



# Cottam Parkway Railway Station

## Environmental Statement

### Volume 3: Appendices

#### Appendix 1-3.2: Planning Policy Reference Report

Document Reference: 07-ES-03-1-3.2-04

[www.lancashire.gov.uk](http://www.lancashire.gov.uk)

## ES Report Document Control

**Project Title:** Cottam Parkway Railway Station

**Document Reference:** 07-ES-03-1-3.2-04

**Report Title:** Planning Policy Reference Report

**Version No:** 4

	Created By	Checked By	Date Comments provided
<b>Version 1</b> <b>28/02/2020</b>	Robert Taylor	Niamh O'Sullivan Victoria Walmsley	02/03/2020
<b>Version 2</b> <b>17/07/2020</b>	Robert Taylor	Niamh O'Sullivan Victoria Walmsley	22/07/2020
<b>Version 3</b> <b>4/12/2020</b>	Robert Taylor	Niamh O'Sullivan	06/01/2020
<b>Version 4</b> <b>14/6/2022</b>	Grace Wilson	Niamh O'Sullivan	05/08/2022
<b>Document Status</b>	Final		

# 1 Introduction

## 1.1 Summary

- 1.1.1 This report is a desk-based planning policy review and is guided by the scope of work provided by the authors of chapters of the Environmental Statement. This report provides a review of policy guidance at national and local planning levels setting out how this applies to the Cottam Parkway Railway Station development (the scheme) and more particularly each environmental topic area of volume 2 of the Environmental Statement.
- 1.1.2 The Development Plan is the primary material consideration in the planning decision making process and is formed of adopted planning policy applicable at the local level. Applications for developments submitted for approval under the planning acts should conform to adopted planning policy or confirm material reasons to justify a departure.
- 1.1.3 The Cottam Parkway Railway Station site is located in open countryside approximately 0.7km to the south-west of Cottam and immediately south of the proposed Cottam Link Road and east of the Preston Western Distributor Road (PWDR) both of which are under construction. The approximate extents of the planning application site area extend from Darkinson Lane in the west the proposed Cottam Link Road to the north, Lea Road to the east and an area of land extending 40m south of the Preston Fylde Junction to Blackpool North Fylde Line. The railway station and platforms would be situated slightly further to the west than those of the former Lea Road Railway Station which occupied an area to the west of the railway bridge on Lea Road until 1938. The Scheme would be accessed by car / bus directly from a roundabout on the new Cottam Link Road and from Lea Road by bus only.
- 1.1.4 The policy designation of the site has influenced the policies reviewed in this report, which was taken into full account during the environmental assessment and Scheme design.

## 1.2 The National Legislative and Policy Context

### Planning and related acts

#### Town and Country Planning Act 1990

- 1.2.1 This act consolidates certain enactments relating to town and country planning and is the act under which the application for the scheme will be determined.

#### Localism Act 2011

- 1.2.2 This act makes provision for the functions and procedures of local and certain other authorities and to make provision about town and country planning, the Community Infrastructure Levy and the authorisation of nationally significant infrastructure projects.

#### The Town and Country Planning (Environmental Impact Assessment) Regulations (2017)

- 1.2.3 The 2017 Town and Country Planning (Environmental Impact Assessment) Regulations (the EIA Regulations) will apply to this scheme.

#### Climate Change Act 2008

- 1.2.4 The Climate Change Act 2008 sets a legal framework for the UK to cut greenhouse gas emissions to 80% below 1990 levels by 2050. The Act requires the Government to set legally binding emissions targets/ carbon budgets every five years.
- 1.2.5 The Climate Change Act also established the formation of an independent body, the Committee on Climate Change (the CCC) whose role is to advise Government on the level of emissions targets. The CCC periodically reports to Parliament on progress made towards reducing emissions associated with climate change.

## Paris Agreement 2015

- 1.2.6 The 'Paris Agreement under the United Nations Framework Convention on Climate Change', or 'COP21' [Ref 2] - was signed in April 2016, and is concerned with GHG emission mitigation, adaptation and finance from 2020. The Agreement sets out to improve upon and replace the Kyoto Protocol 1997, an earlier international treaty designed to curb the release of greenhouse gasses.
- 1.2.7 The Agreement is a commitment to keep global warming to below 2 degrees Celsius, with further discussions suggesting that a new limit of 1.5 degrees Celsius should be established in order to avoid dangerous levels of climate change.
- 1.2.8 The Agreement also requires all Parties to put forward their best efforts through 'nationally determined contributions' (NCDs) and to strengthen these efforts in future years. It also includes requirements that all Parties report regularly on their emissions and on their implementation efforts. There will also be a global stocktake every 5 years to assess the collective progress towards achieving the purpose of the agreement.
- 1.2.9 The Agreement identifies crucial areas necessary to combat climate change including; a long-term temperature goal, Global peaking and 'climate neutrality', mitigation, sinks and reservoirs, adaptation, loss and damage, finance, technology and capacity-building support, education, transparency and global stocktake.

## **National Planning Policy Framework**

- 1.2.10 The Ministry of Housing Communities and Local Government published the National Planning Policy Framework in 2021 (the NPPF).
- 1.2.11 Addressing climate change is one of the core land use planning principles in the NPPF. Local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment, including climate change. Planning can also help increase resilience to climate change impact through the location, mix and design of development.
- 1.2.12 The National Planning Policy for Waste was published in October 2014, but it is assumed that the more strategic, generic provisions of this policy have limited relevance to the scheme, so a review of this document has not been undertaken.

## **Local Planning Policy - The Development Plan**

- 1.2.13 The scheme is within the district of Preston City Council and the key relevant documents of the current Development Plan for Preston City Council, where the scheme is located, therefore comprises the following plans:
- The Central Lancashire Core Strategy (2012);
  - Preston Local Plan 2012-2026 (Site Allocations);
  - The Joint Lancashire Minerals and Waste Development Framework is made up of the Core Strategy (2009) and Site Allocations and Development Management Policies (2012); and,
  - Central Lancashire Biodiversity and Nature Conservation Supplementary Planning Document.
- 1.2.14 Preston City Council adopted the Central Lancashire Core Strategy in July of 2012. This plan, prepared jointly by Preston City Council, Chorley Council and

South Ribble Borough Council, as their primary plan. The Preston Local Plan 2012-26 (Site Allocations) was adopted in July 2015 it identifies the scale of development and allocates sites to meet the development needs of Preston over a 15 year period in order to achieve the vision for growth as outlined in the Central Lancashire Core Strategy. It also sets out detailed development management policies which will be used by decision makers to determine planning applications. The Core Strategy and the Preston Local Plan (Site Allocations) supersedes the previous Preston Local Plan (2004).

