

MEMBERS INTERESTS 2012

A Member with a disclosable pecuniary interest in any matter considered at a meeting must disclose the interest to the meeting at which they are present, except where it has been entered on the Register.

A Member with a non pecuniary or pecuniary interest in any business of the Council must disclose the existence and nature of that interest at commencement of consideration or when the interest becomes apparent.

Where sensitive information relating to an interest is not registered in the register, you must indicate that you have an interest, but need not disclose the sensitive information.

Please tick relevant boxes

Notes

	General		
1.	I have a disclosable pecuniary interest.	<input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 below</i>
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	I have a pecuniary interest because it affects my financial position or the financial position of a person or body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest or it relates to the determining of any approval consent, licence, permission or registration in relation to me or any person or body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest	<input type="checkbox"/> <input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i> <i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>
4.	I have a disclosable pecuniary interest (Dispensation 16/7/12) or a pecuniary interest but it relates to the functions of my Council in respect of: (i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease. (ii) school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends. (iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay. (iv) An allowance, payment or indemnity given to Members (v) Any ceremonial honour given to Members (vi) Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i>
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 20/2/13 – 19/2/17)	<input type="checkbox"/>	<i>See the terms of the dispensation</i>
6.	I have a pecuniary interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose	<input type="checkbox"/>	<i>You may speak but must leave the room once you have finished and cannot vote</i>

‘disclosable pecuniary interest’ (DPI) means an interest of a description specified below which is your interest, your spouse’s or civil partner’s or the interest of somebody who you are living with as a husband or wife, or as if you were civil partners and you are aware that that other person has the interest.

Interest

Prescribed description

Employment, office, trade, profession or vocation

Any employment, office, trade, profession or vocation carried on for profit or gain.

Sponsorship

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.

	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest; "director" includes a member of the committee of management of an industrial and provident society;

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income; "M" means a member of a relevant authority;

"member" includes a co-opted member; "relevant authority" means the authority of which M is a member;

"relevant period" means the period of 12 months ending with the day on which M gives notice to the Monitoring Officer of a DPI;

"relevant person" means M or M's spouse or civil partner, a person with whom M is living as husband or wife or a person with whom M is living as if they were civil partners;

"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

'non pecuniary interest' means interests falling within the following descriptions:

- 10.1(1)(i) Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) Any body (a) exercising functions of a public nature; (b) directed to charitable purposes; or (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
- (iii) Any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.
- 10.2(2) A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a connected person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision.

'a connected person' means

- (a) a member of your family or any person with whom you have a close association, or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph 10.1(1)(i) or (ii).

'body exercising functions of a public nature' means

Regional and local development agencies, other government agencies, other Councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.

NB Section 21(13) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.



AGENDA ITEM: 4(a)

CABINET: 16 May 2013

Report of: Assistant Director Planning

Relevant Managing Director: Managing Director (Transformation)

Relevant Portfolio Holder: Planning & Development

Contact for further information: Mr P Richards (Extn. 5046)
(E-mail: peter.richards@westlancs.gov.uk)

SUBJECT: WEST LANCASHIRE LOCAL PLAN 2012-2027

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To bring Cabinet up to date on progress with the Local Plan Examination and seek delegated authority for key actions that may need to be undertaken in a very short timescale at the request of the Inspector of the Local Plan Examination.

2.0 RECOMMENDATIONS

2.1 That Cabinet endorse the request made by the Assistant Director Planning to the Local Plan Examination Inspector, in accordance with Section 20(7C) of the Planning and Compulsory Purchase Act 2004, to recommend such modifications to the Local Plan that are necessary to ensure that it is sound and legally compliant.

2.2 That Cabinet endorse the proposed modifications to the Local Plan already raised and discussed with the Inspector at Examination as part of this request and delegate authority to agree further modifications at the request of the Inspector to the Assistant Director Planning in consultation with the Portfolio Holder.

2.3 That Cabinet delegate authority to undertake any public consultation on modifications to the Local Plan required by the Inspector during the Examination to the Assistant Director Planning in consultation with the Portfolio Holder.

- 2.4 That Cabinet approve the updated Local Development Scheme 2013 provided at Appendix B, including the preparation of a separate Development Plan Document for the Provision of Travellers' Sites, and resolve that the Local Development Scheme 2013 have effect from 17 May 2013.
- 2.5 That Call In is not appropriate for this item as this matter is one where urgent action is required in order to maintain progress of the Local Plan towards adoption in 2013.
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3.0 BACKGROUND

- 3.1 The Local Plan Examination Hearings ended on 7 March 2013. In the lead up to, during and after the Hearings, a number of Main and Minor Modifications to the Local Plan were proposed to the Inspector to correct minor errors in the Local Plan, address key changes in evidence in relation to waste water treatment in the Borough and to respond to comments and advice from the Inspector seeking to improve the development management aspects of policies in the Local Plan. These Main and Minor Modifications are provided in Appendix C.
- 3.2 None of these Modifications affect the thrust of policy or proposals in the Local Plan, but merely improve the policies to ensure their compliance with the National Planning Policy Framework and so better enable their robust implementation in planning decisions and, in the case of development proposals on the allocated sites to be released from the Green Belt, no longer restrict development of these sites until after 2020.
- 3.3 In the last session of the Hearings, the Inspector set out broad timescales for his reporting on his initial findings on the soundness and legal compliance of the Local Plan, as follows:
- He would report on the Strategic Matters in approximately 6 weeks of the end of the Hearings (i.e. by the end of April). The Strategic Matters reflect those matters most central to the Local Plan and where any serious concerns of the Inspector would be most likely to cause delay in the adoption of the Local Plan. These matters are:
 - Housing (in terms of overall quantum, supply of land, phasing of the target and the Plan B);
 - Gypsies & Travellers and Travelling Showpeople (in relation to a way forward in the absence of any specific allocations for this use); and
 - Employment Land (in terms of overall quantum and supply of land)
 - He would report on the Development Management Matters approximately 4 weeks after the Strategic Matters (i.e. by the end of May). The Development Management Matters are those aspects of policies that address the detail needed to help assess applications, and it is in relation to these matters that the majority of the Modifications in Appendix C have been proposed to the Inspector.

3.4 Following this, if he felt it would be required, the Inspector indicated that there would need to be a six-week period of public consultation on the Modifications to the Local Plan that he proposed back to the Council within his initial findings, before he could finalise his report on the Local Plan.

4.0 CURRENT POSITION

4.1 Since the conclusion of the Hearings, there have been several key developments which affect the Local Plan and have slightly altered the Inspector's timescales for responding with his initial findings.

4.2 Firstly, the Inspector provided his initial feedback specifically on the matter of provision for travellers' sites, which he had already suggested during the Hearings was a matter where he had some serious concerns regarding the submitted policy (Policy RS4). In his initial feedback, the Inspector outlined his concerns with the soundness of the submitted Policy RS4 given its inconsistency with the latest national policy on this matter (which was only published very late on in the preparation of the Local Plan). He expressed concern that the Policy does not identify a deliverable supply of sites to meet the targets set for traveller provision in the Policy, and therefore would not be able to find it sound in its current format.

4.3 This conclusion was not unexpected as officers were already aware of the change in national policy and the potential implications of this, and had briefed Members on this risk prior to Publication and Submission of the Local Plan.

4.4 The Inspector therefore provided two alternative ways forward on this matter. The first would involve delaying the entire Local Plan while further work was undertaken to identify a deliverable supply of sites to meet the targets and public consultation was undertaken on these sites, in order to inform a Modification to Policy RS4. Such an approach would have caused a significant delay in the adoption of the Local Plan, likely of the order of 12 months.

4.5 The second alternative proposed by the Inspector followed a suggestion put forward by Council officers at the Hearings once it became clear that the Inspector had serious concerns about Policy RS4. This alternative involves modifying the Submitted Local Plan by deleting Policy RS4 in its entirety and the Council committing to preparing a separate Development Plan Document (DPD) specifically on provision for travellers' sites. By separating the travellers' site matter from the Local Plan, this alternative enables the remainder of the Local Plan to proceed to adoption without delay (assuming the Inspector does not identify any further serious concerns) even while further work is still required on provision for travellers' sites.

4.6 This second alternative was similar to an anticipated response to this issue that officers had already discussed with Members prior to Publication and Submission, in that, following the change in national policy, it was always anticipated that further work would need to be done to allocate sites for travellers but that this must be done in a way that did not hold up the adoption of the remainder of the Local Plan.

- 4.7 Officers' original suggestion was a Single Issue Review of Policy RS4, thereby allowing the submitted Policy RS4 to be adopted on the proviso that it would be reviewed at the earliest opportunity to incorporate site allocations. The Inspector's second alternative goes one step further by removing Policy RS4 entirely while further work is done on site allocations, but, crucially, it retains the ability to adopt the rest of the Local Plan while this matter is resolved through a separate DPD.
- 4.8 Therefore, the Council has responded to the Inspector and identified the second alternative proposed by the Inspector as the direction the Council would like to take on this matter. To this end, an updated Local Development Scheme (LDS) 2013 (see Appendix B) has been prepared to reflect the need to prepare a separate DPD on Provision for Travellers' Sites, and Cabinet are asked to authorise this LDS in recommendation 2.4 above.
- 4.9 The second matter to have arisen since the conclusion of the hearings has been the Government announcement on 27 March 2013 of the imminent revocation of the North West Regional Spatial Strategy (RSS), which was confirmed through an Order laid in Parliament on 24 April 2013 and will come into force on 20 May 2013. While this Order had been expected for some time, and while the Local Plan has been prepared in such a way that it is not affected by the revocation of the RSS, given that the RSS is a part of the development plan, the Inspector was obliged to consult on the impact of this revocation and so invited further representations on this matter from Publication representors on 12 April 2013, requiring responses by 12 May 2013.
- 4.10 The final matter that has thus far arisen since the conclusion of the hearings has been the publication of the Interim 2011-based Household Projections on 9 April 2013. Again, these had been expected for some time and are significant in that they provide the most up-to-date evidence on the anticipated growth in the number of households in West Lancashire based on the demographic evidence collected through the 2011 Census, with the new household projections effectively superseding the 2008-based Household Projections upon which the Local Plan housing target is based.
- 4.11 The new Interim 2011-based Household Projections show a level of household growth because of anticipated demographic need in West Lancashire between 2011 and 2021 that is very similar to, if not slightly less than, that demographic need which the Local Plan is based on. Therefore, the publication of these new projections, combined with the revocation of the RSS, appears to support the Council's stance regarding the housing target in the Local Plan and strengthens our case for them.
- 4.12 However, the publication of these new projections constitutes quite a significant new area of evidence, and so the Inspector has invited further representations on the impact of these projections on the Local Plan from those participants involved in the Matter 1 session of the Hearings, which covered housing targets. The responses he has received on this matter will be factored into the Inspector's deliberations regarding his initial findings on the Strategic Matters.

- 4.13 As a result of these matters, the Inspector's anticipated timescales for providing his feedback on his initial findings on the soundness and legal compliance of the Local Plan have shifted somewhat, as set out in the following section of this report.
- 4.14 During the course of writing this report, the Inspector has shared his initial findings and proposed Modifications in relation to the Development Management matters with Council officers. These are provided at Appendix D. These Modifications effectively take those already put to the Inspector by the Council (in response to the Inspector's own comments at the Hearings) and tweak them a little where the Inspector felt necessary and added a few additional Modifications.
- 4.15 Council officers have responded to the Inspector regarding two of his proposed Modifications (which are amendments to Modifications MM24 and MM39), querying the need for those amendments, and are awaiting his response on this query, but officers are content that the remaining Modifications to the Development Management Policies (provided at Appendix D) should be endorsed by Cabinet under the recommendation at 2.2 above, and will be able to advise further on the Inspector's position regarding MM24 and MM39 at the Cabinet meeting.

5.0 NEXT STEPS

- 5.1 Based on correspondence with the Inspector regarding his timescales for producing his initial findings on the Local Plan, it now appears that he will be able to provide his initial findings for the Strategic Matters in mid-May, once he has received and considered the further representations submitted on the new household projections and the revocation of the North West RSS.
- 5.2 The Inspector's initial findings will involve him recommending Modifications to the Local Plan that he sees necessary to make the Local Plan sound and legally compliant. These Modifications will include those already proposed to him by the Council that he agrees with, as well as any further Modifications he deems necessary.
- 5.3 It is likely that, even if the Inspector only recommends to the Council those Modifications he has already raised with the Council, he will require that the Modifications are publicly consulted upon for six weeks before he makes his final recommendations on the Local Plan in his Inspector's Report.
- 5.4 Therefore, in order to maintain the progress of the Local Plan and see adoption of the Local Plan in 2013, Cabinet are being asked to endorse the Assistant Director Planning's Section 20(7C) request of the Inspector (see recommendation in 2.1 above), to endorse those Modifications already raised by the Inspector and to delegate authority to agree further Modifications that the Inspector proposes as necessary to make the Local Plan sound to the Assistant Director Planning (see recommendation in 2.2 above). It will also be necessary to delegate authority to publicly consult on those Modifications to the Assistant Director Planning (see recommendation in 2.3 above).

- 5.5 By granting these delegations, officers will be able to move quickly to public consultation once the Inspector's initial findings have been received, and so undertake the consultation before the main summer holiday season. This will in turn mean that it is likely that the Inspector will be able to finalise his Report by mid-September and officers will then be able to bring the finalised Local Plan to Council in October, seeking authority to adopt the Local Plan as the Development Plan for the Borough.

6.0 SUSTAINABILITY IMPLICATIONS / COMMUNITY STRATEGY

- 6.1 Although the Modifications proposed to the Local Plan are unlikely to have any significant additional sustainability impacts compared to those already assessed within the Submitted Local Plan, if any are ultimately identified by the Examination Inspector, a further Sustainability Appraisal (SA) will be undertaken to assess the impacts. However, in relation to crime and disorder, there are no significant impacts. The report does have significant links with the Sustainable Community Strategy in that the delivery of the Local Plan will also help progress the implementation of key aspects of the Sustainable Community Strategy.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 There are no significant financial or resource implications arising from this report as budgetary provision has been made for the Examination of the Local Plan, including any potential in-examination public consultation.

8.0 RISK ASSESSMENT

- 8.1 The purpose of this report, and the need for the recommendations set out in section 2.0, is to reduce the risk associated with the timescales that may be required to respond to the Inspector's initial findings regarding the Local Plan. There is a risk that, without the approval of these recommendations, progress of the Local Plan may be slowed, especially if a public consultation exercise is required by the Inspector.
- 8.2 There is a significant risk in not working with the Inspector to arrive at Modifications to a Local Plan that he considers sound and legally compliant, as without including such Modifications as he considers necessary he would have to find the Local Plan unsound. Therefore, any delay in responding positively to the Inspector's requests, including any for further public consultation, will delay the adoption of the Local Plan.
- 8.3 Any delay in adopting the Local Plan has potential risks associated with having to determine planning applications against an out-of-date Development Plan, which limits the ability of the Council to respond to development proposals in the Borough and manage such development in line with the local context and local need, especially in relation to applications for housing development.
- 8.4 It is this concern that has also led to the recommendation in 2.5 above, as any call-in of the decisions associated with this report could prevent a speedy

response to the Inspector and / or delay any public consultation on the Modifications, thereby ultimately delaying the adoption of the Local Plan. However, it should be noted that all Members will still be able to have their say in relation to the Modifications, as the modified Local Plan will still need to go before Council, once the Inspector has finalised his report, in order to approve the Local Plan for adoption.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report.

Appendices

- A. Equality Impact Assessment
- B. Local Development Scheme 2013
- C. Proposed Modifications to the Local Plan (March 2013)
- D. Inspector's Proposed Modifications to the Development Management Policies within the Local Plan (received 29 April 2013)

<p>1. Using information that you have gathered from service monitoring, surveys, consultation, and other sources such as anecdotal information fed back by members of staff, in your opinion, could your service/policy/strategy/decision (including decisions to cut or change a service or policy) disadvantage, or have a potentially disproportionately negative effect on, any of the following groups of people:</p> <p><i>People of different ages – including young and older people</i> <i>People with a disability;</i> <i>People of different races / ethnicities / nationalities;</i> <i>Men;</i> <i>Women;</i> <i>People of different religions/beliefs;</i> <i>People of different sexual orientations;</i> <i>People who are or have identified as transgender;</i> <i>People who are married or in a civil partnership;</i> <i>Women who are pregnant or on maternity leave or men whose partners are pregnant or on maternity leave;</i> <i>People living in areas of deprivation or who are financially disadvantaged.</i></p>	<p>No</p>
<p>2. What sources of information have you used to come to this decision?</p>	<p>The Local Plan Evidence Base</p>
<p>3. How have you tried to involve people / groups in developing your service / policy / strategy or in making your decision (including decisions to cut or change a service or policy)?</p>	<p>The Local Plan has been consulted upon extensively and report relates to a potential public consultation exercise that may be required by the Local Plan Inspector</p>
<p>4. Could your service / policy / strategy or decision (including decisions to cut or change a service or policy) help or hamper our ability to meet our duties under the Equality Act 2010? Duties are to:</p> <p><i>Eliminate discrimination, harassment and victimisation;</i></p> <p><i>Advance equality of opportunity (removing or minimising disadvantage, meeting the needs of people); and</i></p> <p><i>Foster good relations between people who share a protected characteristic and those who do not share it.</i></p>	<p>Help – an improved Local Plan document will seek to deliver development, infrastructure and environmental improvements that benefit all and endeavour to support a more equal society</p>
<p>5. What actions will you take to address any issues raised in your answers above?</p>	<p>N/A</p>

Local Plan

Local Development Scheme

May 2013



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Chapter 1 Introduction

1.1 The Local Development Scheme (LDS) is a project plan for the Local Plan for West Lancashire. The production of an LDS is a requirement on Local Planning Authorities arising from the Planning and Compulsory Purchase Act 2004, as amended by Section 111 of the Localism Act 2011. Furthermore, the Council's adherence to the timescale it has set itself within the LDS will be used as a performance measure.

1.2 This Local Development Scheme provides a guide for the preparation of the Local Plan and any additional Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs). This version of the LDS updates that previously produced in June 2012. It includes the following Chapters:

- Chapter 1 provides an introduction and offers a background to why we have prepared an LDS and what the purpose of it is;
- Chapter 2 deals with the adopted Replacement Local Plan for West Lancashire and which policies from that plan have been 'saved';
- Chapter 3 identifies the documents that we envisage will make up the Local Plan for West Lancashire and the likely timescale for preparing these;
- Chapter 4 looks at the evidence base that will underpin the production of the Local Plan;
- Chapter 5 identifies the resources available to the Planning Policy Section; and
- Finally, Chapter 6 considers the risks that exist which could slow progress on the Local Plan and some of the mitigation measures which can be put in place.

Background

1.3 Producing any Local Plan is a major project that requires significant resources in order to prepare it and a project management approach is vitally important to enable production within a given timescale. The Borough Council views the LDS as a key project management tool in the production of its Local Plan.

1.4 The LDS has four main purposes:

- To inform people of how the Local Plan will be prepared and the likely timescale involved;
- To establish work priorities and enable work programmes to be formed;
- To set a timescale for the review of such documents; and
- To indicate which policies from the Replacement Local Plan are "saved" beyond the three year period under the interim arrangements ('saved policies' are those that will continue to be used in determining planning applications).

1.5 This Local Development Scheme contains all those DPDs and SPDs for which a timetable is known as at April 2013. It is possible that in the future further documents will be added. These will only be added into this document, however, when a detailed timetable for the work can be established.

Chapter 2 Replacement Local Plan

2.1 The Replacement Local Plan was adopted on 5th July 2006 and supersedes the former West Lancashire Local Plan that was adopted in 1999. The Replacement Local Plan took account of many of the changes arising from the new planning legislation in the Planning and Compulsory Purchase Act 2004.

Saved Policies

2.2 The policies contained within the Replacement Local Plan were all automatically saved for a period of 3 years from adoption, i.e. until June 2009. The Secretary of State agreed that all but two of the policies in the Replacement Local Plan should be saved beyond June 2009 and these policies still form part of the Development Plan until such time as they are replaced by policies contained within a new Local Plan. The two policies not saved are Policy DE17 (Tourism Development) and Policy DE18 (Advertisements). All the saved policies from the Replacement Local Plan are listed in Appendix 1. This includes an indication as to which policies in the emerging new Local Plan will replace them, if any.

2.3 In July 2010, the Council adopted an Interim Housing Policy Statement. This policy statement does not have the same weight as a Local Plan policy, and cannot replace any policy in the Replacement Local Plan, but it does have material weight in planning decisions. In comparison to the Replacement Local Plan, the Policy Statement allows more housing in more settlements and was prepared in response to the need to deliver more housing in order to meet regional housing targets for the Borough.

2.4 The Replacement Joint Lancashire Structure Plan 2001-2016 was adopted on 31 March 2005. All the policies within the Structure Plan, apart from Policy 29 (Sites for Gypsy and Traveller Families) were replaced by the Regional Spatial Strategy for the North West when it was adopted in September 2008. However, the Regional Spatial Strategy itself is due to be revoked on 20 May 2013 by an Order laid before Parliament on 24 April 2013.

