character of the area in which it is located as described in the Woodplumpton Character Assessment. The design and layout of the development should give consideration to the factors set out in Core Strategy Policy 17 and the Woodplumpton Design Code.*
2. *“All new housing development should be designed and laid out to help to integrate the housing into the surrounding area by ensuring that its form, layout, materials, siting, height, scale and design are compatible with that of the adjoining and surrounding buildings. Where appropriate, the proposal should take account of its setting and its impact on the nearby countryside, the landscape setting, and the local street scene.*
3. *“Developments of 10 or more dwellings should include pedestrian and cycleway links to the local network of walking and cycling routes and to the local facilities, in particular shops, schools, public open spaces and public transport routes. New highways within housing developments should be designed to reduce traffic speeds and to prioritise cycling and walking.*
4. *“Developments of 10 or more dwellings should provide a good mix of house types and tenures in accordance with the North West Preston Masterplan SPD. Social and affordable housing shall be ‘pepper-potted’ within the development so that the development is designed to be tenure blind in accordance with the Central Lancashire Affordable Housing SPD.*
5. *“All new housing development should incorporate SuDS to minimise surface water run off in accordance with guidance in the NPPG and the adopted and emerging strategic policies.”*

Revise the fourth paragraph of the justification as follows: *“In the rural areas, smaller 2-3 bed semi-detached houses or a small terrace are more likely to be capable of being integrated into the rural character than larger detached dwellings, although plot-size restrictions may mean a small detached house would be acceptable. Larger detached houses require more land and so will have a greater detrimental effect on the rural character in terms of loss of*

green space or agricultural land. They are also less likely to be genuinely affordable.”

Delete the fifth and sixth paragraphs of the justification on the Drainage Hierarchy and replace with the following: *“The National Planning Policy Guidance on Flood Risk and Coastal Change sets out the national approach to managing flood risk and how sustainable drainage solutions can contribute. The adopted Central Lancashire Core Strategy Policy 29 on Water Management and the emerging Central Lancashire Local Plan Policy Direction 27 on Sustainable Water Management provide the strategic approach to the management of surface water.”*

Include reference to the North West Preston Masterplan SPD in the Interpretation section.

Recommendation 8: Revise Policy HOU2 as follows:

Delete *“(falling out of use) within Woodplumpton parish”* from the title to the policy.

Revise the first line of the policy to read: *“The principle of conversion of agricultural buildings to more than 5 dwellings or with a floor area of more than 450m² will be supported where:”*

Delete *“and”* from criterion f).

Revise criterion g) to read *“.....level of trips; and”*.

Delete criterion h)

Delete *“Policy HOU2 extends this right to larger developments which satisfy the criteria of the policy and other policies elsewhere in the Neighbourhood Plan and Preston Local Plan.”* from the Interpretation.”

Include reference to the *“Central Lancashire Rural Development Supplementary Planning Document. 2012”* under the Interpretation.

Recommendation 9: Delete Policy ECON1 and its supporting text.

Recommendation 10: Revise Policy ECON2 as follows:

Revise part 1 to read: *“Proposals for new and existing business which do not harm the character of the area will be supported where they support the growth of the rural economy in the following ways:”*

- e) A more diverse agricultural economy;
- f) The retention and expansion of existing local businesses;
- g) Encouraging a wider range of rural tourism, particularly those businesses which complement existing tourism related businesses, provided that proposals for holiday accommodation accord with the criteria set out in part 2 of this policy.

h) to f) no changes proposed.”

Revise part 2 to read: “Proposals for new or extension to existing holiday accommodation will be *supported* provided that all the following criteria are met:”

Add “and” at the end of criterion e).

Delete the last sentence of criterion f).

Number the final paragraph of the policy and three bullet points “Holiday occupancy conditions....LPA” as part 3.

Delete “As well as Policy ECON1 protecting existing businesses,” from the first paragraph of the Justification as a consequence of the recommendation to delete Policy ECON1.

Replace the first paragraph of the Interpretation with the following: “*This policy will be applied in the rural areas within the parish.*”

Add the definitions of “holiday accommodation” and “second homes or holiday homes” to the Glossary.

Recommendation 11: Revise Policy MOV1 as follows:

Revise the first sentence of the policy to read: “...footpaths, *towpaths*, cycle paths and bridleways.....”

Revise the last sentence of the policy to read: “...and easy to use in accordance with the Woodplumpton Design Code in Appendix 1”.

Include the following text at the end of the Interpretation section: “*The Canal and River Trust have prepared Guidance for Towpath Design.*”

Recommendation 12: Revise Policy MOV2 as follows:

Delete “both in and beyond” from the third paragraph of the policy.

Recommendation 13: Delete Policy ENV1.

Recommendation 14: Delete Policy ENV2.

Recommendation 15: Revise Policy ENV3 as follows:

Include an extract from the Local Plan Policies Map within the justification to show the sites referred to under point c).

Delete points f) and h).

Delete “whilst ensuring existing open views are not obscured.” from point 1g).

Revise point 2) to read: “.....as the design of the scheme develops *in accordance with PLP Policies ENV10 and ENV11* and advice from Natural England and PCC.”

Revise the first paragraph of the Interpretation to read: “Local Plan Policies EN2, EN10 and EN11 for Green Infrastructure, Biodiversity and Nature Conservation, and Species Protection provide further matters to be considered in the design of development proposals.

Revise the second paragraph of the Interpretation section to read:

“By November 2023, providing a minimum 10% biodiversity net gain (BNG) in new development will be a legal requirement due to provisions within the Environment Act 2021. Developers should have regard to the latest planning practice guidance on BNG in new development proposals.

“Developers can establish the pre-development and post-development biodiversity value of their proposals using the DEFRA Biodiversity Metric. Where development proposals do not demonstrate a minimum 10% biodiversity net gain, developers should identify appropriate opportunities and enhancements to achieve it.”

Recommendation 16:

Revise the Design Code to include reference to the Department for Transport Policy Circular 01/2022 “*The Strategic Road Network and the delivery of sustainable development*”.

Revise the list of consultees to refer to the National Highways in lieu of Highways Agency.