- 1.2.15 The Central Lancashire authorities including Preston City Council are in the early stages of reviewing current local planning policies. The issues and options consultation on the Central Lancashire Core Strategy comments have been evaluated.
- 1.2.16 Central Lancashire Biodiversity and Nature Conservation Supplementary Planning Document adopted 2015 is a supplementary planning document which provides further advice and guidance for dealing with matters concerning biodiversity across Central Lancashire.
- 1.2.17 The Joint Lancashire Minerals and Waste Development Framework is made up of the Core Strategy (2009) and Site Allocations and Development Management Policies (2012). It is being considered in this report as it is part of the Local Development Policy for the scheme.
- 1.2.18 There are transport related strategies and plans for the area and these are as follows:
- The Lancashire Local Transport Plan 2011-2021 (2011) (LTP3);
  - Central Lancashire Highways and Transport Masterplan (2013); and,
  - The Preston City Transport Plan, Technical Advice (2019).

Whilst referencing and supporting the Scheme within them the above documents do not form part of the Development Plan for the area and consequently are not reviewed in this report.

## **2 National Planning Policy**

### **2.1 Background**

- 2.1.1 The National Planning Policy Framework (MHCLG) was revised in 2021.
- 2.1.2 The National Planning Policy for Waste was published in October 2014, but it is assumed that the more strategic, generic provisions of this policy (if relevant) have limited relevance to the scheme, so a review of this document has not been undertaken.

### **2.2 The National Planning Policy Framework (2021)**

- 2.2.1 The National Planning Policy Framework (MHCLG, 2021) (the NPPF) sets out the planning policies for England which have the overall objective of contributing towards the achievement of sustainable development. The key topic areas set out in the NPPF will in turn inform the overall environmental topic areas.
- 2.2.2 Paragraph 8 confirms there are three interdependent objectives for the planning system which need to be pursued in mutually supportive ways, to contribute towards sustainable development as follows:

'a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;



b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and,

c) an environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

2.2.3 Paragraphs 10 and 11 state the approach towards forming decisions in the context of the development plan policy framework stated below as follows:

'10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).'

Parts c) and d) of paragraph 11 set out the presumption criterion for decision making, and these are as follows;

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or,

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

2.2.4 Paragraph 12 of the NPPF also explains how the presumption in favour of sustainable development should be viewed against the standing of a pre-existing local plan and the circumstances where development may depart from the development plan as follows.

'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'

2.2.5 Consequently any departure from the policies contained within the development plan would have to be supported with the benefit of full justification or present exceptional reasons.

## 2.3 Relevant Extracts from the NPPF

### Chapter 6: Building a strong, competitive economy

#### Supporting a prosperous rural economy

2.3.1 '84. Planning policies and decisions should enable:

a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;

b) the development and diversification of agricultural and other land-based rural businesses;

c) sustainable rural tourism and leisure developments which respect the character of the countryside; and

d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.'

- 2.3.2 '85. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'

## **Chapter 8: Promoting Healthy and Safe Communities**

- 2.3.3 '92. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example

through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and

c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.'

2.3.4 '97. 'Planning policies and decisions should promote public safety and take into account wider security and defence requirements by:

a) anticipating and addressing possible malicious threats and natural hazards, especially in locations where large numbers of people are expected to congregate. Policies for relevant areas (such as town centre and regeneration frameworks), and the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security'.

2.3.5 '100. Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails."

## **Chapter 9: Promoting Sustainable Transport**

2.3.6 '104. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

a) the potential impacts of development on transport networks can be addressed;

b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;

c) opportunities to promote walking, cycling and public transport use are identified and pursued;

d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and

e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.'

2.3.7 '105. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.'

2.3.8 '106. Planning policies should:

a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;

b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so

that strategies and investments for supporting sustainable transport and development patterns are aligned;

c) identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development;

d) provide for high quality walking and cycling networks and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans);

e) provide for any large scale transport facilities that need to be located in the area, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy. In doing so they should take into account whether such development is likely to be a nationally significant infrastructure project and any relevant national policy statements;'

2.3.9 '110. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users; and

c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'

2.3.10 '111. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

2.3.11 '112. Within this context, applications for development should

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles;
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'

2.3.12 '113. All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.'

## **Chapter 11: Making effective use of land**

2.3.13 '119. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.'

2.3.14 '121. Local planning authorities, and other plan-making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available

to them. This should include identifying opportunities to facilitate land assembly, supported where necessary by compulsory purchase powers, where this can help to bring more land forward for meeting development needs and/or secure better development outcomes.'

## **Chapter 12: Achieving Well Designed Places**

2.3.15 '126. The creation of high quality. Beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'

2.3.16 '127. Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.'

2.3.17 '130. Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;



c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

2.3.18 '132. Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot'.

2.3.19 '134. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

## **Chapter 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change**

2.3.20 '152. The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.'

### Planning for Climate Change

2.3.21 '154. New development should be planned for in ways that:

a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and,

b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.'

2.3.22 157. In determining planning applications, local planning authorities should expect new development to:

- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and,
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

### Planning and Flood Risk

2.3.23 '163. If it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance.'

2.3.24 '164. The application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and,
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.'

165. 'Both elements of the exception test should be satisfied for development to be allocated or permitted.'

2.3.25 '167. When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and,
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.'

2.3.26 '169. Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority;
- b) have appropriate proposed minimum operational standards;
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and,
- d) where possible, provide multifunctional benefits.

## Chapter 15: Conserving and Enhancing the Natural Environment

2.3.27 '174. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and,
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.'

### Habitats and biodiversity

2.3.28 '180. When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and,

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

2.3.29 '181. The following should be given the same protection as habitats sites:

a) potential Special Protection Areas and possible Special Areas of Conservation;

b) listed or proposed Ramsar sites; and,

c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.'

- 2.3.30 '182. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site

#### Ground conditions and pollution

- 2.3.31 '183. Planning policies and decisions should ensure that:

a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);

b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and,

c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.'

- 2.3.32 '184. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.'

- 2.3.33 '185. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and,
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

2.3.34 '186. Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.'

2.3.35 '188. The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.'

## **Chapter 16: Conserving and Enhancing the Historic Environment**



- 2.3.36 '189. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.'