Supplementary Planning Guidance

2.5 Supplementary Planning Guidance (SPG) adopted by West Lancashire Borough Council will remain in force until the saved policy to which it is linked is time expired or the site in question is developed. The Council produced factual updates of most of its SPGs in 2007 to ensure that they refer to current planning documents and policies. A list of all current SPG is set out below:

1. Managing Housing Supply (2004, updated December 2008);
2. Accommodation for Temporary Agricultural Workers (2004, updated January 2007);
3. Affordable Housing (2004, updated July 2007);
4. Domestic Extensions and Outbuildings and Replacement Dwellings in the Green Belt (June 2000, updated October 2007);
5. Erection of Stable Buildings in the Green Belt (February 2001, updated April 2007);
6. Natural Areas & Areas of Landscape History Importance (1996, updated August 2007);
7. Trees and Development (1998, updated July 2007);
8. Site Planning, Layout and Design (1998, updated August 2007);
9. Whalleys Housing Sites, Skelmersdale plus Mixed Development (2000, updated July 2007);

Chapter 2 Replacement Local Plan

10. Cobbs Clough Employment Area, Whalleys, Skelmersdale (1997, updated April 2007);
and
11. Land to the West of Stanley Industrial Estate, Skelmersdale (2000, updated May 2007).

Supplementary Planning Documents

2.6 There have also been three Supplementary Planning Documents (SPDs) prepared since 2007:

1. Skelmersdale Town Centre (2008);
2. Design Guide (2008); and
3. Open Space and Recreation Provision in New Residential Developments (2009).

Chapter 3 Local Plan 2012-2027

3.1 Following the publication of the Localism Act 2011, the Town and Country Planning (Local Planning) (England) Regulations 2012 and the National Planning Policy Framework (NPPF), the Council's approach to local planning policy has evolved. Since 2007, the Council have been preparing a Local Development Framework (LDF) encompassing several Development Plan Documents (DPDs), including a Core Strategy DPD, Development Management Policies DPD and Site Allocations DPD. However, given the recent publications by Government, the Council has switched to the preparation of a West Lancashire Local Plan 2012-2027 DPD (Local Plan DPD), which combines the previously separate DPDs into a single DPD.

3.2 The Local Plan DPD encompasses strategic policy (based on that previously consulted upon as part of the Core Strategy DPD), new development management policy and selected site allocations. A new Proposals Map (also known as a Policies Map) will also accompany the Local Plan DPD.

3.3 The Council also has an adopted Statement of Community Involvement (SCI), setting out how the Authority intends to involve the public and other organisations in the production of the various documents. Due to previous amendments to the Town and Country Planning Regulations, an Addendum to the SCI has been published setting out how the Local Planning Authority will consult given the revised stages of plan preparation.

3.4 Work has progressed significantly on what was the Core Strategy and other DPDs, and is now the Local Plan, since the publication of the last LDS. The Local Plan DPD is currently at Examination stage, and it is anticipated that it will be adopted in October 2013.

3.5 The preparation of all documents that make up the Local Plan need to include a full evidence base and a risk assessment, and these are set out in Chapter 4 and 6 respectively of this LDS. A Sustainability Appraisal, incorporating a Strategic Environmental Assessment, will also need to be conducted on each document, as well as a Habitats Regulation Assessment, incorporating an Appropriate Assessment, considering the impact of each document on sites that are internationally designated for their habitat value.

The Local Plan Timetable

3.6 The overall timetable for the Local Plan DPD is set out below. This has been changed a little since the last Local Development Scheme (June 2012) due to the anticipated need for further public consultation on Modifications to the Local Plan within the Examination period.

3.7 Alongside the Local Plan DPD, the Council are also considering implementing the Community Infrastructure Levy (CIL) and consulted on a Preliminary Draft Charging Schedule from late January to early March 2013. While the Council may yet decide not to take forward CIL, it is prudent to include the Charging Schedule (and the timetable for its preparation) in this LDS on the assumption that the initial viability assessment work for CIL will show that it is appropriate to take CIL forward for West Lancashire.

3.8 A new addition to the timetable is the preparation of a DPD on Provision for Travellers' Sites. The need for this new DPD has arisen out of the Examination of the Local Plan DPD given concerns that the Inspector has expressed about the soundness of the policy within

the Submitted Local Plan DPD on Provision for Gypsies & Travellers and Travelling Showpeople (Policy RS4). As a result of these concerns, Policy RS4 will be deleted from the Local Plan DPD and a separate DPD will be prepared to provide local planning policy on this important matter. It is anticipated that this DPD will be adopted within two years of the date of this LDS.

3.9 The timetable also includes three new SPDs to supplement policy that is within the Local Plan DPD and to replace existing SPDs / SPGs that are now out of date. These SPDs will be a Yew Tree Farm Masterplan SPD, an Affordable Housing SPD (to replace the 2007 SPG of the same name) and an Open Space and Recreation Provision in New Residential Developments SPD (to replace the 2009 SPD of the same name). Both will ultimately need to take account of what is decided by the Council regarding a CIL Charging Schedule.

3.10 Set out below is a revised timetable for the Local Plan DPD, the CIL Charging Schedule, the new DPD on Provision for Travellers' Sites and those SPDs which it is anticipated will be prepared in the near future to support the Local Plan. It is intended that a significant proportion of the Planning Policy Team's resources will be focused on taking these documents through to adoption. Detailed schedules for the Local Plan DPD and other documents are set out in Appendix 2.

	2011				2012				2013				2014				2015																					
	O	N	D	J	F	M	A	M	J	J	A	A	M	A	M	A	M	A	M	A	M	A	M	A	M	F	J	D	J	F	M	A						
Local Plan DPD																																						
Initial Regulation 25 Scoping Consultation	■	■																																				
Preferred Options Consultation		■	■																																			
Preparation of Publication Document						■	■	■																														
Publication Consultation								■	■																													
Submission																																						
Examination in Public																																						
Adoption																																						
Community Infrastructure Levy Charging Schedule																																						
Viability Assessment							■	■	■	■	■	■																										
Preliminary Draft Charging Schedule Consultation																																						
Modify Charging Schedule																																						
Draft Charging Schedule Consultation																																						
Submission																																						
Examination in Public																																						
Adoption																																						

Overall Local Plan Timetable

	2011			2012					2013					2014					2015							
	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	J	A	S	O	N	D	J	F	M	
Provision for Travellers' Sites DPD																										
Traveller Needs Assessment																										
Prepare Preferred Options for DPD																										
Preferred Options Consultation																										
Preparation of Publication Document																										
Publication Consultation																										
Submission																										
Examination in Public																										
Adoption																										
Yew Tree Farm Masterplan SPD																										
Prepare Baseline Study & Key Issues Document																										
Consult on Baseline Study & Key Issues																										
Prepare Options Report																										
Consult on Masterplan Options																										
Prepare Final Draft Masterplan																										
Consult on Final Draft Masterplan																										
Adopt Masterplan SPD																										

Overall Local Plan Timetable

	2011			2012					2013					2014					2015								
	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	J	A	S	O	N	D	J	F	M		
Affordable Housing SPD																											
Prepare Draft SPD																											
Consult on Draft SPD																											
Refine SPD																											
Adopt SPD																											
Open Space and Recreation Provision in New Residential Developments SPD																											
Prepare Draft SPD																											
Consult on Draft SPD																											
Refine SPD																											
Adopt SPD																											

Overall Local Plan Timetable

Chapter 4 Evidence Base

Evidence	Date	Status
General		
2001 Census	2001	Completed
2011 Census	2013	Completed, subject to further releases by ONS
Annual Monitoring Report (AMR)	2012	Updated annually
Merseyside Overview Study	2010	Completed
Thematic Evidence summary papers	2011	Updated as relevant
Spatial Evidence summary papers	2011	Updated as relevant
Housing		
Strategic Housing Land Availability Assessment (SHLAA)	2012	Completed
Strategic Housing Market Assessment (SHMA)	2009	Completed
Housing Land Supply (HLS)	2012	Updated annually
West Lancashire Housing Strategy 2004-2009, including update	2009	Completed
West Lancashire Interim Housing Policy Statement	2010	Adopted July 2010
Affordable Housing Strategy 2008-2013	2008	Completed
Liverpool City Region Housing Strategy Market Assessment	2009	Completed
Housing Needs Survey 2005	2005	Completed
Housing Needs and Demands Survey 2010	2010	Completed
Housing Viability Study 2010	2010	Completed
Housing Technical paper	2010	Completed
Framework Formulation Part 1 and Part 2	2010	Completed
Local Economy & Employment		

Chapter 4 Evidence Base

Joint Employment Land and Premises Study (JELPS)	2010	Completed
Regeneration Strategy	2005	Completed
Rural Economy Study	2006	Completed
West Lancs Economic Assessment / Study	2009	Completed
LCC Town Centre Office Study	2008	Completed
Employment Land Supply Monitor	2011	Updated annually
Remodelling of existing industrial estates in Skelmersdale	2010	Completed
Skelmersdale Town Centre Masterplan / SPD	2008	Completed
Economy and Employment Technical paper	2012	Completed
Edge Hill Technical paper	2012	Completed
The Economic Impact of Edge Hill University	2010	Completed
Employment Land Regeneration	2011	Completed
Local Services & Community Infrastructure		
Retail and Leisure Study	2012	Completed
Open Space Study, Recreation & Playing Pitch Strategy	2009	Completed
Skelmersdale - Ormskirk Linear Park Study	2006	Completed
Sustainable Settlement Study	2012	Completed
Lancashire Shopping Study	2003	Completed
Market Towns Initiatives (undertaken for Burscough and Ormskirk)	2007/8	Completed
Linear Park Proposals	-	Ongoing
Infrastructure Delivery Plan (IDP)	2012	Completed
Infrastructure Delivery Schedule (IDS)	2012	Completed

Infrastructure Contacts and Meetings Record	2012	Completed
Lancashire Local Broadband Plan	2012	Completed
Transportation		
Feasibility Study / GRIP1 Study for Skelmersdale Rail link	-	Completed
Merseyside LTP2 2006-2011	2006	Completed
Merseyside LTP3	2011	Completed
Lancashire LTP3	2011	Completed
Lancashire LTP3 Implementation Strategy	2011	Completed
Greater Manchester LTP3	2011	Completed
M58 to Southport corridor study	2012	Completed
Transport technical paper	2012	Completed
Feasibility Study of Burscough Curve	2012	Completed
A570 Ormskirk Study Bypass Wider Transport Review	2008	Completed
Access to the Port of Liverpool Study	2011	Completed
Air Quality Action Plan for West Lancashire	2011	Completed
Feasibility Study for the Linear Park at Tarleton and Hesketh Bank	2010	Completed
Joint Lancashire Structure Plan Parking Standards	2005	Completed
LCC Response to Core Strategy Preferred Options	2012	Completed
Ormskirk Evaluation of Smaller Scale Schemes	2011	Completed
Ormskirk Town Centre Cycle Strategy	2006	Completed
Survey of usage of cycling and walking routes in Skelmersdale Park	2005	Completed
West Lancashire Cycling Strategy	2005	Completed

Chapter 4 Evidence Base

West Lancashire Integrated Transport Report	2008	Completed
Wigan Borough on the Move 2011-2016	2011	Completed
Merseyside Route Utilisation Strategy	2008	Completed
Population & Social Inclusion		
Indices of Multiple Deprivation (IMD)	2011	Completed
Ageing population in West Lancashire	2009	Completed
Cultural Heritage & Landscape		
Landscape Character Assessment	2010	Completed
Conservation Area Character Appraisals	Various	Updated periodically
Listed Buildings Register	N/A	Updated periodically
Register of Historic Parks and Gardens	N/A	Updated periodically
Landscape Technical Paper	2012	Completed
Biodiversity		
Green Infrastructure Provision, see IDP	2012	Completed
Biodiversity Site Assessments (LCC)	2010	Part completed, part in progress
Biological Heritage Site Register	2005	Updated annually by LCC
Habitats Gains, Losses, Creation Project	-	Completed
Wildlife Action Plan for West Lancashire	-	Completed
Land Resources		
Green Belt Study and Addendum	2011, 2012	Completed
Green Belt Study Consultation Report	2011	Completed
Strategic Options and Green Belt release paper	2012	Completed
Water Quality & Resources		
Water Utilities Infrastructure, IDP	2012	Completed
Climatic Factors & Flooding		
Strategic Flood Risk Assessment (SFRA) Level 1	2007; 2010	Completed

Indicative Flood plan maps (included in SFRA)	2010	Updated annually by Environment Agency
SFRA Level 2 (including Flood Risk Sequential Test)	2012	Completed
Liverpool City Region Renewable Energy Capacity Study	2010	Completed
SQW Lancashire Renewable Energy Capacity Study	2012	Completed
Consultation		
LDF Issues Consultation Feedback Report (including responses)	2008	Completed
LDF Options Consultation Feedback Report (including responses)	2009	Completed
LDF Preferred Options Feedback Report (including responses)	2011	Completed
Local Plan Preferred Options Feedback Report (including responses)	2012	Completed
Local Plan Consultation Statement Regulation 18	2012	Completed
Local Plan Publication Consultation Statement Regulation 20 (including responses)	2012	Completed
Sustainability Appraisal, Habitats Regulation Assessment and Other Assessments		
SA Scoping Report	2008	Completed
SA Scoping Report update	2010	Completed
Interim Habitats Regulation Assessment	2009	Completed
Interim Sustainability Appraisal	2009	Completed
LDF Preferred Options Sustainability Appraisal	2011	Completed
LDF Preferred Options Habitats Regulation Assessment	2011	Completed
Local Plan Preferred Options Sustainability Appraisal	2011	Completed

Chapter 4 Evidence Base

Local Plan Preferred Options Habitats Regulation Assessment	2011	Completed
Local Plan Preferred Options Equalities Impact Assessment (EqIA)	2012	Completed
Local Plan Preferred Options Health Impact Assessment (HIA)	2012	Completed
Local Plan Preferred Options Rural Proofing Report	2012	Completed
Local Plan Publication Sustainability Appraisal	2012	Completed
Local Plan Publication Habitats Regulation Assessment	2012	Completed
Local Plan Publication Health Impact Assessment	2012	Completed
Local Plan Publication Equalities Impact Assessment	2012	Completed
Local Plan Publication Rural Proofing Report	2012	Completed

Chapter 5 Resources

5.1 The Local Plan DPD for West Lancashire will be produced by the Planning Policy Team of West Lancashire Borough Council. The section is headed by the Planning Policy Team Leader.

5.2 The Planning Policy Team Leader will take the lead role in developing the Local Plan for West Lancashire, project managing its preparation, and be responsible for the preparation of all other local planning policy documents and CIL documents. The Planning Policy Team will liaise closely with a number of other Council sections in developing the Plan, which include the Housing and Regeneration Service (who will provide particular input on general housing matters and affordable housing policies, as well as employment, town centre and regeneration issues) and the Planning Control Section (who will provide advice on the usability of policies and developability of certain sites).

5.3 An enhanced budget was allocated to the Planning Policy Team for 2007/08, and this has been carried forward into 2008/09, 2009/10 and 2010/11, with slight reductions in 2011/12, 2012/13 and 2013/14 as the overall budget for the Council is reduced. This has enabled, and will continue to enable, suitable work to be undertaken to prepare the evidence base for the Local Plan and prepare the Local Plan DPD, CIL Charging Schedule and other local planning policy documents.

5.4 There will be a team of planners preparing the Local Plan and all other local planning policy / CIL documents. The staff will be responsible for the following:

- The finalisation of the Local Plan and the preparation of a CIL Charging Schedule and all other local planning policy documents
- Responding to new Government Planning Policy Statements, and other Government strategies and plans
- Responding to planning documents produced by adjacent authorities and agencies
- All monitoring required to prepare the Annual Monitoring Report
- The ongoing maintenance of the Infrastructure Delivery Plan
- The preparation of all evidence base work for the Local Plan and other documents
- Involvement in the preparation of the Council's Sustainable Community Strategy, and other key Council strategies
- Enhancing the Section's IT capabilities to meet the e-government agenda
- Advising the Council's Development Control Team on the interpretation of planning policies and, where necessary attending planning appeals
- Implementation of key projects to help deliver the proposals within the Local Plan and other documents

5.5 The Planning Policy Team is part of a larger Planning Service which also encompasses Development Control, Building Control and Heritage & Environment. Shown below is how the Planning Policy Team sits within the wider Planning Service and its key links with other Services and Directorates within the Council.

Assistant Director Planning		Other Services
<u>Planning Policy Team</u>	Liaison with the following Key Teams within the Planning Service	Liaison with the following key Divisions within the Council
Planning Policy Team Leader Principal Planning Officers (2) Planning Officer Research Officer	Heritage & Environment Team (Conservation, Trees & Landscape)	Housing and Regeneration Service (affordable housing and strategic housing matters, estates, regeneration and economic development issues)
	Planning Control Team (Site development issues)	Community Services (highways, engineering, flooding, leisure and pollution issues)

Table 5.1 The Planning Policy Team within the wider Council structure

5.6 Given that West Lancashire Borough Council is a two-tier Authority with Lancashire County Council, the Planning Policy Team will also continue to liaise closely with the County, especially on issues of highways and transportation, as well as having reference to the County's planning policy work on Minerals and Waste. On the issue of transport, the Planning Policy Team also liaise closely with Merseytravel as the public transport executive for Merseyside, extending into parts of West Lancashire, and Transport for Greater Manchester.

5.7 Resources have also been, and will continue to be, saved through effective partnership working with neighbouring Local Authorities. West Lancashire's Planning Policy Team are working closely with their peers in Merseyside, Lancashire and Greater Manchester in order to deliver "joined-up" cross-border planning on many issues that are not restricted by Local Authority boundaries. This also helps to fulfil the Duty to Co-operate introduced by the Localism Act 2011.

5.8 The Planning Policy Team will also continue to liaise closely with a wide range of infrastructure providers to ensure that development is located where infrastructure is already provided or to consider how infrastructure can be provided over the Local Plan period to meet the needs created by development in the Local Plan.

Chapter 6 Risk Assessment

6.1 The planning system requires effective project management techniques to ensure, as far as possible, that stated timetables for document preparation are adhered to. Through the use of such techniques, the Planning Policy Team will endeavour to ensure that progress is kept 'on track', in accordance with the dates set out within this LDS. However, there are a variety of circumstances which alone, or in combination, can conspire to delay the preparation process.

6.2 It is important that the Council, the local community and all other stakeholders in the planning process, are aware of the possible risks to preparation. This is so that the risks can be minimised or mitigation measures put in place in the case of delays being occasioned. The following table identifies some of the more likely risks that could prejudice document preparation and the mitigation measures that could be employed.

Risk	Mitigation
External Factors	
<p>Legislation / Government Guidance Publication of national planning policy statements can generate new issues that the Local Plan, or its preparation, must address, sometimes causing delays.</p>	<p>Maintain close liaison with latest national guidance and its preparation.</p> <p>Revise Local Plan timetable if necessary.</p> <p>Adequate budgetary provision for consultancy support if required.</p>
<p>Planning Inspectorate Delays could be caused if the Local Plan or other documents takes longer than expected in the Examination process.</p>	<p>Keep in touch with Inspectorate and advise them of requests for Examinations at the earliest possible time.</p> <p>The Council will monitor Inspector's decisions.</p>
<p>Other External Bodies The new planning system involves more complex arrangements for co-operation, consultation, engagement and evidence gathering. Failure on the part of other bodies to respond on time or to provide inadequate responses which require subsequent clarification could cause significant delay to work programmes.</p>	<p>Programme work to accommodate the likely delays.</p>

Chapter 6 Risk Assessment

Risk	Mitigation
<p>Difficulty of achieving joint working with other local authorities on evidence base and ensuring that the Duty to Co-operate is fulfilled.</p>	<p>Clear working arrangements with other local authorities and ensuring strong programme management.</p>
<p>Internal Factors</p>	
<p>Staffing</p> <p>Individual absences due to leave, personnel changes or sickness can cause delays in document production.</p> <p>Staff could leave the authority and could be difficult to replace, therefore causing delays to document production.</p>	<p>Local Plan timetable should be set on a realistic basis taking into account the staff resources available.</p> <p>Ensure quick replacement of staff.</p> <p>Flexibility of staff within the Planning Service enabling secondment opportunities from other planning-related teams in the Council to help with workload.</p> <p>Some elements of work can be undertaken by consultants.</p> <p>Difficulties of staff recruitment and retention has been addressed by the provision of better pay and rewards packages.</p>
<p>Political Direction / Management</p> <p>Members requiring late amendment to proposed documents.</p>	<p>Early consultation and information sharing with Members will reduce the likelihood of late amendments being required.</p>
<p>Legal / Soundness</p> <p>Local Plan DPD, or other documents, fails tests of soundness which would significantly delay process.</p> <p>Legal challenge to document could see Local Plan DPD quashed.</p>	<p>Ensure robust evidence base and use soundness self-assessment toolkit.</p> <p>Enhanced budget for LDF preparation has been given since 2007/08 to ensure good evidence base is provided.</p>

Risk	Mitigation
	Ensure procedures, Acts and Regulations are complied with.