#### Proposals affecting heritage assets

- 2.3.37 '194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.'
- 2.3.38 '195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'
- 2.3.39 '196. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.'

2.3.40 '197 In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.'

### **Considering potential impacts**

2.3.41 '199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'

2.3.42 '200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

2.3.43 '201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities

should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.'

2.3.44 '202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

2.3.45 '203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

2.3.46 '205. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.'

## Chapter 17: Facilitating the sustainable use of minerals

- 2.3.47 '209. It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.'
- 2.3.48 '212. Local planning authorities should not normally permit other development proposals in Mineral Safeguarding Areas if it might constrain potential future use for mineral working.'

## **2.4 Planning Practice Guidance**

- 2.4.1 The National Planning Policy Framework and relevant planning practice guidance is a group of frequently updated guidance documents which have an objective to provide guidance on the interpretation and application of national planning policy. There is a wide range of subject matter covered extending to for instance: Air quality; light pollution; climate change; development design; Environmental Impact Assessment; the natural environment; transport assessments and statements.

## 3 Local Planning Policy

### 3.1 Summary

- 3.1.1 The proposed site is located entirely within the local authority boundary of Preston City Council. As mentioned in Section 1, the Local Development Plan is made up of a combination of the Central Lancashire Core Strategy and the Preston Local Plan 2012 - 2026 (Site Allocations and Development Management Policies). There are also a number of Supplementary Planning Guidance Documents (SPDs) and standing advice documents Central Lancashire Design Guide SPD (October 2012) and A Central Lancashire Biodiversity and Nature Conservation SPD (July 2015) these are relevant to the Scheme.

### 3.2 Central Lancashire Core Strategy

- 3.2.1 The Local Development Framework for Central Lancashire is produced via collaboration between Preston City Council, South Ribble Borough Council and Chorley Borough Council. The Core Strategy has been adopted by the collaborating councils (adopted by Preston Council July 2012). The Core Strategy is a strategic document. The local-specific policies are covered by the Preston Local Plan 2012-2026 (Site Allocations and Development Management Policies) and Supplementary Planning Documents.

#### Format of the Core Strategy

- 3.2.2 The Core Strategy sets out a number of Strategic Objectives designed to set out the key issues to be addressed in each policy theme. The associated policies are listed and set out in the following paragraphs of this report and these describe what is expected of development - in accordance with the Core Strategy.

### Spatial Strategy Managing and Locating Growth

#### 3.2.3 SO 1 To foster growth and investment in Central Lancashire in a manner that:

- Makes the best use of infrastructure and land by focussing on the Preston/South Ribble Urban Area, and the Key Service Centres of Leyland and Chorley.
- Marries opportunity and need by focussing investment in Preston City Centre and other Strategic Sites and Locations, and Leyland and Chorley town centres.
- Supports service provision in rural areas, particularly in the Rural Local Service Centres.

#### 3.2.4 Policy 1: Locating Growth - Focus growth and investment on well located brownfield sites and the Strategic Location of Central Preston, the Key Service Centres of Chorley and Leyland and the other main urban areas in South Ribble, whilst protecting the character of suburban and rural areas. Some Greenfield development will be required on the fringes of the main urban areas. To promote vibrant local communities and support services, an appropriate scale of growth and investment will be encouraged in identified Local Service Centres, providing it is in keeping with their local character and setting, and at certain other key locations outside the main urban areas.

Growth and investment will be concentrated in:

(a) The Preston/South Ribble Urban Area comprising:

ii. The northern suburbs of Preston, focussing on Local Centres, with greenfield development within the Cottam Strategic Site and the North West Preston Strategic Location.'

### Delivering Infrastructure

- 3.2.5 SO 2 To ensure there is sufficient appropriate infrastructure to meet future needs, funded where necessary by developer contributions.
- 3.2.6 Policy 2: Infrastructure - Work with infrastructure providers to establish works and/or service requirements that will arise from or be made worse by development proposals and determine what could be met through developer contributions, having taken account of other likely funding sources.

If a funding shortfall in needed infrastructure provision is identified, secure, through developer contributions, that new development meets the on and off-site infrastructure requirements necessary to support development and mitigate any impact of that development on existing community interests as determined by the local planning authority.

In such circumstances developer contributions in the form of actual provision of infrastructure, works or facilities and/or financial contributions will be sought through one off negotiations and/or by applying a levy as appropriate. This will ensure that all such development makes an appropriate and reasonable contribution to the costs of provision after taking account of economic viability considerations.

The levy to be charged on a specific development will take account of cases where actual provision of infrastructure, works or facilities normally covered by the levy is provided as part of the development proposals.

The local planning authorities will set broad priorities on the provision of infrastructure, which will be linked directly to the commencement and phasing of development. This will ensure that appropriate enabling infrastructure is delivered in line with future growth, although some monies will be specifically collected and spent on the provision of more localised infrastructure. The infrastructure provision will be coordinated and delivered in partnership with other authorities and agencies.'

### Sustainable Travel

3.2.7 SO 3 To reduce the need to travel, manage car use, promote more sustainable modes of transport and improve the road network to the north and south of Preston.

3.2.8 SO 4 To enable easier journeys into and out of Preston City Centre and east/west trips across South Ribble, improve movement around Chorley, as well as safeguard rural accessibility, especially for mobility impaired people.

3.2.9 Policy 3: Travel - The best approach to planning for travel will involve a series of measures:

' ...

(b) Improving pedestrian facilities with:

ii. safe and secure urban and rural footways and paths (including canal towpaths) linking with public transport and other services

(c) Improving opportunities for cycling by:

i. completing the Central Lancashire Cycle Network of off-road routes (including canal towpaths) supplementing this with an interconnected system of on-road cycle lanes and related road junction improvements

(d) Improving public transport by:

i. providing new railway stations at Buckshaw Village\*, Cottam\*, Midge Hall and Coppull (\*park and ride sites), and improving Preston and Leyland stations

ii. creating a bus rapid transit system on routes into Preston and to Leyland and Chorley



iii. improving main bus routes elsewhere

(e) Enabling travellers to change their mode of travel on trips through:

...

ii. improving car and cycle parking facilities at railway stations, including at Adlington

iii. better coordinated bus and rail services

iv. providing better public transport interchanges'

#### Design –

3.2.10 SO 15 To foster 'place shaping' to enhance the character and local distinctiveness of the built environment in Central Lancashire by encouraging high quality design of new buildings.

3.2.11 Policy 17: Design of New buildings - The design of new buildings will be expected to take account of the character and appearance of the local area, including the following:

(a) siting, layout, massing, scale, design, materials, building to plot ratio and landscaping.

(b) safeguarding and enhancing the built and historic environment.

(c) being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the amenities of the local area.

(d) ensuring that the amenities of occupiers of the new development will not be adversely affected by neighbouring uses and vice versa.

- (e) linking in with surrounding movement patterns and not prejudicing the development of neighbouring land, including the creation of landlocked sites.
- (f) minimising opportunity for crime, and maximising natural surveillance.
- (g) providing landscaping as an integral part of the development, protecting existing landscape features and natural assets, habitat creation, providing open space, and enhancing the public realm.
- (i) demonstrating, through the Design and Access Statement, the appropriateness of the proposal.
- (j) making provision for the needs of special groups in the community such as the elderly and those with disabilities.
- (k) promoting designs that will be adaptable to climate change, and adopting principles of sustainable construction including Sustainable Drainage Systems (SuDS);
- (m) ensuring that contaminated land, land stability and other risks associated with coal mining are considered and, where necessary, addressed through appropriate remediation and mitigation measures.'

3.2.12 SO 16 To protect, conserve and enhance Central Lancashire's places of architectural and archaeological value, and the distinctive character of its landscapes.

3.2.13 Policy 16: Heritage Assets - Protect and seek opportunities to enhance the historic environment, heritage assets and their settings by:

- a) Safeguarding heritage assets from inappropriate development that would cause harm to their significances.
- b) Supporting development or other initiatives where they protect and enhance the local character, setting, management and historic significance of

heritage assets, with particular support for initiatives that will improve any assets that are recognised as being in poor condition, or at risk.

#### 3.2.14 Policy 18: Green Infrastructure

'Manage and improve environmental resources through a Green Infrastructure approach to:

(a) protect and enhance the natural environment where it already provides economic, social and environmental benefits;

(b) invest in and improve the natural environment, particularly;

...

ii. the canal networks including:

- the Lancaster Canal into Preston;

iii. where it contributes to the creation of green wedges and the utilisation of other green open spaces that can provide natural extensions into the countryside.

(c) secure mitigation and/or compensatory measures where development would lead to the loss of, or damage to, part of the Green Infrastructure network.'

3.2.15 Policy 21: Landscape Character Areas - New Development will be required to be well integrated into existing settlement patterns, appropriate to the landscape character type and designation within which it is situated and contribute positively to its conservation, enhancement or restoration or the creation of appropriate new features.

3.2.16 SO 17: To maintain and improve the quality of Central Lancashire's built and natural environment assets so that it remains a place with 'room to breathe'.

3.2.17 Policy 22: Biodiversity and Geodiversity - Conserve, protect and seek opportunities to enhance and manage the biological and geological assets of the area through the following measures:

- (a) Promoting the conservation and enhancement of biological diversity, having particular regard to the favourable condition, restoration and re-establishment of priority habitats and species populations;
- (b) Seeking opportunities to conserve, enhance and expand ecological networks;
- (c) Safeguarding geological assets that are of strategic and local importance.'

#### Health and Wellbeing

3.2.18 SO 20 To create environments in Central Lancashire that help to reduce crime, disorder and the fear of crime, especially in the more deprived areas which often experience higher levels of crime.

#### Climate Change

3.2.19 SO 21 To reduce energy use and carbon dioxide emissions in new Development.

3.2.20 SO 24 To reduce water usage, protect and enhance Central Lancashire's water resources and minimise pollution of water, air and soil.

3.2.21 Policy 27: Sustainable Resources and New Developments

Incorporate sustainable resources into new development through the following measures:

... 'Minimum energy efficiency standards for all other new buildings will be 'Very Good' (or where possible, in urban areas, 'Excellent') according to the Building Research Establishment's Environmental Assessment Method (BREEAM).

Subject to other planning policies, planning permission for new built development will only be granted on proposals for 5 or more dwellings or non-residential units of 500 sq. metres or more floor space where all of the following criteria are satisfied:

- (a) Evidence is set out to demonstrate that the design, orientation and layout of the building minimises energy use, maximises energy efficiency and is flexible enough to withstand climate change;
- (b) Prior to the implementation of zero carbon building through the Code for Sustainable Homes for dwellings or BREEAM for other buildings, either additional building fabric insulation measures, or appropriate decentralised, renewable or low carbon energy sources are installed and implemented to reduce the carbon dioxide emissions of predicted energy use by at least 15%;
- (c) Appropriate storage space is to be provided for recyclable waste materials and composting;
- (d) If the proposed development lies within a nationally designated area, such as a Conservation Area or affects a Listed Building, it will be expected to satisfy the requirements of the policy through sensitive design unless it can be demonstrated that complying with the criteria in the policy, and the specific requirements applying to the Code for Sustainable Homes and BREEAM, would have an unacceptable adverse effect on the character or appearance of the historic or natural environment.

The integration of the principles above into other types of development will also be encouraged.'

3.2.22 Policy 29: Water Management - Improve water quality, water management and reduce the risk of flooding by:

- (a) Minimising the use of potable mains water in new developments;
- (b) Working with the regional water company and other partners to promote investment in sewage water treatment works to reduce the risk of river pollution from sewage discharges;
- (d) Appraising, managing and reducing flood risk in all new developments, avoiding inappropriate development in flood risk areas particularly in Croston, Penwortham, Walton-le-Dale and southwest Preston;
- (f) Managing the capacity and timing of development to avoid exceeding sewer infrastructure capacity;
- (g) Encouraging the adoption of Sustainable Drainage Systems;
- (h) Seeking to maximise the potential of Green Infrastructure to contribute to flood relief.

3.2.23 Policy 30: Air Quality - Improve air quality through delivery of Green Infrastructure initiatives and through taking account of air quality when prioritising measures to reduce road traffic congestion.

3.2.24 Policy 31: Agricultural Land - Protect the best and most versatile agricultural land, (Grades 1, 2 and 3a) that occurs in the west of Central Lancashire when considering both agricultural and other forms of development to avoid irreversible damage to, and instead achieve the full potential, of the soil.'