Table 6.1 Risk Assessment

Appendix 1 West Lancashire Replacement Local Plan (2006) Schedule of Saved Policies

Appendix 1 West Lancashire Replacement Local Plan (2006) Schedule of Saved Policies

Replacement Local Plan Policies (adopted July 2006)	Draft Local Plan policy expected to include replacement policy
Development Strategy Policies	
DS1 Location of Development	Policy SP1
DS2 Protecting the Green Belt	Policy GN1
DS3 Safeguarded Land	Policy GN2
DS4 Open Land on the Urban Fringe	Policy GN1
General Development Policies	
GD1 Design of Development	Policy GN3
GD2 Developer Contributions to Infrastructure	Policy IF4
GD3 Development of Contaminated Land	Policy SP1
Policies for Protecting and Enhancing the Environment	
EN1 Biodiversity	Policy EN2
EN2 Protection of Agricultural Land	Policy EN2
EN3 Coastal Zone	Policy EN2
EN4 Conservation Areas	Policy EN4
EN5 Buildings of Historic Importance	Policy EN4
EN6 Archaeological Heritage	Policy EN4
EN7 Protection of Historic Parks and Gardens	Policy EN4
EN8 Green Spaces	Policy EN3
EN9 Protection of Trees and Woodland	Policy EN2
EN10 Flood Risk	Policy GN3
EN11 Protection of Groundwater Resources	Policy GN3
Development and Economy Policies	
DE1 Residential Development	Policy RS1

Appendix 1 West Lancashire Replacement Local Plan (2006) Schedule of Saved Policies

Replacement Local Plan Policies (adopted July 2006)	Draft Local Plan policy expected to include replacement policy
DE2 Whalleys, Skelmersdale	Policy RS1
DE3 Affordable Housing Development	Policy RS2
DE4 Caravan Sites for Gypsies and Travelling Show People	Provision for Travellers' Sites DPD
DE5 Employment Development	Policy EC1
DE6 The Rural Economy	Policy EC2
DE7 Agricultural Produce Packing Facilities	Policy EC2
DE8 Accommodation for Seasonal Agricultural / Horticultural Workers	Policy RS5
DE9 Removal of Agricultural Workers Dwelling Conditions	Policy GN4
DE10 Retail and Other Town Centre Development	Policy IF1
DE11 Skelmersdale Town Centre	Policy SP2
DE12 Ormskirk Town Centre	Policy IF1
DE13 Business and Office Development	Policy EC1
DE14 Development Opportunity Sites	Policy EC3
DE15 Tollgate Road / Pippin Street, Burscough	None
DE16 Former Hattersley Works, Burscough Road, Ormskirk	None
DE17 Tourism Development	Policy Not Saved
DE18 Advertisements	Policy Not Saved
Social and Community Policies	
SC1 Sports, Recreational, Leisure and Cultural Facilities	Policy EN3
SC2 Recreation Facilities	Policy EN3
SC3 Linear Parks	Policy IF2 / Policy EN3
SC4 Educational Facilities	Policy IF3
SC5 Health Facilities	Policy IF3
SC6 Roads	Policy IF2
SC7 Public Transport	Policy IF2

Appendix 1 West Lancashire Replacement Local Plan (2006) Schedule of Saved Policies

Replacement Local Plan Policies (adopted July 2006)	Draft Local Plan policy expected to include replacement policy
SC8 Land at the Railway Pad, Appley Bridge	Policy IF2
SC9 Cycling and Walking Facilities	Policy IF2
SC10 Infrastructure, Services and Utilities	Policy IF3
SC11 Telecommunications	Policy IF3
SC12 Renewable Energy	Policy EN1
SC13 Cemeteries and Crematoria	None

Table .1

Appendix 1 West Lancashire Replacement Local Plan (2006) Schedule of Saved Policies

Appendix 2 Schedule of Planning Policy documents to be Produced

Local Plan DPD		
Document Details	<ul style="list-style-type: none"> ● Title: West Lancashire Local Plan 2012-2027 DPD; ● Role & Content: Sets out the main planning context of the Borough, the development strategy for the Borough and priority locations for development, development management policies and site allocations; ● Status: DPD; ● Chain of Conformity: The Local Plan DPD should conform with the National Planning Policy Framework (NPPF), the RSS for the North West (until it is revoked) and closely correspond with the West Lancashire Sustainable Community Strategy. Any additional DPDs or SPDs, and any Neighbourhood Plans, should conform with the Local Plan DPD. ● Geographic Coverage: Whole Borough. 	
Timetable	<p>Initial Regulation 25 Scoping Consultation</p> <p>Preferred Options Consultation</p> <p>Publication Consultation</p> <p>Submission</p> <p>Examination Period</p> <p>Adoption</p>	<p>November / December 2011</p> <p>January / February 2012</p> <p>August to October 2012</p> <p>October 2012</p> <p>October 2012 to September 2013</p> <p>October 2013</p>
Arrangements for Production	<ul style="list-style-type: none"> ● Prepared by Planning Policy Team; ● Input from other Council services; ● Input and approval from Members via Cabinet, Cabinet Working Group, Planning Committee, Executive Overview & Scrutiny Committee and, for submission and adoption, Council; ● Adequate resources available within Department for production. 	

Appendix 2 Schedule of Planning Policy documents to be Produced

Community Infrastructure Levy (CIL) Charging Schedule		
Document Details	<ul style="list-style-type: none"> • Title: CIL Charging Schedule; • Role & Content: Sets the charge for CIL in relation to different types of development in different parts of the Borough; • Status: Charging Schedule; • Chain of Conformity: The justification for charging CIL must be demonstrated by the need for funding for new infrastructure as a result of the development proposed in the Local Plan DPD; • Geographic Coverage: Whole Borough. 	
Timetable	Consultation on Preliminary Draft Charging Schedule Consultation on Draft Charging Schedule Submission Examination Period Adoption	January to March 2013 September to October 2013 October 2013 October 2013 to March 2014 April 2014
Arrangements for Production	<ul style="list-style-type: none"> • Prepared by Planning Policy Team; • Input from other Council services; • Input and approval from Members via Cabinet, Cabinet Working Group, Planning Committee, Executive Overview & Scrutiny Committee and Council; • Adequate resources available within Department for production. 	

Appendix 2 Schedule of Planning Policy documents to be Produced

Provision for Travellers' Sites DPD		
Document Details	<ul style="list-style-type: none"> • Title: Provision for Travellers' Sites DPD; • Role & Content: Sets the local planning policy regarding provision for Gypsies & Travellers and Travelling Showpeople; • Status: DPD; • Chain of Conformity: Policy within the DPD must be in conformity with the NPPF, the Planning Policy for Travellers' Sites (CLG) and the Local Plan DPD; • Geographic Coverage: Whole Borough. 	
Timetable	<p>Initial Regulation 18 Scoping Consultation</p> <p>Preferred Options Consultation</p> <p>Publication Consultation</p> <p>Submission</p> <p>Examination Period</p> <p>Adoption</p>	<p>September to October 2013</p> <p>February to March 2014</p> <p>August to September 2014</p> <p>September 2014</p> <p>September 2014 to February 2015</p> <p>March 2015</p>
Arrangements for Production	<ul style="list-style-type: none"> • Prepared by Planning Policy Team; • Input from other Council services; • Input and approval from Members via Cabinet, Cabinet Working Group, Planning Committee, Executive Overview & Scrutiny Committee and, for submission and adoption, Council; • Adequate resources available within Department for production. 	

Appendix 2 Schedule of Planning Policy documents to be Produced

Yew Tree Farm Masterplan SPD		
Document Details	<ul style="list-style-type: none"> • Title: Yew Tree Farm Masterplan SPD; • Role & Content: Provides a detailed masterplan for the development of the Yew Tree Farm Strategic Development Site identified in the Local Plan DPD; • Status: Supplementary Planning Document; • Chain of Conformity: The SPD must conform with the Local Plan DPD, particularly Policy SP3, and the NPPF; • Geographic Coverage: Yew Tree Farm Strategic Development Site, Burscough. 	
Timetable	Consultation on Baseline Study Consultation on Options Consultation on Final Draft Masterplan Adoption	January 2014 June to July 2014 October to November 2014 December 2014
Arrangements for Production	<ul style="list-style-type: none"> • Prepared by Planning Policy Team; • Input from other Council services; • Input and approval from Members via Cabinet, Cabinet Working Group, Planning Committee and Executive Overview & Scrutiny Committee; • Adequate resources available within Department for production. 	

Appendix 2 Schedule of Planning Policy documents to be Produced

Affordable Housing SPD		
Document Details	<ul style="list-style-type: none"> • Title: Affordable Housing SPD; • Role & Content: Provide further policy guidance on the delivery of affordable housing within market housing schemes; • Status: Supplementary Planning Document; • Chain of Conformity: The SPD must conform with the Local Plan DPD, particularly Policy RS2, and the NPPF; • Geographic Coverage: Whole Borough. 	
Timetable	Consultation on Draft SPD Adoption	February to March 2014 July 2014
Arrangements for Production	<ul style="list-style-type: none"> • Prepared by Planning Policy Team; • Input from other Council services; • Input and approval from Members via Cabinet, Cabinet Working Group, Planning Committee and Executive Overview & Scrutiny Committee; • Adequate resources available within Department for production. 	

Appendix 2 Schedule of Planning Policy documents to be Produced

Open Space and Recreation Provision in New Residential Developments SPD		
Document Details	<ul style="list-style-type: none"> • Title: Open Space and Recreation Provision in New Residential Developments SPD; • Role & Content: Provide further policy guidance on the standards for the provision of open space and recreation facilities within new residential developments; • Status: Supplementary Planning Document; • Chain of Conformity: The SPD must conform with the Local Plan DPD, particularly Policies IF4 and EN3, and the NPPF; • Geographic Coverage: Whole Borough. 	
Timetable	Consultation on Draft SPD Adoption	February to March 2014 July 2014
Arrangements for Production	<ul style="list-style-type: none"> • Prepared by Planning Policy Team; • Input from other Council services; • Input and approval from Members via Cabinet, Cabinet Working Group, Planning Committee and Executive Overview & Scrutiny Committee; • Adequate resources available within Department for production. 	

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Proposed Main Modifications (Post-hearings - March 2013)

In the table below, the modifications are expressed in the conventional form of ~~strikethrough~~ for deletions and **underlined bold** for additions of text.

The page numbers and paragraph numbering refer to the submission DPD, and do not take account of the deletion or addition of text.

Ref No	Page	Policy/ Paragraph	Main Modification
MM1	41	SP1, para. 7	Delete paragraph 7: <i>However, it is anticipated that development on greenfield sites in Ormskirk, Burscough, Rufford and Scarisbrick will be restricted by a waste water treatment infrastructure issue until 2020 and so development will initially be somewhat constrained in these parts of the Borough.</i>
MM2	42	SP1, para.11	Amend paragraph 11 as follows: <i>It is anticipated that the Yew Tree Farm and Grove Farm sites will only begin to be developed from 2020 onwards, allowing time to deliver sites within existing built-up areas first and to resolve waste water treatment infrastructure constraints affecting those sites. It may be appropriate to bring this land forward for development in advance of land within the existing built-up areas if it is required to ensure delivery of the development targets. However, bringing forward such development in advance of 2020 would be subject to the provision of the appropriate infrastructure required for the development proposals, especially for waste water treatment infrastructure. <u>2015, in advance of which appropriate surface water mitigation measures demonstrating a net reduction in wastewater flows arising from the proposed development must be implemented. No surface water from these sites shall discharge to the public sewerage system.</u> The planned expansion of the Edge Hill University campus may come forward relatively early in the plan period, subject to the provision of appropriate infrastructure improvements.</i>
MM3	44- 45	Justification to SP1,	Amend paragraph 4.17 of the justification text to Policy SP1 as follows: <i>The neighbouring settlements of Ormskirk with Aughton and Burscough together form a secondary focus</i>

Ref No	Page	Policy/ Paragraph	Main Modification
		para. 4.17	<i>for new development in the Borough. This is because, while both Ormskirk and Burscough are constrained by waste water treatment infrastructure and could both be affected by the impact of new development on highways congestion, both towns have good access to sustainable public transport connections, both already have the majority of local services provided for <u>and the level of additional waste water being created by new development allocated in the Local Plan can be managed while more permanent solutions to the infrastructure constraint are implemented.</u></i>
MM4	54	SP3, 10 th bullet point	Amend Bullet Point 10 as follows: <i>Measures to address the surface water drainage issues on the Yew Tree Farm site and in Burscough generally to the satisfaction of the Environment Agency, United Utilities and the Lead Local Flood Authority. <u>For the development of Yew Tree Farm no surface water should be discharged into the public sewerage system;</u></i>
MM5	55	SP3, para. 3 and 4	Amend paragraphs 3 and 4 as set out below: <i>Development on this site will not be able to commence until the Local Planning Authority are satisfied that infrastructure constraints in relation to waste water treatment have been resolved, or can be through development. At this time, it is not anticipated that the waste water treatment infrastructure constraint affecting Burscough will be resolved until 2020 and so development of this site could not commence until this is resolved. If this constraint was to be resolved earlier than 2020, development could also commence earlier provided that all other infrastructure constraints are resolved and that it would not prejudice the delivery of development in Skelmersdale (especially the town centre) or on brownfield sites in Ormskirk or Burscough.</i> <i>The employment aspect of the development may come forward in advance of 2020 if the infrastructure is in place to support it and if there is no available land remaining in the existing employment areas adjacent to the site that is available or suitable for the employment uses required.</i> <u>Development of the Yew Tree Farm site will not result in surface water being discharged into the public sewerage system and will, in fact, draw surface water off the public sewerage system to be attenuated to the local watercourse at greenfield run-off rates to at least the equivalent quantity of foul water being discharged from the site into the public sewerage system.</u>

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MM6	58	Justification to SP3, para. 4.51	<p>Delete paragraph 4.51 of the justification text set out below.</p> <p>The issue relating to New Lane waste water treatment works affects all development in Ormskirk, Burscough, Rufford and Scarisbrick and so is a key issue for the whole Local Plan and one that needs addressing as a priority. However, residential development could not commence at Yew Tree Farm until this issue is resolved. Employment development may be permitted prior to this issue being addressed as long as the Council are satisfied it would not add significantly to the existing outflow to New Lane treatment works. Development of Yew Tree Farm could also fund and facilitate drainage infrastructure improvements in Burscough that would resolve surface water drainage issues in the town.</p>
MM7	59	Justification to SP3, para. 4.54 and 4.55	<p>Amend paragraph 4.54 and 4.55 of the justification text as set out below:</p> <p>With regards to the residential development on the Strategic Development Site, 500 dwellings are necessary not only to meet the Borough's housing targets but also to help fund many of the improvements to infrastructure and community facilities discussed in Policy SP3. However, it is not expected that this site would start to be developed for residential until 2020, unless key infrastructure improvements enable development to commence sooner.</p> <p>While the site is physically capable of delivering a further 500 dwellings and 10 ha of employment land, given that it is anticipated that any improvements to the waste water treatment infrastructure may not be complete until 2020 and given the need to encourage development within the settlement first, it is considered that 500 dwellings and 10 ha of employment land is an appropriate and deliverable level of development for the site. The remaining part of the site will be safeguarded from development until 2027 at least.</p>
MM8	69	GN3, part 3(v)	<p>Amend Part 3(v) as follows:</p> <p>Where appropriate and feasible, incorporate sustainable drainage systems where there is a risk of surface water flooding within or beyond the site <u>It must be demonstrated by the applicant that sustainable drainage systems have been explored alongside opportunities to remove surface water from existing sewers. Robust justification will be required for any development seeking to connect surface water to the public sewer network. In addition, any surface water connection must be at an agreed attenuated rate;</u></p>

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MM9	71	Justification to GN3, para. 5.26	Amend paragraph 5.26 of the justification text as set out below: <i>Sustainable Drainage Systems (SuDS) must be integrated into all new developments where technically feasible in order to minimise the impact of surface water run-off. <u>Justification must be provided for any development seeking to connect to the public sewer network to demonstrate that all other options have been explored with reasoning for why alternative solutions are not practicable.</u></i>
MM10	91	EC4	Amend the second paragraph of Policy EC4 to read:: <i>The following key principles are promoted:</i> <i>i. Supporting the continued growth, development and improvement of Edge Hill University and its facilities within the existing campus and via an extension into the Green Belt to the south east of no more than 10 hectares, where such development incorporates measures to alleviate any existing or newly created traffic and / or housing impacts;</i> <i>ii. Requiring a masterplanned approach to future development within the Green Belt;</i> <i>iii. ii. Working with the University to develop travel plans and parking strategies to encourage sustainable travel and improve access to the campus;</i> <i>iv. iii. Improving the University accommodation offer and concentrating new student accommodation within the existing and / or extended campus in accordance with Policy RS3;</i> <i>v. iv. Where possible, creating links between the University, local businesses and the community sector, in terms of both information sharing and learning programmes, to ensure that the University continues to contribute to the local economy and social inclusion in the Borough; and</i> <i>vi. v. Where possible, ensuring that the benefits of the University and its future growth and development are also directed to those communities where educational attainment is lower through specific programmes, and where possible and appropriate, led by private sector employers.; and</i> <u>vi. the use of sustainable drainage systems for surface water.</u>
MM11	104	RS3, part	Amend first paragraph of Policy RS3, part (b) to read:

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		(b)	<p>When assessing proposals for conversion of a dwelling house or other building to a House in Multiple Occupation (HMO), the Council will have regard to the proportion of existing residential properties in use as, or with permission to become, an HMO, either in the street as a whole, or within the nearest 60 residential properties (excluding those residential properties used specifically for the accommodation of older people or in a C2 use) in the same street, whichever is the smaller. Where levels of HMOs reach or exceed the percentages specified in the table below, proposals for further HMOs will not be permitted Where proposals for an HMO would result in the percentages specified in the table below being exceeded, these proposals will not be permitted unless there are compelling reasons why it would be appropriate to allow the limit to be exceeded. The Council will also have regard to any purpose-built student accommodation in the same street, or section of the street.</p>
MM12	107	Justification to RS3, para. 7.47	<p>Amend last sentence of paragraph 7.47 to read:</p> <p>Once the percentage limit is reached Where a proposal for an HMO would result in the percentage limit being exceeded, no more HMOs will be permitted under this policy unless there are compelling reasons why it would be appropriate to allow the HMO limit to be exceeded, or further exceeded.</p>
MM13	110	RS4	<p>Amend third to seventh paragraphs of Policy RS4 to read:</p> <p>Provision should be made in the above locations only, unless it can be demonstrated that sites cannot be provided in these locations.</p> <p>Sites within the Green Belt in the broad locations will be considered where applicants can demonstrate that there are no other suitable sites within the locality and within the settlement areas. This must be done by complying with the requirements of the sequential test as per Policy GN5 Sequential Tests.</p> <p><u>Provision should be made in the above locations only, unless it can be demonstrated that appropriate sites cannot be provided in these locations that meet the criteria in part 3 below.</u></p> <p>In order to ensure that all sites are fit for purpose and will provide sufficient residential amenity to members of the settled and traveller community all sites must meet the criteria set out below.</p> <p><u>All sites that come forward outside the broad locations above must comply with the criteria in part 3 below and be outside the Green Belt as defined on the proposals map.</u></p>

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			<p>3. Criteria</p> <p>All sites outside the broad locations above must comply with the criteria below and be within the main settlement areas as defined on the proposals map.</p> <p>a) Proposals for establishing of Gypsy and Traveller and Travelling Showpeople sites will only be considered on condition that where the following conditions are met: ...</p>
MM14	80	EC1, part 2(a)	<p>Amend second paragraph of Policy EC1, part (2a) to read:</p> <p><i>On the following strategic employment sites, the Council will only permit B1 use classes (offices and research and development only) and other significant employment-generating uses in use classes C1 and D1.</i></p>
MM15	72	GN4, part 2(i)	<p>Amend Policy GN4, part 2(i) to read:</p> <p><i>The land / premises has been widely marketed through an agent or surveyor at a price that reflects its current market or rental value for employment purpose its existing use, and no reasonable offer has been refused.</i></p>
MM16	72	GN4, part 3(v)	<p>Amend Policy GN4, part 3(v) to read:</p> <p>v. Consideration, firstly, for a mixed use scheme involving the existing use and other compatible uses, secondly, for other employment generating uses such as those relating to tourism, leisure, retail and residential institutions and, thirdly, of the viability of providing affordable housing on the site, which could meet specific local need, before consideration of market housing.</p> <p><u>v. Consideration of the viability of all potential alternative uses appropriate to the site in question (were the existing use to be consider unviable), including alternatives which partially retain the existing use, which meet an equivalent need / purpose to the existing use (e.g. providing employment, creating vitality in a town centre or meeting a specific local housing need) or which meet an affordable housing need where such a use would be appropriate.</u></p>
MM17	117	IF1	<p>Amend Policy IF1, first paragraph, second sentence to read:</p>

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			Retail and other uses normally associated with town centres main town centre uses will only be considered in out-of-centre locations if a specific local need is proven for the proposed development and there is no suitable site available within a town, village or local centre.
MM18	120	IF1	Add paragraph at the end of Policy IF1 to read: <i>The unnecessary loss of community, leisure and cultural facilities and services within town and local centres will be resisted unless it can be demonstrated that the facility is no longer needed, or it can be established that the services provided by the facility can be served in an alternative location or manner that is equally accessible by the community.</i>
MM19	156	EN4, part 2	Amend second sentence of part 2 (Cultural and Heritage Assets) of Policy EN4 to read: <i>In order to protect and enhance historic assets, including their settings, whilst facilitating economic development through regeneration, leisure and tourism, the following principles will be applied.</i>
MM20	157	EN4, part 2(c)	Amend part 2(c) of Policy EN4 to read: <i>There will be a presumption in favour of the protection and enhancement of existing buildings and built areas which do not have Listed Building or Conservation Area status heritage assets which do not have designated status but have a particular local importance or character which it is desirable to keep. Such buildings or groups of buildings historic buildings, groups of buildings, spaces or other historic resources will be identified through a Local List which will be adopted by the Council.</i>
MM21	65	GN2	Insert the following text at the end of Policy GN2: <u>Triggers for the Plan B</u> <u>The above “Plan B” sites will only be considered for release for development if one of the following triggers is met:</u> <ul style="list-style-type: none"> • <u>Year 5 review of housing delivery</u> <u>If less than 80% of the pro rata housing target has been delivered after 5 years of the Plan period, then the Council may choose to release land from that safeguarded from development for “Plan B”</u>