### **3.3 Central Lancashire Design Guide Supplementary Planning Document**

- 3.3.1 The aims and objectives of the Central Lancashire Design Guide Supplementary Planning Document (SPD) (October 2012) are to ensure that all new development in the Preston, South Ribble and Chorley areas achieve a high level of design quality. Achievement of high quality design in buildings, assists in creating better urban realm and the definition of place; it also contributes towards economic development and climate change objectives.
- 3.3.2 The approach to achieving good design in the SPD was a method developed by the Homes and Communities Agency that can help planners, councillors, developers, applicants and others such as community groups who help shape places to appraise and deliver design quality.
- 3.3.3 The SPD expects all Major Schemes to meet the following standards:
- BREEAM – Very good. For Non-residential schemes / buildings.  
[www.breeam.org/](http://www.breeam.org/)
  - Secured by Design
  - Manual for Streets 1 & 2
- 3.3.4 The core of the SPD makes a review of the character types within the three district authorities of Central Lancashire and it confirms how development proposals may follow the existing built forms of those areas.

### 3.4 Preston Local Plan 2012-2026 (Site Allocations and Development Management Policies)

#### Summary

- 3.4.1 The Preston Local Plan forms part of the statutory Development Plan for Preston. It identifies the scale of development and allocates sites to meet the development needs of Preston over a 15 year period in order to achieve the vision for growth as outlined in the Central Lancashire Core Strategy. This replaces the Preston Local Plan 2004.
- 3.4.2 As previously mentioned the site is located in a countryside area where Policy EN1 – Open Countryside directly applies. The access road serving the site will bridge a Wildlife Corridor and also the Lancaster Canal Biological Heritage Site where Policy EN10 - Biodiversity and Nature Conservation directly applies. These policies are set out in full below along with other policies from the Preston Local Plan which relate to the type and nature of the scheme.

#### Delivering Infrastructure

- 3.4.3 Paragraph 3.34 of the Core Strategy also refers to a new railway station at Cottam, and a site was allocated in the previous Local Plan (2004) but the development does not carry a specific policy in the current Preston Local Plan.
- 3.4.4 The Core Strategy also confirms the Central Lancashire Highways and Transport Masterplan proposes a new parkway rail station in the Cottam area, similar in concept to Buckshaw Parkway, to serve the North West Preston strategic housing location, accessed from the Western Distributor to provide rail-based park and ride opportunities to Preston, Manchester, Liverpool and Blackpool. Lancashire County Council is in discussion with Network Rail about the optimum location and size for a new railway station at Cottam. An option for the location of the proposed station is at the intersection of the existing Preston Fylde Junction to Blackpool North Fylde Line and the Preston Western Distributor Road.



- 3.4.5 At paragraph 4.10 the Preston Local Plan states the following 'A link road is to be built between Cottam Hall and the proposed western distributor road. This will facilitate access to the proposed new railway station which will increase the overall accessibility of the site. Given the significant infrastructure requirements associated with the site, a key consideration moving forward will be protecting the viability of development'.

#### Catering for Sustainable Travel

- 3.4.6 Policy ST1 – Parking Standards sets out the level of car parking and servicing space in accordance with the Parking Standards adopted by the Council.
- 3.4.7 'Policy ST2 – General Transport Considerations - All development proposals will need to show that:
- a) road safety and the efficient and convenient movement of all highway users (including bus passengers, cyclists, pedestrians and equestrians) is not prejudiced;
  - b) appropriate provision is made for public transport services;
  - c) appropriate measures are included to facilitate access on cycle or foot;
  - d) where practicable, ensure existing pedestrian, cycle and equestrian routes are protected and extended;
  - e) the needs of disabled people are fully provided for;
  - f) corridors which could be developed as future transport routes (e.g. disused railway lines) are not prejudiced.'

### Protecting and Enhancing the Built and Natural Environment

3.4.8 'Policy EN1 – Development in the Open Countryside - Development in the Open Countryside, as shown on the Policies Map, other than that permissible under policies HS4 and HS5, will be limited to:

- a) that needed for purposes of agriculture or forestry or other uses appropriate to a rural area including uses which help to diversify the rural economy;
- b) the re-use or re-habitation of existing buildings;
- c) infilling within groups of buildings in smaller rural settlements.

3.4.9 Policy EN2 – Protection and Enhancement of Green Infrastructure - Development proposals should seek to protect and enhance existing green infrastructure as identified on the Policies Map. Proposals which would involve the loss of green infrastructure will only be granted planning permission where:

- a) it can be clearly shown that the site is surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development itself is for alternative green infrastructure provision, the needs for which clearly outweigh the loss; and
- d) policy EN10 is adhered to where the site is part of an ecological network.

3.4.10 Policy EN3 - Future Provision of Green Infrastructure - All developments will where necessary:

- a) provide appropriate landscape enhancements;

- b) conserve and enhance important environmental assets, natural resources and biodiversity including the City's ecological network;
- c) make provision for the long term use and management of these areas; and
- d) provide access to well designed cycleways, bridleways and footpaths (both off and on road), to help link local services and facilities.

3.4.11 Policy EN7 – Land Quality - New development should demonstrate that:

- a) any existing contamination of the land will be addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area; and
- b) the proposed development will not cause the land to become contaminated, to the detriment of future use or restoration of the site or so that it would cause pollution in the surrounding area.

3.4.12 Policy EN8 – Development and Heritage Assets –

- A) Proposals affecting a heritage asset or its setting will be permitted where they:
  - i) accord with national policy on the historic environment and the relevant English Heritage guidance;
  - ii) take full account of the information and guidance in the Council's Conservation Area Appraisals and Management Plans and other relevant policy guidance on the historic environment;
  - iii) make a positive contribution to the character and local distinctiveness through high quality new design that responds to its context;

iv) act as a catalyst for the regeneration of the area in accordance with the Council's objectives for regeneration;

v) are accompanied by a satisfactory Heritage Statement that fully explains the impact of the proposal on the significance of the heritage assets and;

vi) sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they have consideration for the following:

- (a) the scale, layout and appearance to the heritage asset and its setting;
- (b) the proposed use of the heritage asset being appropriate in relation to its significance

B) Proposals involving the total or substantial loss of a heritage asset or the loss of the elements that contribute to its significance will be refused. Proposals will only be granted in exceptional circumstances where they can be clearly and convincingly justified in accordance with national planning guidance on heritage assets. In addition to the requirements of the national policy applicants will be required as part of the justification to provide evidence that:

i) Other potential owners or users of the site have been sought through appropriate marketing where the marketing includes the offer of the unrestricted freehold of the asset at a price that reflects the buildings condition and;

ii) Reasonable endeavours have been made to seek grant funding for the heritage asset's conversion, or any part of it and;

iii) Efforts have been made to find charitable or public authorities willing to take on the heritage asset.

C) Where the loss of the whole or part of a heritage asset is approved this will be subject to an appropriate condition or planning obligation to ensure that any loss will not occur until a contract is in place to carry out the development that has been approved.

#### 3.4.13 Policy EN9 – Design of New Development

A) All new development proposals, including extensions to existing buildings, should be designed with regard to the following principles as set out and explained in the Central Lancashire Design Guide SPD:

Movement and Legibility

Space and Enclosure

Mix of Uses and Tenures

Adaptability and Resilience

Resources and Efficiency

Architecture and Townscape

B) Applications will be approved where they:

Accord with the principles and guidance set in the Design SPD, the relevant policies in the Core Strategy, national policy on the historic environment and the relevant Design Council CABE guidance; and

- Take the opportunity to make a positive contribution to the character and local distinctiveness of the area through high quality new design that responds to its context; and,
- Are accompanied by a satisfactory Design and Access Statement that fully explains and justifies the design approach for the scheme.

3.4.14 Policy EN10 – Biodiversity and Nature Conservation - In Preston, Biodiversity and Ecological Network resources will be protected, conserved, restored and enhanced;

Priority will be given to:

- i. Protecting and safeguarding all designated sites of international, national, regional, county and local level importance including all Ramsar sites, Special Protection Areas, Special Areas of Conservation, national nature reserves, sites of special scientific interest and biological heritage sites, geological heritage sites, local nature reserves and wildlife corridors together with any ecological network approved by the Council;
- ii. Protecting, safeguarding and enhancing habitats for European, nationally and locally important species;
- iii. The ecology of the site and the surrounding area (safeguarding existing habitats/features such as but not exclusive to trees, hedgerows, ponds and streams), unless justified otherwise.
- iv. When considering applications for planning permission, protection, conserving, restoring and enhancing Preston's ecological network and providing links to the network from and/or through the proposed development site.

In addition development must adhere to the provisions set out below:

- a. The production of a net gain in biodiversity where possible by designing in wildlife and by ensuring that any adverse impacts are avoided or if unavoidable are reduced or appropriately mitigated and/or compensated;
- b. The provision of opportunities for habitats and species to adapt to climate change;

- c. The support and encouragement of enhancements which contribute to habitat restoration;
- d. Where there is reason to suspect that there may be protected habitats/species on or close to a proposed development site, the developer will be expected to carry out all necessary surveys in the first instance; planning applications must then be accompanied by a survey assessing the presence of such habitats/species and, where appropriate, make provision for their needs;
- e. In exceptional cases, where the need for development in social or economic terms is considered to significantly outweigh the impact on the natural environment, appropriate and proportionate mitigation measures and/or compensatory habitat creation and/or restoration will be required through planning conditions and/or planning obligations.

The following definition of what constitutes damage to natural environment assets will be used in assessing applications potentially impacting upon assets:

1. Loss of the undeveloped open character of a part, parts or all of the ecological network;
2. Reducing the width of causing direct or indirect severance of the ecological network;
3. Restricting the potential for lateral movement of wildlife;
4. Causing the degradation of the ecological functions of the ecological network or any part of it;
5. Directly or indirectly damaging or severing links between green spaces, wildlife corridors and the open countryside; and

6. Impeding links to ecological networks recognised by neighbouring planning authorities.

3.4.15 Policy EN11 – Species Protection - Planning permission will not be granted for development which would have an adverse effect on a protected species unless the benefits of the development outweigh the need to maintain the population of the species in situ. Should development be permitted that might have an effect on a protected species planning conditions or agreements will be used to:

a) Facilitate the survival of the individual species affected;

b) Reduce the disturbance to a minimum; and,

c) Provide adequate alternative habitats to sustain the viability of the local population of that species.'

## **3.5 Central Lancashire Biodiversity and Nature Conservation Supplementary Planning Document**

### Background

3.5.1 The Central Lancashire Biodiversity and Nature Conservation Supplementary Planning Document (SPD) is produced via collaboration between Preston City Council, South Ribble Borough Council and Chorley Borough Council. It was adopted by Preston City Council in July 2015. The SPD provides further detail and guidance in relation to policies and proposals within the development plan. This SPD forms part of the Local Development Framework for Central Lancashire Authorities including Preston.

3.5.2 The aim of this SPD is to ensure that there is no net loss of nature conservation assets, and where appropriate there is an improvement to them. This SPD relates to Core Strategy Policy 22 on Biodiversity and Geodiversity.



### 3.5.3 Section F: Biodiversity and the Planning Application Process

3.5.4 This section sets out when ecological surveys are needed, should take place and what should be included in a survey and assessments. It describes the Mitigation Hierarchy.

3.5.5 'What should be included in a survey and assessment of designated sites, priority habitats and ecological networks?

3.5.6 61. Where a survey and assessment is required, the survey must be an appropriate level of scope and detail and must:

- Record which sites, habitats, species and features are present on and, around the site, including features that form part of identified ecological networks, as appropriate
- Pay particular attention to habitats and species identified in appropriate legislation, and to species identified as being of local significance
- Identify the extent/area/length present,
- Map their distribution on site and/or in the surrounding area shown on an appropriate scale plan.

3.5.7 62. The survey should be informed by a search for appropriate ecological data from LERN and other sources.

3.5.8 63. Following on from the survey, the assessment should identify and describe potential development impacts likely to harm designated sites, priority habitats, and the Ecological Network, including both direct and indirect effects both during construction and afterwards. Where harm is likely, evidence must be submitted to show

- How alternative designs or locations have been considered;
- How adverse effects will be avoided wherever possible;

- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated.'

3.5.9 64. In addition, proposals are to be encouraged that will enhance, restore or add to designated sites priority habitats, other biodiversity features or geological features and to the functioning of ecological networks. The assessment should give an indication of likely change in the area (hectares) of priority habitat on the site after development e.g. whether there will be a net loss or gain. An ecological survey and assessment may form part of a wider Environmental Impact Assessment.'

3.5.10 'What should be included in a survey and assessment of designated sites, priority habitats and ecological networks?

3.5.11 65. Where a protected species survey and assessment is required, the survey must be an appropriate level of scope and detail and must:

- Record which species are present and identify their numbers (may be approximate)
- Map their distribution and use of the area, site, structure or feature (e.g. for feeding, shelter, breeding).

3.5.12 66. The survey should be informed by of a search for appropriate ecological data from LERN and other sources.