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			<p><u>to enable development to an equivalent amount to the shortfall in housing delivery.</u></p> <ul style="list-style-type: none"> • <u>Year 10 review of housing delivery</u> <p><u>If less than 80% of the pro rata housing target has been delivered after 10 years of the Plan period, then the Council may choose to release land from that safeguarded from development for “Plan B” to enable development to an equivalent amount to the shortfall in housing delivery.</u></p> <ul style="list-style-type: none"> • <u>The housing target increasing as a result of new evidence</u> <p><u>If, at any point during the 15 year period of the Plan, the Council chooses to increase its housing target to reflect the emergence of new evidence that updates the existing evidence behind the housing target and which would undermine the existing target, then an appropriate amount of land will be released from that safeguarded from development for “Plan B” to make-up the extra land supply required to meet the new housing target for the remainder of the Plan period.</u></p>
MM22	66	Justification to GN2, after para. 5.19	<p>Insert new paragraph 5.20 at end of justification of Policy GN2:</p> <p><u>5.20 Chapter 10 of this Local Plan discusses the triggers associated with the “Plan B” that are provided in Policy GN2 further. Should one of these triggers be met, the Council will undertake a thorough review of the Plan B sites to identify which site(s), if any, should be released at that time to help address the shortfall in housing delivery identified.</u></p>
MM23	67	GN3	<p>Insert the following additional criterion to part 1 of Policy GN3:</p> <p><u>(vii) create safe and secure environments that reduce the opportunities for crime and prepare a crime impact statement where required in accordance with the Council’s validation checklist.</u></p>
MM24	71-74	GN4 and paragraphs 5.27 – 5.33	<p>Replace Section 5.4 of the Local Plan (including Policy GN4) with the following:</p> <p><u>5.4 Policy GN4: Demonstrating Viability</u></p> <p><u>Context</u></p> <p><u>5.27 A number of Local Plan policies seek to maintain particular uses of land, for example employment uses on employment sites, retail units in town centres, or agricultural buildings in the</u></p>

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			<p><u>Green Belt. However, these policies allow for changes of use in some cases, provided it is robustly demonstrated by the applicant that to maintain the former use is no longer viable. The purpose of this policy is to set out a range of parameters that will enable the Council to make a fair and robust assessment of whether there is a justifiable case for whatever change of use is proposed.</u></p> <p><u>5.28 In addition, any policy of this nature must accord with Government policy which requires local planning authorities to be proactive in terms of development proposals and to approve planning applications wherever possible, unless the proposal contravenes other local or national policy objectives.</u></p> <p><u>Policy GN4</u></p> <p><u>Demonstrating Viability</u></p> <p><u>The Council will seek to retain existing commercial / industrial (B1, B2 or B8) and retail (A1) land / premises, together with agricultural / horticultural workers' dwellings, unless it can be demonstrated that one of the following tests has been met:</u></p> <ul style="list-style-type: none"> <li data-bbox="658 890 2040 1054"><u>i. the continued use of the site / premises for its existing use is no longer viable in terms of its operation of the existing use, building age and format and that it is not commercially viable to redevelop the land or refurbish the premises for its current use. In these circumstances, and where appropriate, it will also need to be demonstrated that there is no realistic prospect of a mixed-use scheme for the existing use and a compatible use;</u> <li data-bbox="658 1075 2040 1209"><u>ii. the land / premises is no longer suitable for the current use when taking into account access / highways issues (including public transport), site location and infrastructure, physical constraints, environmental considerations and amenity issues. The compatibility of the existing use with adjacent uses may also be a consideration; or</u> <li data-bbox="658 1230 2040 1294"><u>iii. marketing of the land / property indicates that there is no demand for the land / property in its current use.</u> <p><u>Details of the current occupation of the buildings, and where this function would be relocated, will also be required.</u></p>

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			<p><u>Where the existing use is no longer considered viable and a mixed-use scheme is also not viable or appropriate, the Council will preferentially seek the following alternative uses prior to consideration of a market housing-led scheme:</u></p> <ul style="list-style-type: none"> • <u>For existing commercial / industrial uses, an alternative use that generates employment opportunities (other than A1-A5 uses);</u> • <u>For existing retail uses, an alternative use that helps create or maintain the vitality of a town, village or local centre; and</u> • <u>For existing agricultural / horticultural workers' dwellings, an alternative use for affordable housing.</u> <p><u>Marketing</u></p> <p><u>Where an application relies upon a marketing exercise to demonstrate that there is no demand for the land / premises in its current use, the applicant will be expected to submit evidence to demonstrate that the marketing was adequate and that no reasonable offers were refused. This will include evidence demonstrating that:</u></p> <ol style="list-style-type: none"> i. <u>The marketing has been undertaken by an appropriate agent or surveyor at a price which reflects the current market or rental value of the land / premises for its current use and that no reasonable offer has been refused.</u> ii. <u>The land / premises has been marketed for an appropriate period of time, which will usually be 12 months, or 6 months for retail premises.</u> iii. <u>The land / premises has been regularly advertised and targeted at the appropriate audience. Consideration will be given to the nature and frequency of adverts in the local press, regional press, property press or specialist trade papers etc; whether the land / premises has been continuously included on the agent's website and agent's own papers / lists of premises; the location of advertisement boards; whether there have been any mail shots or contact with local property agents, specialist commercial agents and local businesses; and with regards to commercial / industrial property, whether it has been recorded on the Council's sites and premises search facility.</u>

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			<p><u>In certain cases, for example, where a significant departure from policy is proposed, the Council may seek to independently verify the Viability Statement, and the applicant will be required to bear the cost of independent verification.</u></p> <p><u>Justification</u></p> <p><u>5.29 The Ministerial Statement which emerged at the end of March 2011, along with the National Planning Policy Framework (NPPF), have made it clear that the Government’s broad brush approach to development will focus on facilitating growth and new jobs in sustainable locations and generally on encouraging more residential development, including on vacant employment sites. The aim of these changes is to enable the delivery of much needed housing and ensure the effective use of previously developed land, including employment sites where they are no longer considered economically viable.</u></p> <p><u>5.30 It is important that the Council has a robust policy in place to respond to this change in emphasis. However, that is not to say that the Council should freely permit such a change of use. Whilst the Council wishes to ensure that there is provision of a wide selection of business / retail space and that viable and suitable sites for such uses should be retained, it is accepted that leaving land vacant or underused is not an efficient use of land and should be avoided if an appropriate alternative use can be considered.</u></p> <p><u>5.31 Accordingly, those circumstances where it will be appropriate to support alternative uses are outlined in the policy, which broadly aims to acknowledge those situations where it would be unproductive to protect land / premises for the current use. For example, where a site / premises has remained empty or vacant for a period of time despite active marketing or it is no longer suited for the needs of existing use.</u></p> <p><u>5.32 Where the existing use is no longer considered viable, regard should be had for whether, firstly, a mixed-use scheme involving the existing use is viable and then, secondly, whether an alternative use that meets a similar need or purpose as the existing use (as set out in the policy above) is viable. If these alternative uses have been proven to not be viable, market housing will be considered as a final alternative use. Affordable housing requirements outlined in Policy RS2 will apply to market housing developments that ultimately emerge from this process, regardless of</u></p>

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			<u>the previous use of the land / building.</u>
MM25	75	GN5	Amend first sentence of Policy GN5, third paragraph, criterion (i) to read: “Area of Search: This <u>The extent of the area of search will depend on the scale and nature of the proposed development. It will usually be the settlement, ward or parish in which the proposed development site lies but could also include land in adjacent settlements, wards, parishes or Boroughs.</u> ”
MM26	97	Justification to RS1, para. 7.16	Add sentence to the end of paragraph 7.16 to read: <u>If, however, it is demonstrated that the provision of specialist housing for the elderly would in fact have a material negative impact upon viability, this can be taken into account when assessing affordable housing and / or other policy requirements for the proposed development, as set out in paragraph 7.37 of the justification to Policy RS2.</u>
MM27	103	Justification to RS2, after para. 7.36	Insert new paragraph after 7.36 to read: <u>7.37 The justification for the requirement for specialist housing for the elderly is set out in paragraphs 7.14-7.16 of Policy RS1. When assessing the viability of a market housing-led scheme (in order to determine whether the affordable housing requirements of Policy RS2 can be met), any negative impact upon viability resulting from the provision of specialist accommodation for the elderly may also be taken into account. In the case of a proposed scheme being unable to meet the requirements of Policy RS1(e) and Policy RS2 viably, consideration should be given on a case-by-case basis to whether the affordable housing requirement, specialist housing requirement or both requirements, should be reduced in order to achieve a viable scheme. Where appropriate (for example, where the local affordable housing need includes a need for affordable housing for elderly people), part, or all, of the specialist housing requirement may be incorporated within the affordable housing requirement.</u>
MM28	123	Justification to IF1, after para. 8.24	Insert new heading and paragraph to reflect MM18 after paragraph 8.24 to read: <u>Cultural facilities</u> <u>8.25 Cultural facilities add to the diversity of uses in town centres, and can make an important</u>

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			<u>contribution to centres' vitality and viability. The value of land in town centres means that community and cultural facilities may come under pressure from uses which attract higher land values and, without protection against this, the community may lose an accessible facility. Once these sites are lost to other uses, it can be very difficult to find alternative sites. Demand for different types of community facilities will change over time, but it is important to retain such premises to meet the future needs of residents and visitors. The safeguarding of existing community and cultural facilities will help to realise the potential for community use of existing buildings and encourage re-use of buildings when they become available.</u>																
MM29	124	IF2	Delete criterion (a) of Policy IF2, part (1) and move to justification, after para 8.29 (see MM32)																
MM30	126	IF2	<p>Amend Policy IF2, part (2) as follows:</p> <p>2) Parking Standards</p> <p><u>a) Residential Development</u></p> <p><i>Proposals for residential development will be required to meet the following standards for car parking provision <u>and communal cycling and disabled parking provision for visitors:</u></i></p> <table border="1"> <thead> <tr> <th>Type of Development</th> <th>Number of Parking Spaces (per dwelling)</th> <th>Cycle Parking Provision*</th> <th>Disabled Parking Provision*</th> </tr> </thead> <tbody> <tr> <td>Dwellings with 1 bedroom</td> <td>1</td> <td>1 communal space per 5 dwellings</td> <td>1 space per 10 dwellings</td> </tr> <tr> <td>Dwellings with 2-3 bedrooms</td> <td>2</td> <td>1 communal space per 5 dwellings</td> <td>1 space per 10 dwellings</td> </tr> <tr> <td>Dwellings with 4+bedrooms</td> <td>3</td> <td>1 communal space per 5 dwellings</td> <td>1 space per 10 dwellings</td> </tr> </tbody> </table>	Type of Development	Number of Parking Spaces (per dwelling)	Cycle Parking Provision*	Disabled Parking Provision*	Dwellings with 1 bedroom	1	1 communal space per 5 dwellings	1 space per 10 dwellings	Dwellings with 2-3 bedrooms	2	1 communal space per 5 dwellings	1 space per 10 dwellings	Dwellings with 4+bedrooms	3	1 communal space per 5 dwellings	1 space per 10 dwellings
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			<p>*in developments with communal parking only</p> <p><u>For apartment developments a minimum of 1 cycle parking space per 2 dwellings should be provided in a secure, covered location for use by residents.</u></p> <p><u>Non-Residential Development</u></p> <p>Parking standards for non-residential developments are set out within Appendix F.</p> <p>The Council will support development which seeks to encourage the use of public transport for both residential and non residential development. Locations that are considered more sustainable and well served by public transport by the Council may be considered appropriate for reduced levels of parking provision.</p> <p>Proposals for provision above or below the recommended parking standards will should be supported by ...</p>
MM31	127	IF2	Delete third paragraph of Policy IF2, part (3) and move to justification, after para 8.51 (see MM33)
MM32	130	Justification to IF2, after para. 8.29	<p>8.29 Policy IF2 has been set out to ensure that the future transport requirements of the Borough are met and that the correct parking standards are in place to allow sustainable development. This policy seeks to enhance and preserve the existing transport infrastructure whilst looking to improve where provision is lacking. The policy also seeks to improve sustainable forms of transport to reduce carbon emissions.</p> <p><u>8.30 In order to secure the long term future and viability of the Borough, and to allow for the increased movement of people and goods expected, the Council will work with neighbouring authorities and transport providers to improve accessibility across the Borough, improve safety and quality of life for residents and reduce the Borough's carbon footprint. Over the Local Plan period the Council will seek to:</u></p> <p><u>i. improve community health and well-being by providing alternative means of transport such as walking and cycling. This should be achieved through the provision of additional footpaths and cycleways (including towpaths) where appropriate;</u></p> <p><u>ii. reducing the environmental impact of transport through suitable mitigation and design;</u></p>

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			<p><u>iii. reduce transport emissions such as carbon dioxide and other greenhouse gases by encouraging greater usage of public transport facilities;</u></p> <p><u>iv. reduce congestion in the Borough's key service centres to promote competitiveness, with particular reference to Burscough and Ormskirk;</u></p> <p><u>v. preparing and actively promoting travel plans for all new developments, including both employment and residential, in accordance with DfT guidance on transport assessments; and</u></p> <p><u>vi. improve public transport to rural parts of the Borough and where appropriate support and implement innovative rural transport initiatives and support the shift towards new technologies and fuels by promoting low carbon travel choices and encouraging the development of ultra low carbon / electric vehicles and associated infrastructure.</u></p>
MM33	133	Justification to IF2, after para 8.51	<p>8.51 Through the delivery of EVR points the Council is ensuring that West Lancashire will be in a position to take full advantage of this new technology by having a modern fit for purpose transport infrastructure. EVR points are being rolled out across the North West region and the Country as a whole and in most cases a domestic 13a socket fixed to an internal / external wall should cost less than £100 (based on 2011 prices).</p> <p><u>8.52 In order to support the development of the LES statement, information on the types of mitigation measures and low emission technologies and a national toolkit will be available online to guide applicants in the future (http://www.lowemissionsstrategies.org). This will help assess the amount of transport emissions resulting from the proposed development. Developers will be able to assess the costs, effects and benefits from adopting low emission fuels, technologies and infrastructure.</u></p>
MM34	135	IF3	<p>Amend third paragraph of Policy IF3, and insert new fourth paragraph and section sub-headings, to read:</p> <p><u>Waste Water Treatment and Water Supply</u></p> <p><u>New development proposed in the areas of Ormskirk, Burscough, Rufford and Scarisbrick that are affected by the limitations on waste water treatment will need to be considered in liaison with the statutory undertaker for water and wastewater and the Council to establish the impact on water and wastewater infrastructure. The delivery of development must be phased to ensure delivery of the</u></p>

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			<p>development that it coincides with an appropriate solution which meets the standards of the Council, the Undertaker and the Regulators agreed with United Utilities and the Environment Agency.</p> <p><u>New development proposed in the Northern Parishes will need to be considered in liaison with the statutory undertaker for water and wastewater and the Council to establish the impact on water and wastewater infrastructure. The delivery of development will need to be considered in conjunction with the timescales for delivery of a solution to low water pressure in this area.</u></p> <p><u>Communications</u></p> <p><i>Development proposals for new public facilities and services ...</i></p>
MM35	137	IF4	<p>Amend first and second paragraphs of Policy IF4 to read:</p> <p><i>1. New development will be expected to contribute to mitigating its impact on infrastructure, services and the environment and to contribute to the requirements of the community. This Contributions may be secured as through a planning obligation through a Section 106 agreement, where the development would otherwise be unacceptable <u>(subject to an obligation meeting the requirements of the relevant legislation and national policy)</u> and through the Community Infrastructure Levy (CIL), at such a time when the Council has prepared a Charging Schedule.</i></p> <p><i>2. The types of infrastructure that developments may be required to provide such contributions for include, but are not limited to: ...</i></p> <p><i>iv. Community Infrastructure (such as health, education, libraries, public realm and emergency services);</i></p>
MM36	137	IF4	<p>Insert paragraph at the end of Policy IF4 to read:</p> <p><u>Where a development is made unviable by the requirements of a planning obligation, the Council will have regard to appropriate evidence submitted by an applicant and consider whether any flexibility in the planning obligation is justified.</u></p>
MM37	138	Justification to IF4, para. 8.66	<p>Amend paragraph 8.66 to read:</p> <p><i>8.66 The introduction of a CIL charging schedule will not always remove the requirement for Section 106 planning obligations which will remain to be used in accordance with the tests set out within the CIL</i></p>

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			<p>regulations. <u>There may still be exceptional instances where a planning obligation is required to make a proposal acceptable, provided it meets the following statutory tests, set out within national policy:</u></p> <ul style="list-style-type: none"> • <u>Necessary to make the development acceptable in planning terms;</u> • <u>Directly related to the development; and</u> • <u>Fairly and reasonably related in scale and kind to the development.</u> <p><u>8.67</u> Planning obligations are a key delivery tool in providing the opportunity to secure financial contributions which will mitigate against the localised impacts of development which would otherwise render the proposal unacceptable in planning terms. <u>However, the Council recognise that there may be certain development proposals which would become unviable with the additional costs of a planning obligation and so the Council will weigh up the benefits of permitting the development with the impacts of allowing the development to proceed without requiring the full planning obligation and, where appropriate, may reduce the costs of the planning obligation required. In such a situation, the applicant will be required to provide a full financial appraisal and will be required to bear the cost of independent verification of this financial appraisal where necessary.</u></p>
MM38	140	EN1	<p>Amend first paragraph of Policy EN1, part (3) to read:</p> <p><i>Wind energy development potential is significant</i> <u>proposals</u> within West Lancashire and <u>will be given positive consideration provided that any adverse impacts can be satisfactorily addressed. To assist in decision making,</u> developers are required to provide evidence to support their proposals considering the following: ...</p>
MM39	143-145	EN2	<p>Delete Introductory paragraph, part (1) and part (2) (a) and (b) of Policy EN2 and replace with the following:</p> <p><u>1. Nature Conservation Sites and Ecological Networks</u></p> <p><u>a) The hierarchy of nature conservation sites</u></p> <p><u>The Council is committed to ensuring the protection and enhancement of West Lancashire's biodiversity and geological assets and interests. In order to do this, the Council will give particular</u></p>

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			<p><u>consideration to the following hierarchy of nature conservation sites when making planning decisions, according to their designation:</u></p> <p><u>i) International</u></p> <ul style="list-style-type: none"> • <u>Ramsar Sites</u> • <u>Special Areas of Conservation (SAC)</u> • <u>Special Protection Areas (SPA)</u> • <u>Candidate SACs or SPAs</u> <p><u>The strongest possible protection will be given to sites of international importance.</u></p> <p><u>The Council will also support the development of the Ribble Coast and Wetlands Regional Park, which encompasses part of the Ribble and Alt Estuaries SPA / Ramsar site.</u></p> <p><u>ii) National</u></p> <ul style="list-style-type: none"> • <u>National Nature Reserves (NNR)</u> • <u>Sites of Special Scientific Interest (SSSI)</u> <p><u>Developments that would directly or indirectly affect any sites of national importance identified, will only be considered where there are exceptional circumstances and the reasons for the development clearly outweigh the impacts to the site and the wider ecological network. In the case of SSSI's, consideration should be given to the likely impact of the development on the features of the site that make it of special scientific interest;</u></p> <p><u>iii) Local</u></p> <ul style="list-style-type: none"> • <u>Regionally Important Geological Sites</u> • <u>County Biological Heritage Sites</u> • <u>Local Nature Conservation Sites</u> <p><u>Development that would directly or indirectly affect any sites of local importance will be considered only where it is necessary to meet an overriding local public need or where it is in relation to the</u></p>

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			<p><u>purposes of the nature conservation site.</u></p> <p><u>b) Development within or affecting nature conservation sites and ecological networks</u></p> <p><u>In addition to the provisions of National and European law, and in accordance with national planning policy, proposals for development within or affecting the above nature conservation sites must adhere to the following principles:</u></p> <p><u>i) proposals which seek to enhance or conserve biodiversity will be supported in principle, subject to the consideration of other Local Plan policies;</u></p> <p><u>ii) consideration should be given to the impact of development proposals on the Lancashire Ecological Network [insert footnote to read - Lancashire Ecological Network refers to a document currently being developed by Lancashire County Council to be completed 2013 or any subsequent replacement documents.] and, where possible, opportunities to support the network by incorporating biodiversity in and around the development should be encouraged;</u></p> <p><u>iii) where development is considered necessary, adequate mitigation measures and compensatory habitat creation will be required through planning conditions and / or obligations, with the aim of providing an overall improvement in the site's biodiversity value. Where compensatory habitat is provided it should be of equal area, if not larger and more diverse than what is being replaced; and</u></p> <p><u>iv) the development of recreation will be targeted in areas which are not sensitive to visitor pressures - the protection of biodiversity will be considered over and above the development of recreation in sensitive areas of Natura 2000 and Ramsar Sites or where conflict arises.</u></p> <p><u>c) Damage to nature conservation sites and ecological networks</u></p> <p><u>The following definition of what constitutes damage to nature conservation sites and other ecological assets will be used in assessing developments likely to impact upon them:</u></p> <p><u>i. loss of the undeveloped open character of a part, parts or the entire nature conservation site or</u></p>

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			<p><u>ecological network;</u></p> <p><u>ii. reducing the width of part of an ecological network or causing direct or indirect severance of any part of the ecological network or of any part of a nature conservation site;</u></p> <p><u>iii. restricting the potential for lateral movement of wildlife within or through an ecological network or nature conservation site;</u></p> <p><u>iv. causing the degradation of the ecological functions of any part of the ecological network or nature conservation site;</u></p> <p><u>v. directly or indirectly damaging or severing links between nature conservation sites, green spaces, wildlife corridors and the open countryside; and</u></p> <p><u>vi. impeding links to the wider ecological network and nature conservation sites that are recognised by neighbouring planning authorities.</u></p> <p><u>Part (1) of this policy applies to all presently designated nature conservation sites, as shown on the Proposals Map and set out in Appendix I, and to any sites or ecological networks that may be identified in the future by appropriate agencies.</u></p> <p><u>2. Priority Species and Habitats</u></p> <p><u>Where there is reason to suspect that there may be priority species, or their habitat, on or close to a proposed development site, planning applications should be accompanied by a survey assessing the presence of such species and, where appropriate, making provision for their needs.</u></p> <p><u>In particular, the HRA of the Local Plan identifies a series of sites (in Appendix 8 of that document) where the potential of the site to support important habitat for birds associated with Martin Mere SPA cannot be ruled out at this stage. For those sites (and any others which may support suitable habitat) the applicant should submit an Ornithology Report containing sufficient information to demonstrate that consideration has been given to the potential for effects on SPA birds and, if necessary, that suitable mitigation measures will be implemented to address this to the</u></p>