3.5.13 67. Following on from the survey, the assessment should identify and describe potential development impacts likely to harm the protected species and/or their habitats identified by the survey, including both direct and indirect effects, both during construction and afterwards. Where harm is likely, evidence must be submitted to show

- How alternatives designs or locations have been considered;
- How adverse effects will be avoided wherever possible;

- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated.

3.5.14 68. In addition, proposals are to be encouraged that will enhance, restore or add to features or habitats used by protected species. The assessment should give an indication of how species numbers are likely to change, if at all, after development (e.g. whether there will be a net loss or gain).

3.5.15 The information provided in response to the above requirements are consistent with those required for an application to Natural England for a European Protected Species Licence. A protected species survey and assessment may form part of a wider Environmental Impact Assessment and/or part of an Environmental impact Assessment.'

3.5.16 'Designing development to conserve and enhance biodiversity

#### Harm Avoidance

3.5.17 76. The objective is for proposals to avoid harm to habitats and species. Preferably this should involve locating on an alternative site with less harmful impacts. Harm can also be avoided by measures such as reducing the scale of development and/or providing buffering, or locating development to an alternative part of the site.

3.5.18 77. In all cases, Schemes should be designed to ensure that important features and ecological connectivity between them, and features outside the site are retained.

#### Mitigating Harm

3.5.19 78. Where it is not possible to avoid harm to existing sites, habitats, species and ecological networks, it may still be possible to minimise potentially damaging impacts through mitigation measures. In such cases the mitigation steps required should be proposed by the developer and will normally be the

subject of planning conditions or obligations on design, methods or timing of development.

3.5.20 79. Measures that could achieve this include, amongst others:

- Timing the development of sites to avoid the breeding seasons of species present
- Creating new areas of habitat, or managing existing ones
- Creating buffer zones between sensitive areas and development areas to reduce disturbance to habitats
- Ensuring that new infrastructure such as bridges are built to enable movement of wildlife to continue
- Steps to ensure that the hydrological status of sensitive sites is maintained through the careful design of drainage infrastructure
- Translocation of species from destroyed habitat (to be used as last resort)

#### Compensating for loss

3.5.21 81. Where damage is unavoidable and will still occur in spite of mitigation, then consideration should be given to compensating for any loss to biodiversity by creating new habitat in replacement either on site or off-site.

3.5.22 82. This could include the enhancement and restoration of habitats in identified ecological networks. Where this is appropriate then the steps required will be proposed by the developer and will then normally be the subject of planning conditions or planning obligations, for example to ensure re-creation of habitat in a certain place by a certain time and normally as a duty of the developer.

3.5.23 83. Established habitat usually acquires biodiversity value over a very long period of time, as its ecology diversifies and changes. Artificially recreated

habitat will therefore usually be greatly inferior to established habitat. For example, newly planted woodland is of lesser value than existing ancient woodland. There are only very limited circumstances where this loss is justified. It should not be considered unless a planning decision has been made to permit a development in the face of harm to biodiversity, once other planning issues have been taken into account. Compensation for lost habitat will not make an unacceptable development acceptable.

### Enhancement of Sites

3.5.24 85. Proposals are to be encouraged that will enhance restore or add to designated sites, priority habitats, other biodiversity or geological features, or which will enhance or restore ecological networks.

3.5.25 86. Developers should look to design in opportunities to improve habitats for biodiversity conservation, and to increase the overall quality of the development by enhancing existing habitats or creating new areas appropriate to the wider landscape context and even create new links.

3.5.26 87. Useful design measures that might achieve this would include, amongst others:

- Creating areas of new habitat such as woodland, scrubland, coarse grassland or ponds in landscaped areas or public open space
- Sitting open space and landscaping so that planting within them enhances habitat connectivity between areas of habitat within and adjacent to the site
- Using native species of local or regional genetic origin in planting schemes

3.5.27 88. Sustainable Drainage System (SuDs) can create new and enhance existing wildlife sites, particularly soft engineering SuDs features such as ponds, swales and wetlands. They can form links with the wider ecological

network to create a coherent 'blue infrastructure' of water habitats in Lancashire. SuDs are encouraged within the drainage strategy of proposed developments and the positive impact that they can have for biodiversity and for ecological networks should be taken into account in scheme design.

- 3.5.28 89. Pollinators, such as bees, provide an essential service of pollinating flowers and crops, whilst providing other benefits for native plants and the wider environment. Planting schemes should include and retain suitable flowers, shrubs and trees that provide nectar and pollen as food for bees and other pollinators throughout the year.'

## **3.6 Joint Lancashire Minerals and Waste Development Framework**

- 3.6.1 The Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD was adopted in February 2009. It was jointly prepared by Lancashire County Council and the two unitary authorities of Blackpool Council and Blackburn with Darwen Borough Council.
- 3.6.2 The Joint Lancashire Minerals and Waste Development Framework Site Allocations and Development Management Policies Local Plan was adopted in September 2013. It was jointly prepared by Lancashire County Council and the two unitary authorities of Blackpool Council and Blackburn with Darwen Borough Council.

### **Joint Lancashire Minerals and Waste Development Framework Core Strategy**

#### Safeguarding Lancashire's Mineral Resources

- 3.6.3 Policy CS1 - Minerals will be extracted only where they meet a proven need for materials with those particular specifications.

- 3.6.4 Lancashire's mineral resources, including those shown on the Key Diagram, and including its former mineral workings, will be identified and conserved, where they have an economic, environmental or heritage value.
- 3.6.5 Mineral resources with the potential for extraction now or in the future will be identified as Mineral Safeguarding Areas and protected from permanent sterilisation by other development.
- 3.6.6 Mineral consultation areas will be identified and reviewed regularly. District councils will consult with the minerals planning authority where proposals for developments fall within these areas.
- 3.6.7 Extraction of mineral resources prior to other forms of development will be encouraged.
- 3.6.8 The Mineral Planning Authorities will work with industry and others to ensure the best available information supports these principles.