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			<p><u>satisfaction of the Council and ensure no adverse effect on site integrity.</u></p> <p><u>The report could, depending on the site, be a confirmation that no suitable habitat is in fact present and therefore no loss of supporting habitat would result. This will allow the Council to screen the project against the Habitats Regulations (or equivalent legislation) and relevant national and local policy.</u></p>
MM40	145	EN2, part (2)(c)	<p>Amend second paragraph of Policy EN2 (2)(c) to read:</p> <p><i>Development involving the loss of, or damage to, Woodlands or trees of significant amenity, screening, wildlife or historical value will only be permitted where the development is required to meet a need that could not be met elsewhere, <u>and where the benefits of the development clearly outweigh the loss.</u></i></p>
MM41	146	EN2, part (2)(c)	<p>Delete fifth and sixth paragraphs of Policy EN2 (2)(c) and replace with the following:</p> <p><u>To assist the Council in decision making, sufficient information should be submitted alongside proposals for development to enable the Council to assess the effects on trees. The level of detail should be in accordance with BS.5837: 2012 - Trees in relation to design, demolition and construction, or any subsequent document.</u></p>
MM42	147	Justification to EN2, para. 9.19 and 9.20	<p>Delete paragraphs 9.19 and 9.20 and replace with the following:</p> <p><u>9.19 The Council plays an important strategic role in supporting biodiversity in West Lancashire and will:</u></p> <p><u>i. Protect and safeguard all sites of international, national and local level importance;</u></p> <p><u>ii. support the development of the Ribble Coast and Wetlands Regional Park with the vision that by 2020 the Ribble Coast and Wetlands Regional Park will become an internationally recognised area;</u></p> <p><u>iii. support a network of strategic green links between the rural areas, river corridors and green spaces to provide an ecological network that will provide habitats to support biodiversity and prevent fragmentation of the natural environment; and</u></p>

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			<p><u>iv. support the development of recreation in areas which are not sensitive to visitor pressures.</u></p> <p><u>9.20 The County Council is currently engaged in work to identify a functional ecological network for Lancashire (including Blackpool and Blackburn with Darwen). It is envisaged that the results of this work will be available in the first half of 2013. The network will be based on the tiers of designated wildlife sites and the habitats that lie within and around them. It will seek to identify how these are utilised by species on a functional basis. It will take account of land types and allocations which may have an implication for strengthening or improving the network. It will also provide a foundation for how Lancashire fits into other networks regionally, nationally and internationally and set the context for other local networks which may be identified. It is intended that the work will provide the necessary information and outputs to enable the Council to meet the requirements of the NPPF in this respect.</u></p>
MM43	155-156	EN4	<p>Rename Policy EN4 as follows:</p> <p><i>Preserving and Enhancing West Lancashire's Built Environment</i> <u>Cultural and Heritage Assets</u></p> <p>Delete part (1) of Policy EN4 and delete sub-heading "<u>2. Cultural and Heritage Assets</u>".</p>
MM44	157	Justification to EN4, para. 9.48 9.52	<p>Amend paragraphs 9.48 – 9.52 to read:</p> <p>9.48 Policy EN4 establishes the fundamental need for high quality design for all development in the Borough, reflecting the fact that West Lancashire is an attractive place to live, work and visit <u>that respects the historic environment within which it sits.</u> Development should reflect and draw on the local distinctiveness of the area whilst being able to adapt to the changing climate and social and economic conditions.</p> <p>9.49 Developing an understanding of the characteristics of an area and the context should always form part of the work undertaken before drawing up a development proposal. A design led approach will ensure that every proposal, whatever its scale, responds positively to the particular characteristics of a site and its surroundings and reinforces local distinctiveness and sense of place.</p> <p>9.50 Development proposals should be accompanied by Design and Access statements and proposals <u>relating to a designated heritage asset should also be supported by a Heritage Statement. The level of detail provided need only be proportionate to the asset's importance, in accordance with</u></p>

Ref No	Page	Policy/ Paragraph	Main Modification
			<p><u>national planning policy. Proposals should demonstrate</u> have a good understanding of <u>the latest national guidance and principles</u>. Documents and standards to consider will include <u>those prepared by organisations such as</u> English Heritage, the Commission for Architecture and the Built Environment (CABE), Homes and Community Agency (HCA) and the 'Building for Life' standard.</p> <p>9.51 <u>9.50</u> Proposals should also have regard to the Council's Design Guide SPD (January 2008) along with other locally derived documents, including <u>the</u> West Lancashire Heritage Strategy 2009. The Heritage Strategy aims to provide an overview of how the Council will preserve the historic environment of the Borough and promote awareness of the value of our shared heritage. The Council also maintains an "At Risk Register" which it will continue to monitor and keep up to date.</p> <p>9.52 <u>9.51</u> West Lancashire has numerous and extensive historic assets, including 28 Conservation Areas and 12 scheduled ancient monuments which are all identified on the Local Plan Proposals Map. In terms of buildings, West Lancashire is home to around 600 buildings on the statutory list of buildings of architectural or historic interest. The Council also maintains its own a list of buildings of local importance which is updated periodically and available on the website. The range of assets includes both statutory designations and sites and those of regional and local importance.</p>

Proposed Minor Modifications for the West Lancashire Local Plan 2012-2027

Post-hearings - March 2013

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min01	N/A	WLBC	Correction	Update Preface following receipt of Inspector's Report and prior to Adoption.
Min02	N/A	WLBC	Correction	Amend second sentence of paragraph 1.1 to read: <i>"This Development Plan Document will supersedes the current West Lancashire Replacement Local Plan 2001-16 ..."</i>
Min03	N/A	WLBC	Correction	Amend first sentence of paragraph 1.4 to read: <i>"The West Lancashire Local Plan 2012-2027 contains a vision and strategy that will sets out how the Council wants West Lancashire to develop over the period to 2027."</i>
Min04	N/A	WLBC	Correction	Delete paragraphs 1.5 – 1.7 and amend subsequent paragraph numbers in Chapter 1 accordingly.
Min05	N/A	WLBC	Correction	Amend paragraphs 1.17 and 1.18 to update references following receipt of Inspector's Report and prior to Adoption.
Min06	156 / 132 / ch2 / 1	Mr David Dunlop	Incorrect reference to Wildlife Trust reserves in paragraph 2.6.	Amend first sentence of paragraph 2.6 to read: <i>"The Borough contains a large proportion of the best and most versatile agricultural land in Lancashire and the highest total area of Wildlife Trust reserves local wildlife sites in the County."</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min07	137 / 241 / ch2 / 4	The National Trust	Concern about the way the Environment / Heritage issue is expressed in Table 2.1.	Amend Environment / Heritage issue in Table 2.1 to read: <i>"The need for development should be balanced with the protection and conservation pursued in tandem with the protection, conservation and enhancement of the environment. This includes protection of landscape the safeguarding and enhancement of West Lancashire's distinctive landscapes, its nature conservation and heritage assets, historic places and the public realm."</i>
Min08	325 / 50 / ch3 / 3	The Jean and Leslie Connor Charitable Foundation	Reference to PPS12 in paragraphs 3.3 and 3.8.	Amend first sentence of paragraph 3.3 to read: <i>"Government guidance, contained within Planning Policy Statement 12 (PPS12), requires the key objectives to be linked with indicators and targets."</i> Amend first sentence of paragraph 3.8 to read: <i>"PPS12 states that each Local Planning Authority (LPA) should produce It is important that a Local Plan which includes ..."</i>
Min09	N/A	WLBC	Correction	Amend Objective 8 – Climate Change to read: <i>"To mitigate against and adapt to climate change ..."</i>
Min10	N/A	WLBC	Correction of typographical error	Amend 2 nd bullet point of 10 th paragraph of Policy SP1 to read: <i>"Grove Farm, High Lane, Ormskirk - for at least 250 dwellings (see Policy RS1), Ormskirk — for at least 250 dwellings (see Policy RS1)"</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min11	N/A	WLBC	Correction	Amend second sentence of paragraph 4.6 to read: <i>"... without substantial efforts to mitigate against the impacts of climate change ..."</i>
Min12	N/A	WLBC	Clarification	Amend Justification of Policy SP2 (paragraphs 4.33 to 4.39) to read: <i>"4.33 The Strategic Development Site set out as the preferred option is larger than that previously outlined within both the West Lancashire Replacement Local Plan and the SPD / Masterplan. This is to allow for more housing to increase the ability of the scheme to deliver the public facilities and the high quality open spaces and public realm that are required. The housing is also being delivered in a sustainable location close to the Town Centre and helps meet the Council's housing target. In addition the provision of new housing improves the confidence of investors, such as new retailers.</i> <u>4.34 In terms of the Firbeck Estate, this will need to be regenerated through environmental initiatives and by improving the housing stock, either through redevelopment or through remodelling if widespread demolition is shown not to be viable. Appropriate links will need to be made with the adjacent Findon site to ensure that the sites are integrated.</u> <i>4.34 4.35 The differences between the Replacement Local Plan town centre boundary (Policy DE11) and the SPD 'Project Area' boundary will be have been rectified so that the Strategic Development Site will accords with the SPD boundary in all respects, other than the extension of inclusion of additional</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<p>housing sites in the Tawd Valley area. This means that the site of St John's RC School will be removed from the Town Centre area and that certain areas of the Tawd Valley, land at Delf Clough and land at Westheads Clough will be included within the Strategic Development Site. The Firbeck Estate will need to be regenerated through environmental initiatives and improving the housing stock either through redevelopment, or remodelling if widespread demolition is shown to not be viable. Appropriate links will need to be made with the adjacent Findon site to ensure that the sites are integrated.</p> <p>4.35 4.36 <i>In terms of the actual proposals for the Town Centre core, these have also been amended since the production of the SPD / Masterplan. The key reasons for this are:</i></p> <ul style="list-style-type: none"> <i>• To improve the deliverability and viability of the scheme – there is a need to link the new College building and Asda to the Concourse through new development and a new supermarket in this area could be the key to delivering this.;</i> <i>• The new College building has had to be been moved slightly from its previously anticipated position. This necessitates a review of the land uses in this area of the Town Centre.;</i> <i>• To facilitate the relocation of the Co-operative Bank within new office accommodation within the Town Centre should they wish to relocate from Delf House.;</i> and <i>• The need to introduce additional housing land in, and close to, the Town Centre to enhance the viability and</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<p><i>deliverability of the scheme.</i></p> <p>4.36 4.37 <i>As a consequence the following amendments are put forward to the Strategic Development Site proposes the following which are different to that proposed by the SPD / Masterplan:</i></p> <ul style="list-style-type: none"> • <i>The Asda overflow car park is shown as the preferred location for the wet and dry leisure centre, with a relocation of car parking spaces nearer to the Asda building. Development on this site should provide easy pedestrian links between the College and the Town Centre, and should improve the vehicular access to the College site.;</i> • <i>A site is identified for either major office or retail uses.;</i> • <i>Proposals are included for the Delf House and Whelmar House area should development opportunities arise.;</i> • <i>There is more flexibility given in terms of the site for a new supermarket.;</i> • <i>The housing areas to the north west of the Town Centre, adjacent to the Tawd Valley, are extended to allow for the delivery of more housing units.;</i> and • <i>The remodelling or redevelopment of the Firbeck estate including the development of new housing where appropriate and viable.</i> <p>4.37 4.38 <i>The SPD is still considered up-to-date in most respects, and will continue to be used for considering applications on an interim basis, but it will be updated to bring it in line with the new</i></p>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<p><i>Strategic Development Site within Policy Area SP2 once the Local Plan has been adopted.</i></p> <p><i>4.38 4.39 Proposals for new retail in the town centre are to be in accordance with the most up to date retail evidence relating to retail capacity within the Borough and to take account of the impact of the scheme on the retail centres within the sub-region <u>neighbouring authority areas and in particular, in relation to Skelmersdale, the impact on both Kirby and Wigan town centres should be considered.</u></i></p> <p><i>4.39 4.40 The West Lancashire Retail Study Update (December 2011) suggests that the Council should work towards a requirement for up to 7,500 sq.m of additional comparison sales area floorspace in the 2011 to 2021 period rising to 11,000 sq.m in the period up to 2027. In terms of convenience goods, the study suggests that there is a requirement for up to 2,800 sq.m of convenience sales area floorspace in the period 2011 to 2021, in addition to the commitment for a new Booths store in Burscough. In the longer term period to 2027, there is scope for between approximately 2,700 sq.m of additional convenience sales area floorspace under the rising retention scenario, and 3,300 sq.m when an allowance for over-trading is also taken into account.</i></p> <p><i>4.41 These figures are Borough wide and all retail should be focused on the main towns within the Borough to ensure their future vitality and viability. However, the report identifies Skelmersdale as the priority for retail development given the existing under-provision of both comparison and convenience retail floorspace. Policy SP2 aims to address this shortfall through specific regeneration plans, focused on</i></p>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<u>delivering a mixed use town centre scheme.</u>
Min13	N/A	WLBC	Clarification	Amend final sentence of 2 nd paragraph of Policy SP3 to read: <i>“Development of the site will be required to conform to this masterplan <u>and shall not begin until the comprehensive masterplanning exercise has taken place.</u>”</i>
Min14	119 / 579 / ch1 / S	Natural England	Concern that Policy SP3 does not include reference to conserving and enhancing biodiversity, landscape, recreation opportunities and access to green spaces.	Add following wording to the end of Policy SP3: <u>“Development in the Strategic Development Site should seek to conserve and enhance biodiversity and landscape value wherever possible, including delivering appropriate mitigation identified by a specific Habitat Regulations Assessment / Appropriate Assessment for the site, and consider how the design of development within the site can actively enhance biodiversity through habitat creation. Development should also improve access to recreation opportunities and green spaces so as to integrate the development with the local and wider Green Infrastructure network, particularly through the inclusion of the Ormskirk to Burscough Linear Park within the site and the new, maintained town park for Burscough.”</u>
Min15	N/A	WLBC	Correction	Amend Paragraphs 5.1 and 5.3 to read: <i>“5.1 Strategic Policy SP1 provides an overarching strategy for development, setting out the general levels and types of development that will be permitted in the different settlements in West Lancashire. However, it does not specify the precise extent of these settlements. The most recent settlement boundaries were</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<p>set in the West Lancashire Replacement Local Plan 2006 (WLRLP). It is likely that these boundaries will, in In the majority of cases, these boundaries continue to be the most appropriate for the Borough's settlements. However, where Green Belt sites are proposed to be allocated for development or safeguarded for possible longer-term development, the settlement boundaries will require alteration have been altered."</p> <p>...</p> <p>"5.3 Whilst the majority of Open Land should remain outside settlement boundaries, there are a few sites that it would be more appropriate to consider as being within settlements. Open Land that is incorporated within settlements will be has been safeguarded under Policy GN2: Safeguarded Land. Open Land that remains outside settlement boundaries is marked on the Proposals Map as 'Protected Land', and will be subject to similar constraints to WLRLP Policy DS4, as set out in Policy GN1 below."</p>
Min16	N/A	WLBC	Correction	<p>Amend first sentence of Paragraph 5.29 to read:</p> <p>"The Ministerial Statement which emerged at the end of March 2011, along with the draft National Planning Policy Framework (NPPF, July 2011) (March 2012) have made it clear ..."</p>
Min17	N/A	WLBC	Correction	<p>Amend second sentence of Paragraph 5.46 to read:</p> <p>"Suitability considerations may include policy designations or physical constraints which may mitigate against the development of sequentially preferable sites, ..."</p>

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min18	N/A	WLBC	Correction	Policy EC2 – remove numbering from fourth, fifth and sixth paragraphs
Min19	N/A	WLBC	Clarification	<p>Amend 4th paragraph of Policy RS1, part a) to read:</p> <p><i>“Within Small Rural Villages, the appropriate re-use of an existing building, and very limited infill development (i.e. up to 4 units) will be permitted for market housing. <u>For the purposes of this policy, infill development refers to development within the settlement boundary of the village.</u></i></p> <p><i>Infill developments of 5 or more units may also be permitted where proposals provide the minimum amount of market housing to make the scheme financially viable, with the remainder of the housing being made available as affordable housing. On such sites, it will be expected that the affordable housing provision should be not less than 50% of all housing on the site. “</i></p>
Min20	N/A	WLBC	Clarification	<p>Amend 3rd paragraph of Policy RS1, part e) to read:</p> <p><i>“New <u>All new</u> homes will be expected to meet the Lifetime Homes Standard, ...”</i></p> <p>Amend paragraph 7.17 to read:</p> <p><i>“In addition, the Council will expect <u>all</u> new residential units to be designed to Lifetime Homes Standard ...”</i></p>

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min21	N/A	WLBC	Clarification of Policy RS3.	Amend last sentence of paragraph 7.49 to read: <i>“Given one of the main objectives of this policy is to protect residential amenity, only residential units <u>excluding those used specifically for the accommodation of older people or in a C2 use</u> should be considered when calculating percentages of HMOs in a particular street.”</i>
Min22	N/A	WLBC	Correction	Paragraph 7.42 <i>“An Article 4 Direction covering Ormskirk, Aughton and Westhead is intended to take <u>took</u> effect in December 2011. This should <u>give has given</u> the Council some control over the number and distribution of further HMOs in these areas, although it will <u>does</u> not affect any HMOs already in place at the time the Direction comes <u>came</u> into force.”</i>
Min23	N/A	WLBC	Clarification	Amend paragraph 8.14, second sentence to read: <i>“In the case of any multi-storey shopping centres (e.g. the Concourse, Skelmersdale), the area to be assessed should be restricted to <u>will comprise the whole of</u> the storey on which the retail unit is located.”</i>
Min24	120 / 310 / IF2 / S	Lancashire County Council Strategic Planning Group	Minor alterations to Policy IF2 suggested.	Paragraph 8.25 – LTP3 adopted in May 2011 not March 2011 Paragraph 8.26 – Add bullet point to refer to the “ <u>West Lancashire Highways and Transport Masterplanning exercise</u> ” Amend paragraph 8.35 to read:

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<p>“Although Burscough is currently served by two rail stations, one on each of the Southport to Wigan and Ormskirk to Preston lines, connectivity between these two routes is poor. The proposed reinstatement of aspiration to reinstate the Burscough Curves and electrification to electrify the line from Ormskirk would allow connectivity between lines and improve accessibility of Burscough to Liverpool and Ormskirk to Southport and Wigan. This would be likely to It is hoped that this would increase rail usage, therefore reducing dependency upon the car. Merseytravel are in the process of conducting work to assess the viability of reinstating these links. However, it is recognised that the reopening of the Burscough Curves in particular is, at this time, only an aspiration.”</p> <p>Paragraph 8.36 – Refer to LTP3 regarding Ormskirk Bus Station.</p>
Min25	N/A	WLBC	Clarification	<p>Amend Policy IF2, part (a), second sentence to read:</p> <p>“Over the Local Plan period the Council will Therefore, development proposals should, where appropriate, seek to:</p> <p>...</p> <p>ii. reducing reduce the environmental impact of transport through suitable mitigation and design;</p> <p>...</p> <p>v. preparing prepare and actively promoting promote travel plans</p> <p>...”</p>
Min26	N/A	WLBC	Min26 replaced by MM30	-

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min27	N/A	WLBC	Min27 replaced by MM37	-
Min28	N/A	WLBC	Correction	Amend first sentence of Policy EN1, part 1 to read: <i>"The Council will mitigate against and adapt to climate change by requiring all development to: ..."</i>
Min29	N/A	WLBC	Clarification	Insert footnote against "major developments" in Policy EN1, part 2, i to read: <u>"Major Development is defined in the Town and Country Planning (General Development Procedure) Order 1995 and includes:</u> <ul style="list-style-type: none"> • <u>provision of 10 or more flats or houses, and</u> • <u>provision of over 1,000 square metres of floorspace."</u>
Min30	242 / 543 / EN1 / 3	RenewableUK	Suggests minor changes to wording of Policy EN1.	Amend Policy EN1, part 3, ii to read: <i>"impact on local residents (including flicker noise and shadow flicker)"</i> Add the following documents to the 'supporting documents' list at the end of the justification: <u>National Policy Statements for Energy (EN-1, EN-3)</u>
Min31	120 / 312 / EN1 / S	Lancashire County Council	The Lancashire Sustainable Energy Study is now	Amend first sentence of paragraph 9.9 to read: <i>"When finalised, the The Lancashire Sustainable Energy Study will set sets out a target for the expected amount of renewable</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
		Strategic Planning Group	finalised.	<i>energy that is may be deployable within the Borough.</i>
Min32	N/A	WLBC	Correction	Amend first sentence of paragraph 9.10 to read: <i>“ ... and guidance on how developments can adapt to and mitigate against climate change.”</i>
Min33	N/A	WLBC	Min33 replaced by MM39	-
Min34	N/A	WLBC	Min34 replaced by MM42	-
Min35	N/A	WLBC	Clarification	Amend Policy EN3, part 1 to read: “1. Green Infrastructure <i>The Council will:</i> <i>i. The Council will provide a green infrastructure strategy which supports the provision of a network of multi-functional green space including open space, sports facilities, recreational and play opportunities, allotments, flood storage, habitat creation, footpaths, bridleways and cycleways, food growing and climate change mitigation. The network will facilitate active lifestyles by providing leisure spaces within walking distance of people’s homes, schools and work;</i> <i>In order to support this green infrastructure strategy, all</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<p><u>development, where appropriate, should:</u></p> <p>ii. require development to contribute <u>i. Contribute</u> to the green infrastructure strategy and enhance, as well as protect <u>by enhancing</u> and <u>safeguarding</u> the existing network of green links, open spaces and sports facilities, and secure <u>securing</u> additional areas where deficiencies are identified – this will be achieved through contributions to open space as outlined within Policy IF4;</p> <p>iii. provide <u>ii. Provide</u> open space and sports facilities in line with an appraisal of local context and community need, with particular regard to the impact of site development on biodiversity;</p> <p>iv. seek <u>iii. Seek</u> to deliver new recreational opportunities, including the proposed linear parks between Ormskirk and Skelmersdale, between Ormskirk and Burscough, along the River Douglas at Tarleton and Hesketh Bank and along the former railway line in Banks;</p> <p>v. support <u>iv. Support</u> the development of new allotments and protect existing allotments from development; and</p> <p>vi. support <u>v. Support</u> the Ribble Coast and Wetlands Regional Park and associated infrastructure.”</p>
Min36	N/A	WLBC	Min36 replaced by MM44	-
Min37	N/A	WLBC	Correction	Delete Chapter 11 – Next Steps
Min38	N/A	WLBC	Correction	Glossary

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<p>Delete:</p> <p><i>“Previously Developed Land (PDL) and Buildings: As defined in Annex C of PPS3: “previously developed land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings) and associated fixed surface infrastructure.”</i></p> <p>Replace with:</p> <p><i><u>“Previously Developed Land (PDL): Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.”</u></i></p>
Min39	N/A	WLBC	Correction	<p>Amend Appendix B, Objective 8 to read:</p> <p><i>“To mitigate against and adapt to climate change ...”</i></p>
	N/A	WLBC	Correction	<p>Amend Appendix E, Policy EN3, Contingencies for the Risks, fourth sentence to read:</p>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<i>"In order to mitigate against the effects of additional pressure ..."</i>
Min40	N/A	WLBC	Correction	Proposals Map 4 – correct error relating to Green Belt boundary at 9-19 Broadhurst Lane, Wrightington
Min41	N/A	WLBC	Correction of Printing Error	Proposals Map 5 – Pilkington Laboratories employment site designation
Min42	N/A	WLBC	Correction of Printing Error	Proposals Map 5 – EN3 Open Recreation Space on Delph Common Road, Aughton
Min43	N/A	WLBC	Correction	Proposals Map 5 – correct error of EN3 Open Recreation Space allocation at Edge Hill University
Min44	N/A	WLBC	Correction	Proposals Map 6 – correct error of EN3 Open Recreation Space allocation at Digmoor Sports Centre
Min45	N/A	WLBC	Correction	Proposals Map 5 – correct error relating to Green Belt boundary at 35-37 Moss Nook, Burscough
Min46	120 / 307 / EC1 / S	Lancashire County Council	Reference to Mineral Safeguarding Areas should be made in relation to relevant sites allocated in Policy EC1, part 2 (a) and (b).	<p>Insert * against sites (a)(ii), (a)(iv), (a)(vi), (b)(iii) and (b)(xii) in Policy EC1 and insert associated footnote at end of Policy EC1 which states:</p> <p><u>"sites marked with a * in Policy EC1(a) and (b) are affected by Mineral Safeguarding Areas under Policy M2 of the Lancashire Minerals and Waste Local Plan and regard should be had to Policy M2 by applicants and in the decision-making process."</u></p>

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min47	120 / 309 / RS1 / S	Lancashire County Council	Reference to Mineral Safeguarding Areas should be made in relation to relevant sites allocated in Policy RS1(a).	Insert * against sites (ii), (iv), (v) and (vi) in Policy RS1(a) and insert associated footnote at end of Policy RS1 which states: <u>“sites marked with a * in Policy RS1(a) are affected by Mineral Safeguarding Areas under Policy M2 of the Lancashire Minerals and Waste Local Plan and regard should be had to Policy M2 by applicants and in the decision-making process.”</u>
Min48	N/A	WLBC	Clarification of Paragraph 7.6 of justification to Policy RS1	Amend Justification of Policy RS1, paragraphs 7.6 and 7.7 to read: <i>“The phasing of sites in Skelmersdale needs to be planned in order to facilitate the regeneration of Skelmersdale Town Centre and the wider town and to ensure delivery of the benefits associated with the Strategic Development Site, and also to take account of infrastructure constraints. As set out in Policy SP1, Skelmersdale will be promoted for development during the first half of the Local Plan period because of the priority for regeneration, and infrastructure constraints elsewhere in the Borough. In certain cases, housing will function as enabling development, with some of the profits from residential development used, for example, to procure major benefits for the local area and / or to help deliver important elements of the Local Plan as a whole, for example, <u>This is particularly the case for the regeneration of Skelmersdale Town Centre.</u>”</i>
Min49	N/A	WLBC	Clarification of Policy GN3 (1)(ii)	Amend Policy GN3 (1)(ii) to read: <i>“Respect <u>Have regard</u> to the historic character of the local landscape and / <u>or</u> townscape;”</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min50	N/A	WLBC	Clarification of Policy GN3 (1)(iii)	Amend Policy GN3 (1)(iii) to read: <i>“Retain or create reasonable levels of privacy, amenity and sufficient garden / outdoor space for occupiers of the neighbouring proposed and proposed neighbouring properties;”</i>
Min51	N/A	WLBC	Clarification of Policy GN3 (1)(iv)	Amend Policy GN3 (1)(iv) to read: <i>“Respect Have regard to visual amenity ... where appropriate;”</i>
Min52	N/A	WLBC	Clarification of Policy GN3 (1)(vi)	Amend Policy GN3 (1)(vi) to read: <i>“In the case of extensions, conversions or alterations to existing buildings, the proposal should relate to the existing building, in terms of design and materials, and should not detract from the character of the street scene; and”</i>
Min53	N/A	WLBC	Clarification of Policy GN3 (2)(iii)	Amend Policy GN3 (2)(iii) to read: <i>“Ensure that parking provision is made in line with the thresholds standards set out in Local Plan Policy IF2 and Appendix F;”</i>
Min54	N/A	WLBC	Clarification of Policy GN3 (2)(vi)	Amend Policy GN3 (2)(vi) to read: <i>“Provide, where appropriate, suitable provision infrastructure for public transport, including bus stops and shelters; and”</i>
Min55	N/A	WLBC	Clarification of Policy GN3 (2)(vii)	Amend Policy GN3 (2)(vii) to read: <i>“Incorporate suitable and safe access and road layout design in line with the latest standards.”</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min56	N/A	WLBC	Inclusion of viability / feasibility clause gives the policy greater flexibility in Policy GN3 (3)(vi)	Amend Policy GN3 (3)(vi) to read: <i>“Achieve a reduction in surface water run-off of at least 30% on previously developed land, rising to a minimum of 50% in Critical Drainage Areas <u>unless this is demonstrated to be unfeasible or unviable.</u>”</i>
Min57	N/A	WLBC	Correction of Policy GN3 (4)(i)	Amend Policy GN3 (4)(i) to read: <i>“Maintain or enhance the distinctive character and visual quality of any Landscape Character Areas in which it is <u>they are</u> located;”</i>
Min58	N/A	WLBC	Correction of Policy GN3 (4)(ii)	Amend Policy GN3 (4)(ii) to read: <i>“Provide sufficient landscaped buffer zones and appropriate levels of public open space / green space to limit the impact of development on <u>any</u> adjoining sensitive uses and <u>or</u> the open countryside;”</i>
Min59	N/A	WLBC	Correction of Policy GN3 (4)(iii)	Amend Policy GN3 (4)(iii) to read: <i>“Minimise the loss <u>removal</u> of trees, hedgerows, and areas of ecological value, or, where loss <u>removal</u> is unavoidable, provide for their like for like replacement , or <u>provide</u> enhancement of features of ecological value;”</i>
Min60	N/A	WLBC	Correction of Policy GN3 (5)(iii)	Amend Policy GN3 (5)(iii) to read: <i>“Provide <u>Where floodlights are proposed, provide</u> minimum levels of lighting for proposed floodlights whilst having regard to any potential adverse impacts and ensuring any light spillage is</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<i>minimal;</i> "
Min61	N/A	WLBC	Clarification of paragraph 5.22	Amendment to second sentence of paragraph 5.22 to read: <i>"Sustainable development incorporates many aspects which should be considered at the earliest possible stage of the planning process when designing a scheme."</i>
Min62	N/A	WLBC	Clarification of paragraph 5.39	Amend first sentence of paragraph 5.39 to read: <i>"The extent of the area of search will depend on the size and nature of the proposed development, but will usually be the settlement, ward or parish in which the proposed development site lies."</i>
Min63	N/A	WLBC	Correction of paragraph 5.41	Amend paragraph 5.41 to read: <i>"The area of search for any development proposal can should be agreed with Council officers prior to the commencement of any sequential testing work."</i>
Min64	N/A	WLBC	Removal of repetition within paragraphs 5.44 and 5.45	Replace paragraphs 5.44 and 5.45 with: <u>"5.44 When considering the availability, viability or deliverability of sequentially preferable sites, the Council will expect written evidence to demonstrate that landowners / site occupiers or their agents have been contacted regarding the sale or development of the sites in question. A letter from the landowner or agent will usually suffice.</u> <u>5.45 Where sites are rejected as being unviable for the proposed development, financial information should be</u>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<u>provided to show on what basis it would be unviable to proceed with the scheme. The level of detail should be proportionate to the scale or significance of the proposed development. The Council will expect clear, unambiguous information, but will not impose unreasonable burdens on applicants.</u>
Min65	N/A	WLBC	Correction of last sentence of paragraph 5.46	Amend paragraph 5.46, line 5 to read: “... development proposals should not preclude the development of larger areas of land or render ...”
Min66	N/A	WLBC	Clarification of paragraph 5.48 to provide a link between Policy GN1 and GN5	Add sentence to the beginning of paragraph 5.48 to read: <u>“Policy GN1 requires a sequential test for affordable housing proposals on Protected Land, including the consideration of Protected Land sites closest to the village centre. The town, village and local centres ...”</u>
Min67	N/A	WLBC	Clarification of Paragraph 6.41 of justification to Policy EC4	Amend first sentence of paragraph 6.41 to read: “Policy EC4 seeks to address this issue by allowing for growth the expansion of the campus into 10 ha of land released from the Green Belt during the Local Plan period, where necessary , whilst ensuring that existing and potential future problems are addressed.”
Min68	N/A	WLBC	Clarification of Paragraph 7.32 of justification to Policy	Amend Justification of Policy RS2, paragraph 7.32 to read: “Exceptionally, and where it is deemed appropriate robustly justified , off-site provision of affordable housing ...”

Reference number	Representation No.	Representor	Comment made	Modification proposed
			RS2	
Min69	N/A	WLBC	Clarification	Add wording to the end of footnote 13 to Policy RS3 (p104-105) to read: <i>“... then Policy RS3 will apply, <u>just as it applies to HMOs with between three and six people.</u>”</i>
Min70	N/A	WLBC	Correction	Amend sentence after the table in Policy RS3(b) as follows: <i>“Figure 7.1 below shows the above streets <u>the streets in Categories A and B listed in the table above.</u>”</i>
Min71	N/A	WLBC	Correction	Amend Figure 7.1 (p106) to show the full extent of Wigan Road, Ruff Lane and St Helens Road up to the settlement boundary.
Min72	N/A	WLBC	Correction	Correction made to paragraph 7.55 (second sentence) to read: <i>“However, until recently there where <u>were</u> two established unauthorised sites ...”</i>
Min73	N/A	WLBC	Correction	Amend Policy RS4 (3)(b)(ii) to read: <i>“The site must be located within 1 mile (or 20minute walk) of public transport facilities and services in order to access GP’s and other health services, education, jobs and training and local services”</i>
Min74	N/A	WLBC	Correction	Amend Policy RS4 (3)(b)(iii) to read: <i>“The location will not cause a significant nuisance or impact upon”</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<i>the amenity of neighbouring properties”</i>
Min75	N/A	WLBC	Correction	Amend Policy RS4 (3)(b)(iv) to read: <i>“Proposals for Gypsy and Traveller and Travelling Showpeople sites should be well-planned appropriately designed and include soft landscaping and play areas for children where suitable”</i>
Min76	N/A	WLBC	Correction	Amend paragraph 7.57, second sentence to read: <i>“The preferred option policy also meets the requirement of the ...”</i>
Min77	N/A	WLBC	Clarification	Change the first sentence under the table on p118 in Policy IF1, to read: <i>“The Proposals Map shows the location defines the extent of all town, village and local centres, and defines the primary shopping areas of town centres.”</i>
Min78	N/A	WLBC	Amendment to better reflect the relationship between Policy IF1 and Policy GN4.	Replace final sentence of paragraph 8.19 as follows: <i>“The Council would expect written evidence of the marketing to be provided before granting permission for a change away from retail use, especially where the proportion of units in the centre in question was close to the 70% target. Marketing of a vacant retail unit should be undertaken in accordance with the requirements of Policy GN4 (Demonstrating Viability).”</i>
Min79	N/A	WLBC	Clarification of context of Policy IF2	Amend paragraphs 8.25 – 8.28 to read: <i>“8.25 West Lancashire is a two tier authority with Lancashire County Council being responsible for transport. The current Local</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<p>Transport Plan Local Transport Plan 3 was adopted in March 2011 and runs from 2011-2021. Transport Policies contained within the Local Plan will aim to support and enhance this LTP <u>or subsequent LTPs.</u></p> <p>8.26 Transport policies within the Local Plan will seek to support the strategic transport priorities for West Lancashire, as well as more minor local priorities and specific local issues. These include:</p> <ul style="list-style-type: none"> • Assisting in the ongoing regeneration of Skelmersdale through the delivery of a modern, fit for purpose, public transport system; • Improving the accessibility of public transport in rural areas; • Tackling congestion in the Key Service Centres of Ormskirk and Burscough; • Improving the rail linkages across West Lancashire through the delivery of new rail infrastructure; • Encouraging sustainable forms of transport; and • Improving road safety for users and pedestrians <u>all road users, especially pedestrians and cyclists.</u> <p>8.27 Government policy allows local authorities to set their own parking standards and Lancashire County Council have indicated that they do not intend to provide future parking standards at the County level. The standards applying to West Lancashire were previously set out in a Supplementary Planning Document to the</p>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<p><i>Joint Lancashire Structure Plan 2005. However, the adoption of the North West Regional Spatial Strategy in 2008 (RSS) rendered the Structure Plan obsolete. RSS Policy TR2 contained parking standards of its own, although they did not cover every type of development. The RSS is intended to be abolished in the near future.</i></p> <p><i>8.28 The National Planning Policy Framework encourages local authorities to set local parking standards for residential and non residential development.”</i></p>
Min80	N/A	WLBC		<p>Amend Policy IF2 (1)(d) to read:</p> <p><u>“Decisions relating to</u> development adjacent to, or affecting, rail lines (including resulting in a material increase or change of character of the traffic using a rail crossing of a railway) will only be permitted with the agreement of) <u>will have regard to the views of</u> Network Rail.”</p>
Min81	N/A	WLBC	Correction	<p>Amend last sentence of para. 8.40 to read:</p> <p><i>“This Policy approach will make a contribution to meeting the priorities of the sustainable communities’ strategy <u>Sustainable Community Strategy</u> with emphasis on safety, economic performance, environmental sustainability and health and wellbeing.”</i></p>
Min82	N/A	WLBC	Clarification to Context of Policy IF3	<p>Following paragraph 8.55 insert a new paragraph to read:</p> <p><u>“8.56 In the Northern Parishes, there is significant use of water by the market garden industry. This places a strain on</u></p>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<u>existing water supply infrastructure and contributes to low water pressure. A solution to this problem will need to be delivered by the statutory undertaker for water supply.</u>
Min83	N/A	WLBC	Clarification	Amend criteria (iii) and (v) of Policy IF3 to read: <i>“iii. where appropriate, contribute towards improvements to existing infrastructure and provision of new infrastructure, as required to support meet the needs of the development;</i> ... <i>v. where appropriate, demonstrate how the range of local social and community services and facilities available will be suitable and accessible for the intended user(s) occupiers or users of the development.”</i>
Min84	N/A	WLBC	Clarification	Amend third sentence of paragraph 8.57 to read: <i>“In addition, the rural nature of West Lancashire means that isolation access to services can be common limited in some locations and is a particular concern which requires consideration through the Local Plan.”</i>
Min85	N/A	WLBC	Correction	Amend second sentence of paragraph 8.65 to read: <i>“The Localism Bill Act has confirmed ...”</i>
Min86	N/A	WLBC	Clarification	Amend first sentence of Policy EN1 (2)(iv) to read: <i>“supporting proposals for renewable, low carbon or decentralised energy schemes, including community-led energy schemes,</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<i>provided they can demonstrate that they will not result in unacceptable harm to the local environment, having regard to Policy Policies EN2 and EN4, which cannot be satisfactorily addressed and which is not outweighed by the benefits of such proposals.”</i>
Min87	N/A	WLBC	Clarification	Amend the final sentence of paragraph 9.11 to read: <i>“However, the NPPF suggests such very special circumstances could include the wider environmental benefits associated with the production of renewable energy. Therefore, the Green Belt designation is a consideration but does not entirely rule out renewable energy generation projects.”</i>
Min88	N/A	WLBC	Clarification	Amend paragraph 9.13 to read: <i>“... the planning authority Council will monitor all energy projects ...”</i>
Min89	N/A	WLBC	Re-numbering of sections of Policy EN2	Amend section numbering for parts (2) (c), (d), (e) and (f) of Policy EN2 to (3), (4), (5) and (6) respectively
Min90	N/A	WLBC	Clarification	Amend title of Policy EN2, part (2)(c) (now Policy EN2, Part (3)) to read: <i>“Trees and Hedgerows Landscaping”</i>
Min91	N/A	WLBC	Clarification and reference to Figure showing map of peat	Delete paragraphs 9.23 and 9.24 and replace with the following: <i>“9.23 West Lancashire’s land resources include deep peat deposits and some of the country’s best and most versatile</i>

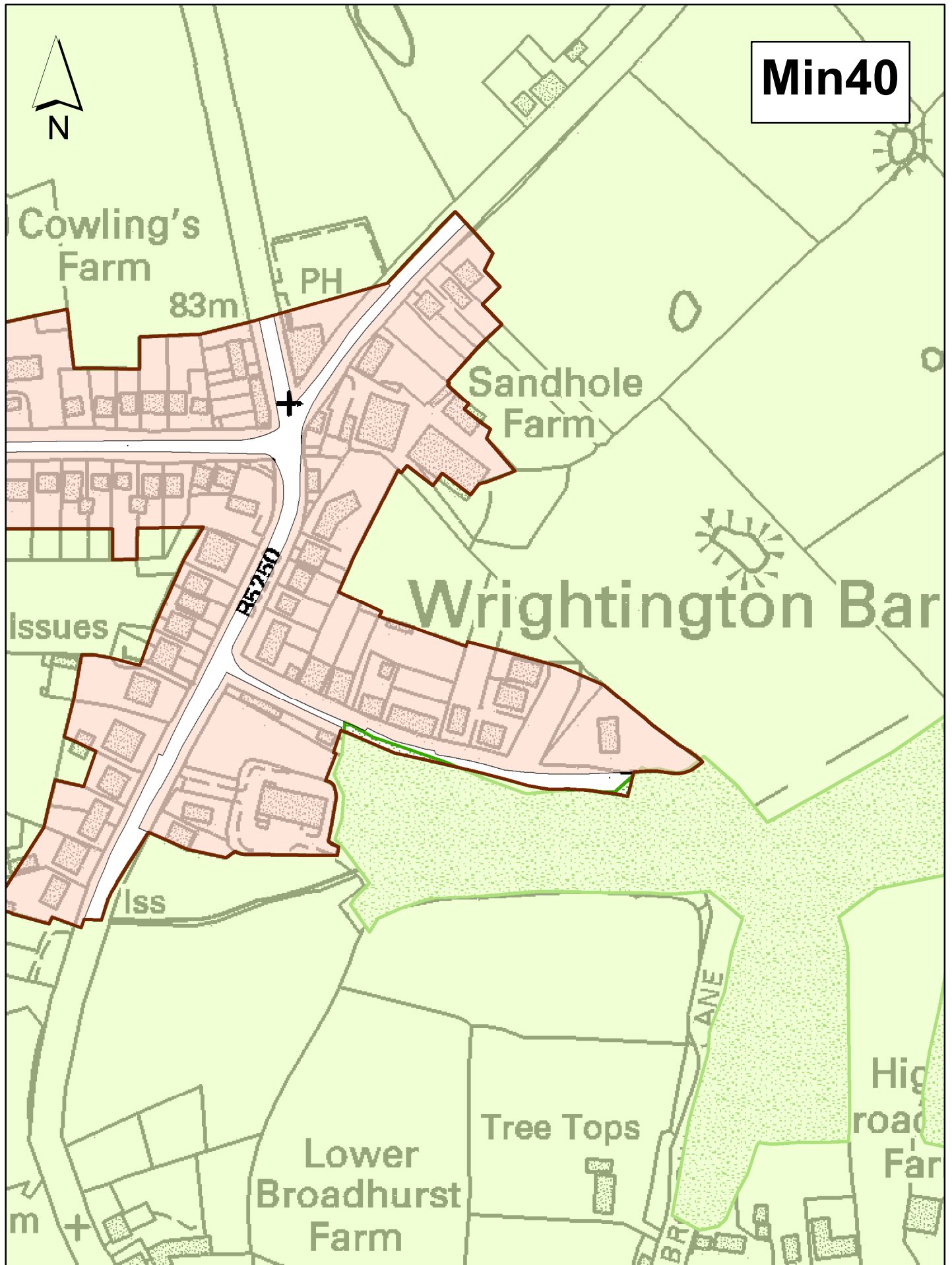
Reference number	Representation No.	Representor	Comment made	Modification proposed
			deposits	<p><u>agricultural land. Policy EN2 seeks to avoid the extraction or degradation of peat, recognising the role it plays as a unique habitat and also as an important carbon store. Figure 9.1 provides a map of the deep peat deposits in the Borough. In addition, the Policy seeks to protect the best and most versatile agricultural land which is of national significance.</u></p> <p>Insert Figure 9.1 (map of peat deposits) after para. 9.23.</p>
Min92	N/A	WLBC	Clarification	<p>Amend third sentence of para. 9.25 to read:</p> <p><i>“Due to the flat open nature of this area land, developments can be particularly visually intrusive ...”</i></p>
Min93	N/A	WLBC	Correction	<p>Amend list of other Local Planning Policy and supporting documents after para. 9.28 to read:</p> <ul style="list-style-type: none"> • <i>Marine & Coastal Access Act & Marine Licensing System (2011)</i> • <i>Lancashire Biodiversity Action Plan</i> • <i>Lancashire Landscape and Heritage DPD <u>SPG (2006)</u></i> • <i><u>Natural Areas and Areas of landscape History Importance SPG (1996 updated 2007)</u></i> • <i>West Lancashire Open Space, Sports and Recreational Study (October 2009)</i> • <i>West Lancashire Playing Pitch Strategy (October 2009)</i> • <i>Tarleton-Hesketh Bank Linear Park Study (<u>July 2010</u>)</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<ul style="list-style-type: none"> • Skelmersdale-Ormskirk Linear Park Study (May 2006)
Min94	N/A	WLBC	Clarification	<p>Amend Policy EN3 (2)(a) to read:</p> <p><i>“a) Development should be strongly resisted if it that results in the loss of existing open space or sports and recreation facilities (including school playing fields) unless will only be permitted if one of the following conditions are met:</i></p> <p><i>i. The open space has been identified agreed by the Council as being unsuitable for retention because it is under used, poor quality or poorly located;</i></p> <p><i>ii. the proposed development would be ancillary to the use of the site as open space and the benefits to recreation would outweigh any loss of the open area; or</i></p> <p><i>iii. Successful mitigation takes place and alternative, improved provision is provided in the same locality. This should include improvements to the quality and quantity of provision to the benefit of the local community.”</i></p>
Min95	N/A	WLBC	Clarification	<p>Amend Policy EN3 (2)(b) to read:</p> <p><i>“b) Development on open space and sports and recreation facilities will not be permitted where:</i></p> <p><i>i. Development would affect the open characteristic of the area</i></p> <p>...</p> <p><i>viii. Proposals contradict other policies contained within the Local Plan”</i></p>