**Site Allocation and Development Management Policies – Part One (2009 - 2021).**

- 3.6.9 Policy M2 – Safeguarding Minerals - Within the Plan area, Mineral Safeguarding Areas have been delineated on the Policies Map around all deposits of:
- Limestone
  - Sand and Gravel
  - Gritstone (sandstone)
  - Shallow Coal
  - Brickshales
  - Salt

3.6.10 Within these mineral safeguarding areas identified, planning permission will not be supported for any form of development that is incompatible by reason of scale, proximity and permanence with working the minerals, unless the applicant can demonstrate to the satisfaction of the local planning authority that:

- The mineral concerned is no longer of any value or has been fully extracted.
- The full extent of the mineral can be extracted satisfactorily prior to the incompatible development taking place.
- The incompatible development is of a temporary nature and can be completed and the site returned to its original condition prior to the minerals being worked.
- There is an overarching need for the incompatible development that outweighs the need to avoid the sterilisation of the mineral resource.
- That prior extraction of minerals is not feasible due to the depth of the deposit.
- Extraction would lead to land stability problems.

## **3.7 Central Lancashire Highways and Transport Masterplan**

Lancashire County Council's Central Lancashire Highways and Transport Masterplan (March 2013) proposes the Preston Western Distributor Road to 'Enable provision of a new rail station in the Cottam area to serve new development and act as a Park and Ride station similar to Buckshaw Parkway near Chorley and as a possible link to the national high speed rail network in the longer term.'



## 4 Appendix: Environmental Statement Policy Topic Summaries

### 4.1 NPPF Policy Topic Summary Table

Chapter	Landscape and Visual Impact	Ecology	Cultural Heritage	Air Quality	Noise and Vibration	Soils, Geology and Hydrogeology	Water Environment	Climate Change	Human Health	Traffic and Transport	Private and Community Assets	Materials
<b>National Planning Policy Framework 2021 (the NPPF)</b>	<p>Paragraphs 10 and 11</p> <p>Chapter 8: Promoting Healthy and safe communities Paragraphs 92, 97</p> <p>Chapter 9: Promoting sustainable transport. Paragraph 104c</p> <p>Chapter 11: Making effective use of land Paragraph 115</p> <p>Chapter 12: Achieving well designed places. Paragraphs 126 127, 130, 132. 134</p> <p>Chapter 15: Conserving and Enhancing the Natural Environment, Paragraphs 174, 180, 185.</p>	<p>Chapter 15: Conserving and Enhancing the Natural Environment Paragraphs 174-180, 181, 182, 185</p>	<p>Chapter 12: Achieving Well Designed Places. Paragraphs 124, 130.</p> <p>Chapter 16: Conserving and Enhancing the Historic Environment. Paragraphs: 184, 194 197, 199, 200, 201. 202, 203, 206</p>	<p>Chapter 15: Conserving and Enhancing the Natural Environment, Paragraphs 174, 181, 181, 186.</p>	<p>Chapter 15: Conserving and Enhancing the Natural Environment, Paragraphs 174, 180.</p>	<p>Chapter 15: Conserving and enhancing the natural environment. Paragraphs 174,183, 184</p> <p>Chapter 17: Facilitating the sustainable use of minerals. Paragraph 203, 206</p>	<p>Chapter 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change Paragraphs 163, 164, 167, 169</p>	<p>Chapter 14: Meeting the Challenge of Climate Change. Paragraphs 152, 154, 157</p>	<p>Chapter 8: Promoting Healthy and safe communities Paragraph 92, 97</p>	<p>Chapter 9: Promoting sustainable transport. Paragraphs 104, 105, 106,110, 111, 112, 113</p>	<p>Chapter 8: Promoting Healthy and safe communities. Paragraph 92, 97.</p> <p>Chapter 12: Achieving well designed places. Paragraphs 126, 127 130.</p> <p>Chapter 15: Conserving and enhancing the natural environment. Paragraph 17.</p>	<p>Chapter 9: Promoting sustainable transport. Paragraphs 104, 105, 106, 110,112</p> <p>Chapter 12: Achieving well designed places. Paragraphs 126, 130.</p> <p>Chapter 14: Meeting the Challenge of Climate Change. Paragraph152,</p>

## 4.2 Local Plan Policy Topic Summary Table

Chapter	Landscape and Visual Impact	Ecology	Cultural Heritage	Air Quality	Noise and Vibration	Soils, Geology and Hydrogeology	Water Environment	Climate Change	Human Health	Traffic and Transport	Private and Community Assets	Materials
<b>Central Lancashire Core Strategy</b>	Policy 17: Design of New Buildings, p104 Policy 18: Green Infrastructure, p105 Policy 21: Landscape Character Areas, p111	Policy 18: Green Infrastructure, P105  Policy 22: Biodiversity and Geodiversity, p113	Policy 16: Heritage Assets p102	Policy 30: Air Quality, P133	No applicable policy	Policy 21: Landscape Character Areas, p111	Policy 27: Sustainable Resources and New Developments, p132	Policy 27: Sustainable Resources and New Developments, p128	Policy 29: Water Management , p132 Policy 30: Air Quality, p133	Policy 1: Locating Growth, p50 Policy 2: Delivering Infrastructure, p55 Policy 3: Travel, p64	Policy 18: Green Infrastructure, p105 Policy 31: Agricultural Land, p134	Policy 17: Design of New Buildings, p104
<b>Preston City Local Plan</b>	Policy EN1 – Open Countryside Policy EN2 – Protection and Enhancement of Green Infrastructure Policy EN3 - Future Provision of Green Infrastructure	Policy EN2 – Protection and Enhancement of Green Infrastructure Policy EN3 - Future Provision of Green Infrastructure Policy EN10 – Biodiversity and Nature Conservation Policy EN11 – Species Protection	Policy EN7 – Land Quality Policy EN8 – Development and Heritage Assets	No applicable policy	No applicable policy	No applicable policy	No applicable policy	Policy EN9 – Design of New Development	No applicable policy	Policy ST1 – Parking Standards Policy ST2 – General Transport Considerations	Policy EN7 – Land Quality	Policy EN9 – Design of New Development
<b>Joint Lancashire Minerals and Waste Development Framework (Core Strategy and Site Allocations documents)</b>	No applicable policy	No applicable policy	No applicable policy	No applicable policy	No applicable policy	Policy CS1 - Safeguarding Lancashire's Mineral Resources, Core Strategy p17 Policy M2 – Safeguarding Minerals, p38	No applicable policy	No applicable policy	No applicable policy	No applicable policy	No applicable policy	No applicable policy
<b>Central Lancashire Biodiversity and Nature Conservation Supplementary Planning Document</b>	No applicable policy	Section F: Biodiversity and the Planning Application Process.	No applicable policy	No applicable policy	No applicable policy	No applicable policy	No applicable policy	No applicable policy	No applicable policy	No applicable policy	No applicable policy	No applicable policy