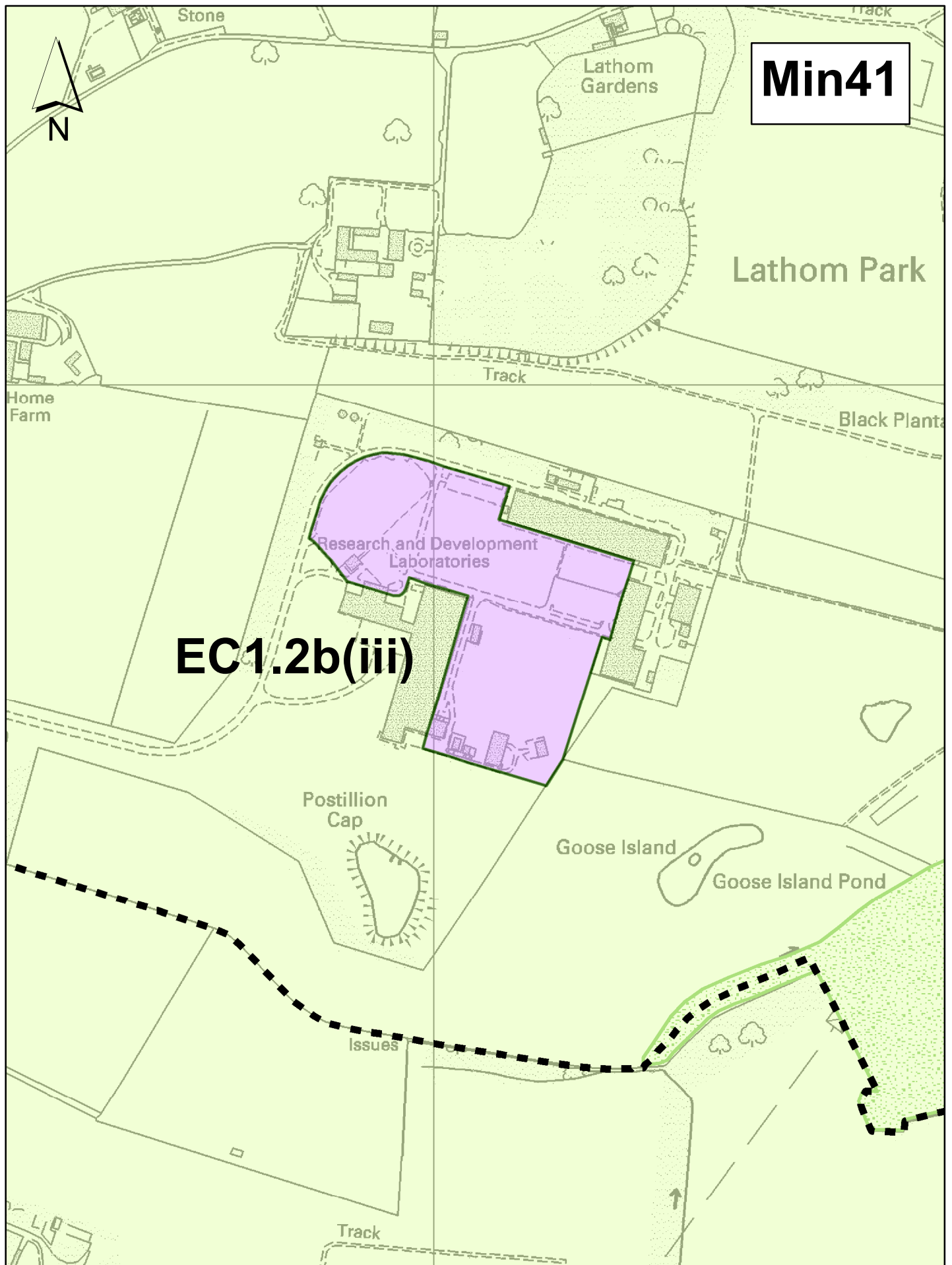
Reference number	Representation No.	Representor	Comment made	Modification proposed
Min96	N/A	WLBC	Clarification	Amend Policy EN3 (2)(d) to read: <i>“Where deficiencies in existing open recreation space provision exist, as demonstrated in the Council’s Open Space, Sports and Recreation study and any subsequent equivalent document, ...”</i>
Min97	N/A	WLBC	Clarification	Amend Policy EN3 (2)(e) to read: <i>“e) Facilities for Development which would prejudice the delivery of the informal countryside recreational activities are proposed at the following sites, as shown on the proposals map will not be permitted: ...”</i>
Min98	N/A	WLBC	Clarification	Amend Policy EN3 (2)(f) to read: <i>“f) Proposals will also be developed to Development which would prejudice the protection and improvement of facilities at the following existing countryside recreation sites shown on the proposals map will not be permitted: ...”</i>
Min99	215 / 88 / ch2 / 2	Cllr Cynthia Dereli	Inclusion of reference to traffic congestion in Burscough in Spatial Portrait	Amend first sentence of paragraph 2.34 to read: <i>“Burscough is located on the A59 and has been known to experience congestion at peak times. Burscough has two railway stations: Burscough Junction providing a link between Preston and Ormskirk, and Burscough Bridge Interchange with links to Southport and Manchester.”</i>
Min100	215 / 88 / ch2 / 2	Cllr Cynthia Dereli	Inclusion of reference to traffic congestion in Burscough in Key	Amend comment on “Traffic Congestion” in Table 2.1 Key Issues to read:

Reference number	Representation No.	Representor	Comment made	Modification proposed
			Issues table	<i>“Whilst this is not a particularly severe issue overall in the Borough, there are local 'congestion hot-spots' in Ormskirk and, to a lesser degree, in Burscough and Tarleton/Hesketh Bank.”</i>
Min101	N/A	WLBC	Clarification	Amend sixth paragraph of Policy SP1 to read: <i>“Development in rural settlements will be focused on the Key and Rural Sustainable Villages. Development in the Small Rural Villages will only be permitted where it involves a like-for-like redevelopment of an existing property, the appropriate re-use of an existing building or infill development (in line with Policy RS1).”</i>
Min102	N/A	WLBC	Inclusion of additional definitions in Glossary	Insert definition of additional terms and amended definitions into Glossary, as follows: <u>Allowable Solutions - Used in the Definition of Zero Carbon Homes and Non-Domestic Buildings consultation (CLG, 2008) to describe a range of solutions that could account for the carbon emissions that are not expected to be achieved on site through carbon compliance measures. Developers will make a payment to an Allowable Solutions provider (Local Authority or third party), who will take the responsibility and liability for ensuring that Allowable Solutions, which may be small, medium or large scale carbon-saving projects, deliver the required emissions reductions to offset the residual carbon impact of the development.</u> <u>Decentralised Energy Network / District Heat Network – Primarily the generation of energy close to the user and where appropriate, the recovery of the surplus heat</u>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<p><u>(combined heat and power – CHP) for purposes such as building space heating and domestic hot water production. CHP is often used in District Heating Networks, with the heat generated as a by-product of electricity generation being pumped into homes, either as hot water or as steam, through networks of reinforced pipes.</u></p> <p><u>Priority Habitats and Species: Species and Habitats of Principle Importance included in the England Biodiversity List published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006.</u></p> <p><u>Special Areas of Conservation: Areas given special protection under the European Union’s Habitats Directive, which is transposed into UK law by the Habitats and Conservation of Species Regulations 2010.</u></p> <p><u>Special Protection Areas: Areas which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within European Union countries. They are European designated sites, classified under the Birds Directive.</u></p>
Min103	N/A	WLBC	Correction	Proposals Map 5 – correct error relating to boundary of Strategic Employment Site and Town Centre boundary

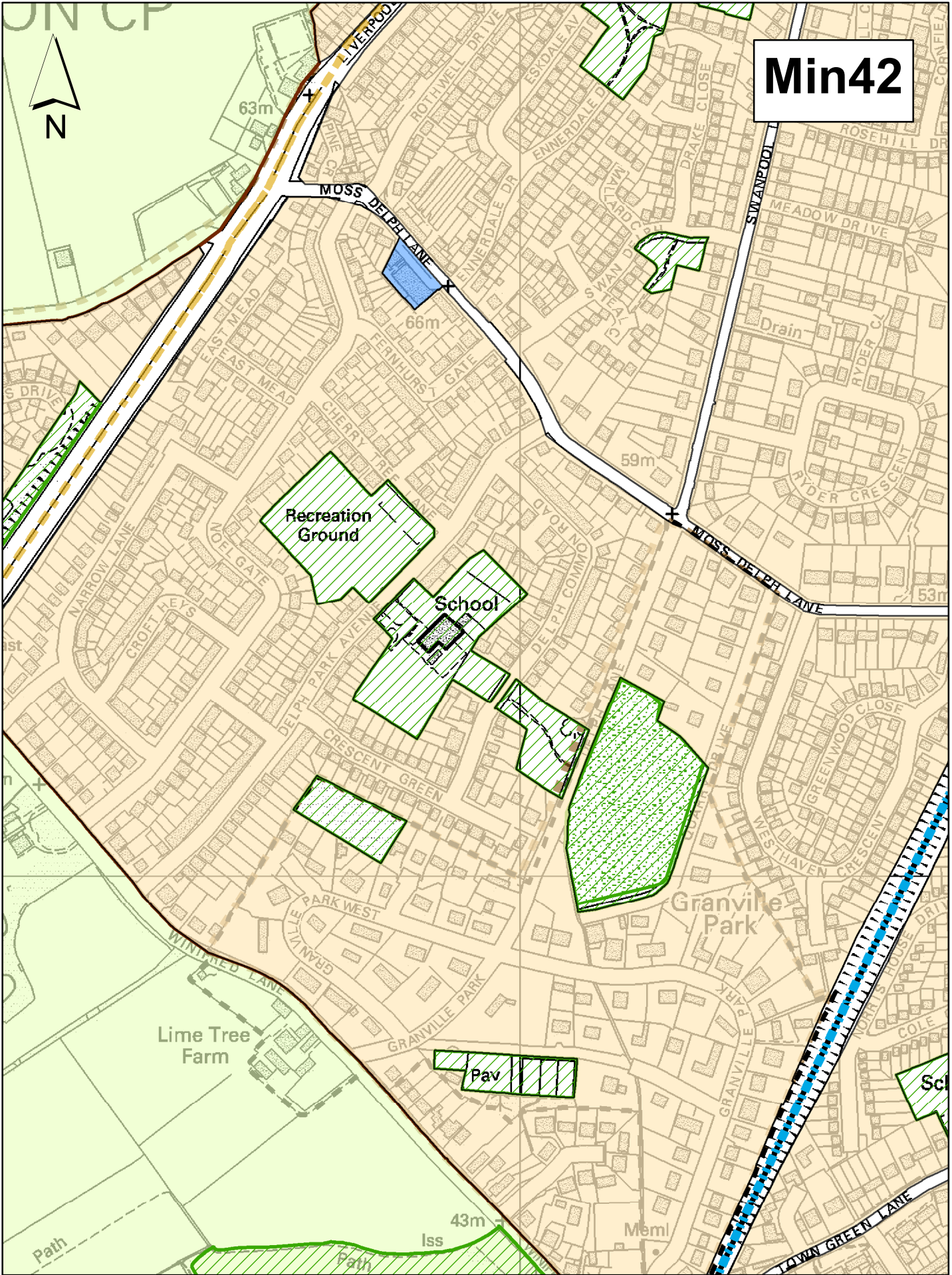


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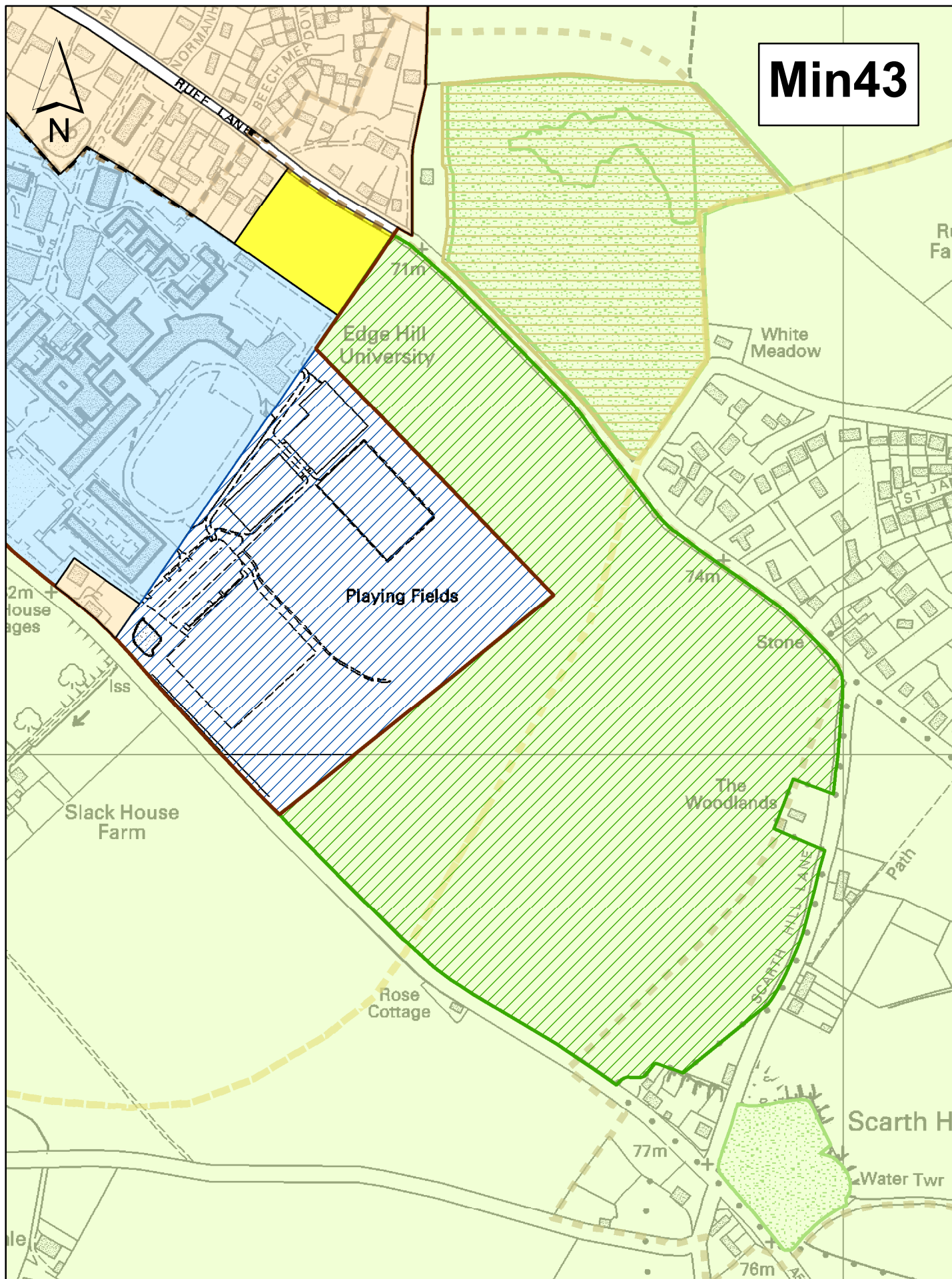


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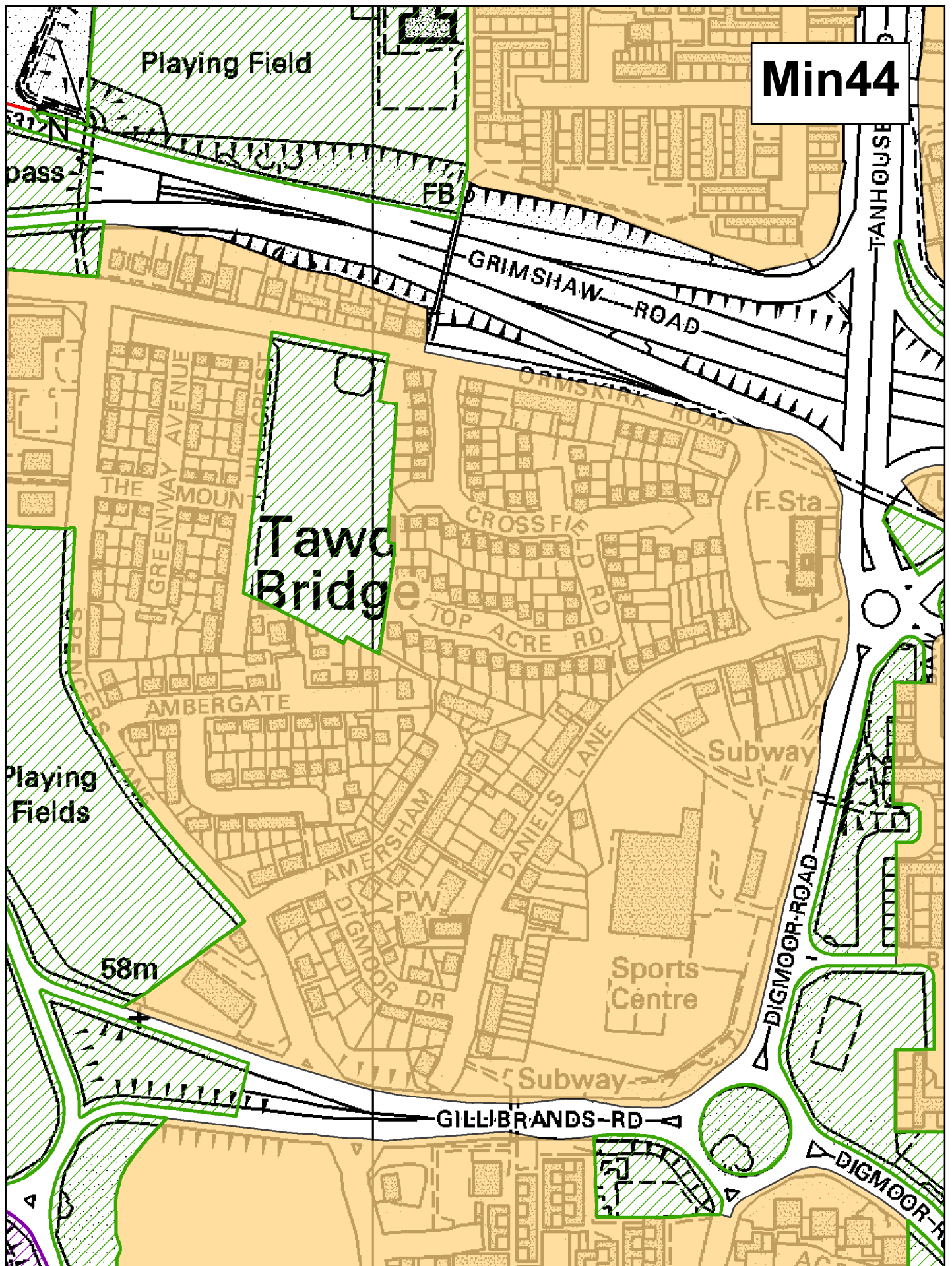
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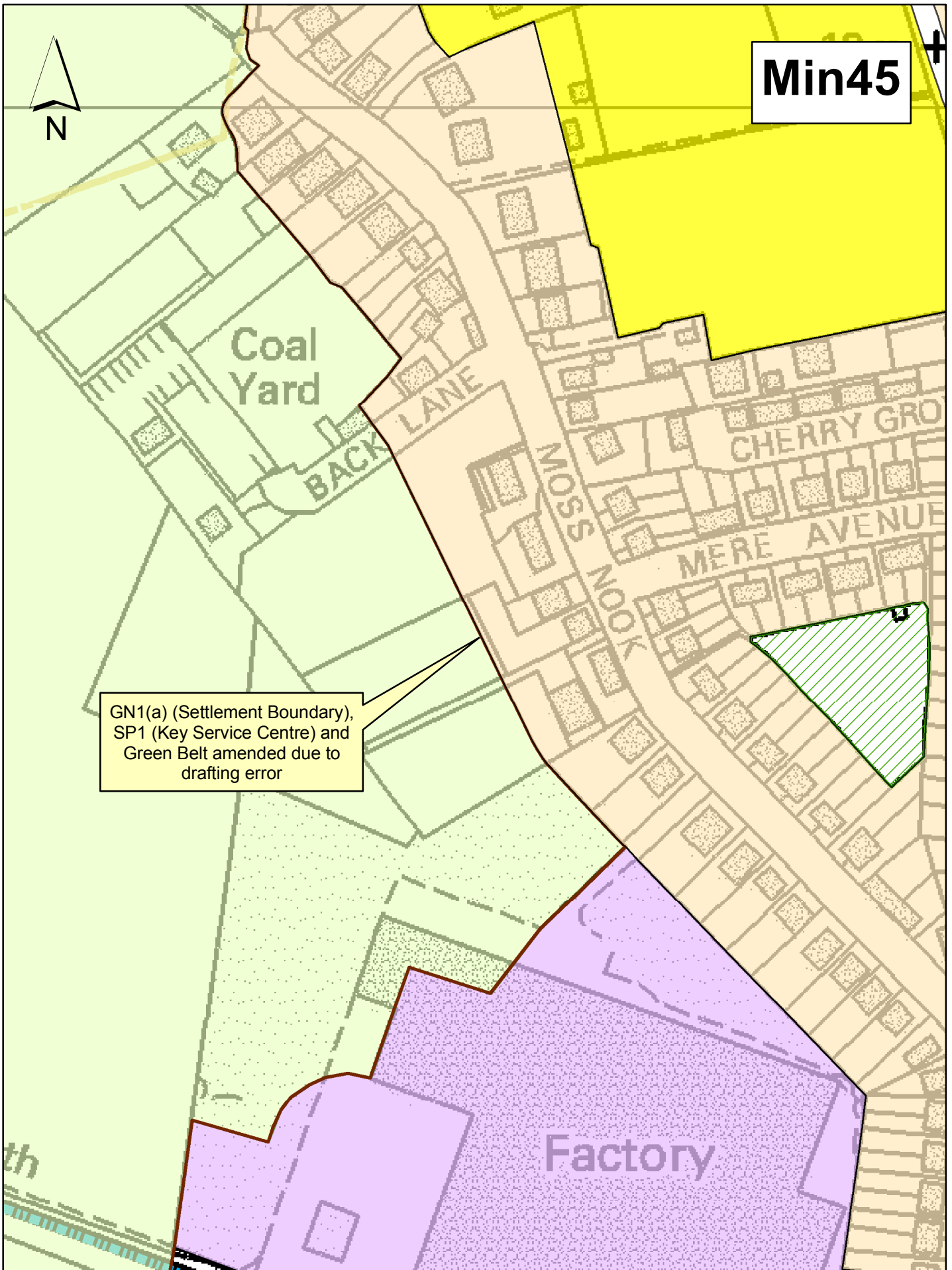


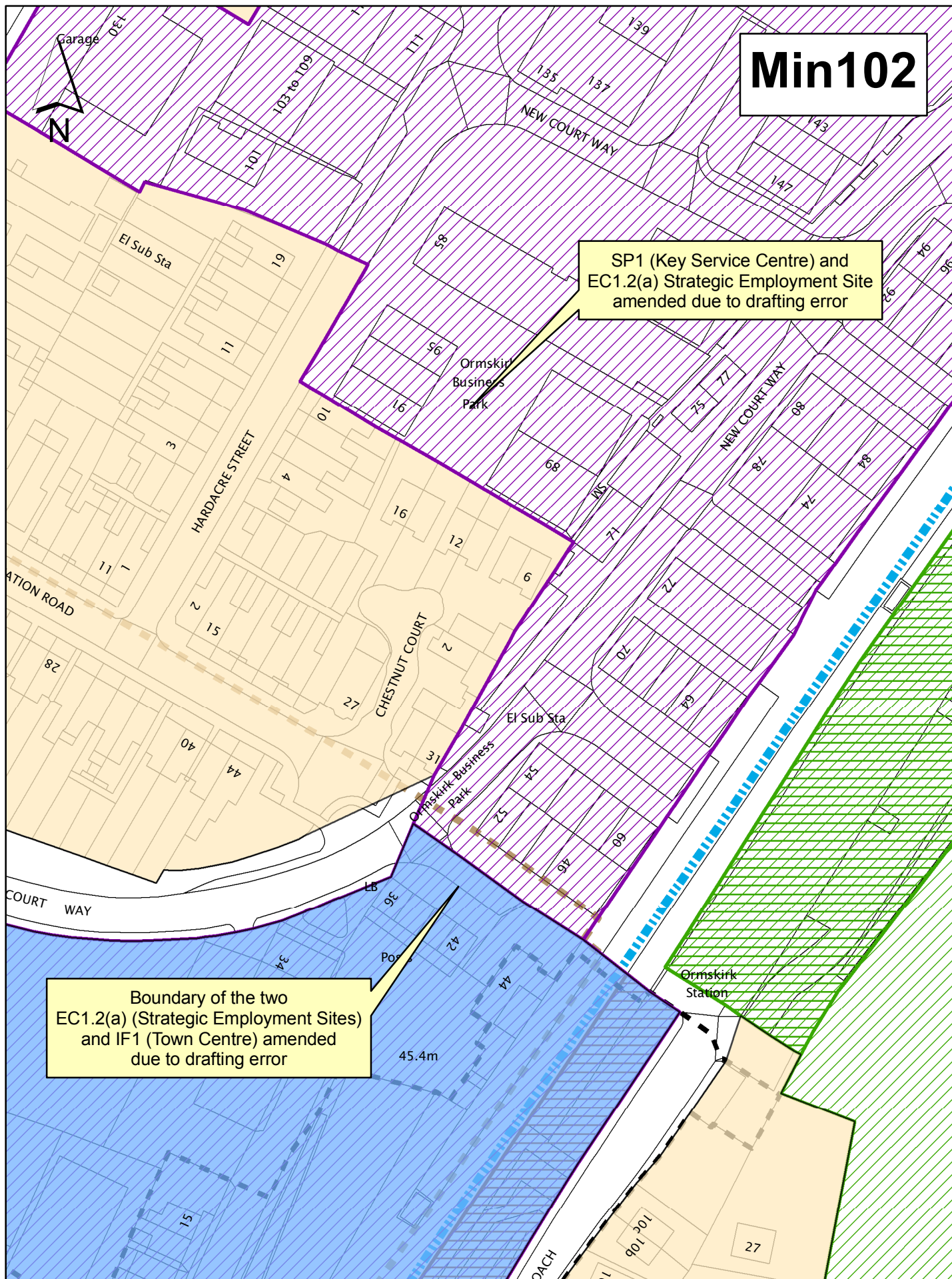
Min42



Min43







Examination of the *West Lancashire Local Plan 2012-2027*

Please reply via the Programme Officer
Tony.Blackburn@westlancs.gov.uk

Mr P Richards
LDF Team Leader
West Lancashire Borough Council

29 April 2013

Dear Mr Richards

COUNCIL'S PROPOSED MAIN AND MINOR MODIFICATIONS TO THE LOCAL PLAN – INSPECTOR'S SUGGESTED AMENDMENTS

1. As I indicated at the Matter 18 hearing session, I am writing to set out my interim views on the modifications needed to some of the Local Plan policies in order to make the Plan sound and legally compliant. This letter covers what I have termed "the development management policies" of the Plan – that is to say, policies GN3-GN5, RS3, RS5, IF1-IF4 and EN1-EN4.
2. I will be writing separately to set out my interim views on the remaining policies, which cover the strategic and land allocation aspects of the Plan.
3. For this communication on the development management policies, I have used the Council's list of proposed main modifications to those policies as a basis. Where I have a suggested amendment to one of those modifications it is set out as a track-change on the list attached to this letter. For the sake of completeness, I have included in the list all the modifications relevant to the development management policies. Where no track-change is shown, I have no amendment to suggest to that modification.
4. The accompanying explanatory notes provide a commentary on my suggested amendments. As will be clear from those notes, the final content of the amended modifications to policy EN2 (MM39 & MM42), insofar as they concern the Lancashire Ecological Network [LEN], is likely to depend on whether or not it is possible to amend the Policies Map to show the LEN, prior to consultation on the proposed modifications.
5. I would be grateful if you would let me know, via the Programme Officer, whether the Council are able to accept these suggested amendments and incorporate them into your proposed main modifications to the Local Plan, and how you intend to proceed in respect of MM39 & MM42.
6. Minor modifications are a matter for the Council and do not affect the soundness or legal compliance of the Plan. Nonetheless, there are also a number of amendments, mostly concerning matters of

accuracy and consistency, that I would like to suggest to your proposed minor modifications. These are similarly dealt with as track-changes to the Council's original list, with a commentary where necessary.

7. Please do not hesitate to contact me, via the Programme Officer, if you have any queries on these suggested amendments.

Yours sincerely

Roger Clews

Inspector

Proposed Main Modifications to policies GN3-GN5, RS3, RS5, IF1-IF4, EN1-EN4

Inspector's suggested amendments – shown as track-changes

In the table below, the modifications are expressed in the conventional form of ~~strikethrough~~ for deletions and **underlined bold** for additions of text.

The page numbers and paragraph numbering refer to the submission DPD, and do not take account of the deletion or addition of text.

Ref No	Page	Policy/ Paragraph	Main Modification
MMS	69	GN3, part 3(v)	Amend Part 3(v) as follows: Where appropriate and feasible, incorporate sustainable drainage systems where there is a risk of surface water flooding within or beyond the site <u>It must be demonstrated by the applicant that sustainable drainage systems have been explored alongside opportunities to remove surface water from existing sewers. Robust justification will be required for any development seeking to connect surface water to the public sewer network. In addition, any surface water connection must be at an agreed attenuated rate;</u>

Ref No	Page	Policy/ Paragraph	Main Modification
MM9	71	Justification to GN3, para. 5.26	Amend paragraph 5.26 of the justification text as set out below: <i>Sustainable Drainage Systems (SuDS) must be integrated into all new developments where technically feasible in order to minimise the impact of surface water run-off. <u>Justification must be provided for any development seeking to connect discharge surface water to the public sewer network to demonstrate that all other options have been explored with reasoning for why alternative solutions are not practicable.</u></i>
MM11	104	RS3, part (b)	Amend first paragraph of Policy RS3, part (b) to read: <i>When assessing proposals for conversion of a dwelling house or other building to a House in Multiple Occupation (HMO), the Council will have regard to the proportion of existing <u>residential</u> properties in use as, or with permission to become, an HMO, either in the street as a whole, or within the nearest 60 <u>residential</u> properties (<u>excluding those residential properties used specifically for the accommodation of older people or in a C2 use</u>) in the same street, whichever is the smaller. Where levels of HMOs reach or exceed the percentages specified in the table below, proposals for further HMOs will not be permitted <u>Where proposals for an HMO would result in the percentages specified in the table below being exceeded, these proposals will not be permitted unless there are compelling reasons why it would be appropriate to allow the limit to be exceeded.</u> The Council will also have regard to any purpose-built student accommodation in the same street, or section of the street.</i>

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Ref No	Page	Policy/ Paragraph	Main Modification
MM12	107	Justification to RS3, para. 7.47	Amend last sentence of paragraph 7.47 to read: Once the percentage limit is reached <u>Where a proposal for an HMO would result in the percentage limit being exceeded, no more HMOs will be permitted under this policy unless there are compelling reasons why it would be appropriate to allow the HMO limit to be exceeded, or further exceeded.</u>
MM17	117	IF1	Amend Policy IF1, first paragraph, second sentence to read: Retail and other uses normally associated with town centres <u>main town centre uses</u> will only be considered in out-of-centre locations if a specific local need is proven for the proposed development and there is no suitable site available within a town, <u>village</u> or local centre.
MM18	120	IF1	Add paragraph at the end of Policy IF1 to read: The unnecessary loss of community, leisure and cultural facilities and services within town and local centres will be resisted unless it can be demonstrated that the facility is no longer needed, or it can be established that the services provided by the facility can be served in an alternative location or manner that is equally accessible by the community.
MM19	156	EN4, part 2	Amend second sentence of part 2 (Cultural and Heritage Assets) of Policy EN4 to read: In order to protect and enhance historic assets, including their settings, whilst facilitating economic

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Ref No	Page	Policy/ Paragraph	Main Modification
			<i>development through regeneration, leisure and tourism, the following principles will be applied.</i>
MM20	157	EN4, part 2(c)	Amend part 2(c) of Policy EN4 to read: <i>There will be a presumption in favour of the protection and enhancement of existing buildings and built areas which do not have Listed Building or Conservation Area status heritage assets which do not have designated status but have a particular local importance or character which it is desirable to keep. Such buildings or groups of buildings historic buildings, groups of buildings, spaces or other historic resources will be identified through a Local List which will be adopted by the Council.</i>
MM23	67	GN3	Insert the following additional criterion to part 1 of Policy GN3: <u>(vii) create safe and secure environments that reduce the opportunities for crime and prepare a crime impact statement where required in accordance with the Council's validation checklist.</u>
MM24	71-74	GN4 and paragraphs 5.27 – 5.33	Replace Section 5.4 of the Local Plan (including Policy GN4) with the following: <u>5.4 Policy GN4: Demonstrating Viability</u> <u>Context</u> <u>5.27 A number of Local Plan policies seek to maintain particular uses of land, for example employment uses on employment sites, retail units in town centres, or agricultural buildings in the</u>

Ref No	Page	Policy/ Paragraph	Main Modification
			<p><u>Green Belt. However, these policies allow for changes of use in some cases, provided it is robustly demonstrated by the applicant that to maintain the former use is no longer viable. The purpose of this policy is to set out a range of parameters that will enable the Council to make a fair and robust assessment of whether there is a justifiable case for whatever change of use is proposed.</u></p> <p><u>5.28 In addition, any policy of this nature must accord with Government policy which requires local planning authorities to be proactive in terms of development proposals and to approve planning applications wherever possible, unless the proposal contravenes other local or national policy objectives.</u></p> <p><u>Policy GN4</u></p> <p><u>Demonstrating Viability</u></p> <p><u>The Council will seek to retain existing commercial / industrial (B1, B2 or B8) and retail (A1) land / premises, together with agricultural / horticultural workers' dwellings, unless it can be demonstrated that one of the following tests has been met:</u></p> <p><u>a) the continued use of the site / premises for its existing use is no longer viable in terms of its operation of the existing use, building age and format and that it is not commercially viable to redevelop the land or refurbish the premises for its current use. In these circumstances, and where appropriate, it will also need to be demonstrated that there is no realistic prospect of a</u></p>

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			<p><u>mixed-use scheme for the existing use and a compatible use; or</u></p> <p><u>b) the land / premises is no longer suitable for the current use when taking into account access / highways issues (including public transport), site location and infrastructure, physical constraints, environmental considerations and amenity issues. The compatibility of the existing use with adjacent uses may also be a consideration; or</u></p> <p><u>c) marketing of the land / property indicates that there is no demand for the land / property in its current use.</u></p> <p><u>Details of the current occupation of the buildings, and where this function would be relocated, will also be required.</u></p> <p><u>Where the existing use is no longer considered viable and a mixed-use scheme is also not viable or appropriate, the Council will preferentially seek the following alternative uses prior to consideration of a market housing-led scheme:</u></p> <ul style="list-style-type: none"> • <u>For existing commercial / industrial uses, an alternative use that generates employment opportunities (other than A1-A5 uses);</u> • <u>For existing retail uses, an alternative use that helps create or maintain the vitality of a town, village or local centre; and</u> • <u>For existing agricultural / horticultural workers' dwellings, an alternative use for affordable</u>

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Ref No	Page	Policy/ Paragraph	Main Modification
			<p><u>housing.</u></p> <p><u>Marketing</u></p> <p><u>Where an application relies upon a marketing exercise to demonstrate that there is no demand for the land / premises in its current use, the applicant will be expected to submit evidence to demonstrate that the marketing was adequate and that no reasonable offers were refused. This will include evidence demonstrating that:</u></p> <ul style="list-style-type: none"> <li data-bbox="636 512 1850 600">i. <u>The marketing has been undertaken by an appropriate agent or surveyor at a price which reflects the current market or rental value of the land / premises for its current use and that no reasonable offer has been refused.</u> <li data-bbox="636 619 1850 679">ii. <u>The land / premises has been marketed for an appropriate period of time, which will usually be 12 months, or 6 months for retail premises.</u> <li data-bbox="636 699 1850 903">iii. <u>The land / premises has been regularly advertised and targeted at the appropriate audience. Consideration will be given to the nature and frequency of advertisements in the local press, regional press, property press or specialist trade papers etc; whether the land / premises has been continuously included on the agent's website and agent's own papers / lists of premises; the location of advertisement boards; whether there have been any mail shots or contact with local property agents, specialist commercial agents and local businesses; and with regards to commercial / industrial property, whether it</u>

Ref No	Page	Policy/ Paragraph	Main Modification
			<p><u>has been recorded on the Council's sites and premises search facility.</u></p> <p><u>In certain cases, for example, where a significant departure from policy is proposed, the Council may seek to independently verify the Viability Statement submitted evidence, and the applicant will be required to bear the cost of independent verification.</u></p> <p><u>Justification</u></p> <p><u>5.29 The Ministerial Statement which emerged at the end of March 2011, along with the National Planning Policy Framework (NPPF), have made it clear that the Government's broad brush approach to development will focus on facilitating growth and new jobs in sustainable locations and generally on encouraging more residential development, including on vacant employment sites. The aim of these changes is to enable the delivery of much needed housing and ensure the effective use of previously developed land, including employment sites where they are no longer considered economically viable.</u></p> <p><u>5.30 It is important that the Council has a robust policy in place to respond to this change in emphasis. However, that is not to say that the Council should freely permit such a change of use. Whilst the Council wishes to ensure that there is provision of a wide selection of business / retail space and that viable and suitable sites for such uses should be retained, it is accepted that leaving land vacant or underused is not an efficient use of land and should be avoided if an</u></p>

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			<p><u>appropriate alternative use can be considered.</u></p> <p><u>5.31 Accordingly, those circumstances where it will be appropriate to support alternative uses are outlined in the policy, which broadly aims to acknowledge those situations where it would be unproductive to protect land / premises for the current use. For example, where a site / premises has remained empty or vacant for a period of time despite active marketing or it is no longer suited for the needs of existing use.</u></p> <p><u>5.32 Where the existing use is no longer considered viable, regard should be had for whether, firstly, a mixed-use scheme involving the existing use is viable and then, secondly, whether for existing retail premises or agricultural / horticultural workers' dwellings an alternative use that meets a similar need or purpose as the existing use (as set out in the policy above) is viable. If these alternative uses have been proven to not be viable, market housing will be considered as a final alternative use. The affordable housing requirements of Policy RS2 will apply to market housing developments that ultimately emerge from this process, regardless of the previous use of the land / building.</u></p>
MM25	75	GN5	<p>Amend first sentence of Policy GN5, third paragraph, criterion (i) to read:</p> <p><u>“Area of Search: This This The extent of the area of search will depend on the scale and nature of the proposed development. It will usually be the settlement, ward or parish in which the proposed development site lies but could also include land in adjacent settlements, wards, parishes or Boroughs.”</u></p>

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MM28	123	Justification to IF1, after para. 8.24	<p>Insert new heading and paragraph to reflect MM18 after paragraph 8.24 to read:</p> <p><u>Cultural facilities</u></p> <p><u>8.25 Cultural facilities add to the diversity of uses in town centres, and can make an important contribution to centres' vitality and viability. The value of land in town centres means that community and cultural facilities may come under pressure from uses which attract higher land values and, without protection against this, the community may lose an accessible facility. Once these sites are lost to other uses, it can be very difficult to find alternative sites. Demand for different types of community facilities will change over time, but it is important to retain such premises to meet the future needs of residents and visitors. The safeguarding of existing community and cultural facilities will help to realise the potential for community use of existing buildings and encourage re-use of buildings when they become available.</u></p>
MM29	124	IF2	Delete criterion (a) of Policy IF2, part (1) and move to justification, after para 8.29 (see MM32)
MM30	126	IF2	<p>Amend Policy IF2, part (2) as follows:</p> <p>2) Parking Standards</p> <p>a) Residential Development</p> <p><i>Proposals for residential development will be required to meet the following standards for car parking</i></p>

Ref No	Page	Policy/ Paragraph	Main Modification																
			<p><i>provision <u>and communal cycling and disabled parking provision for visitors:</u></i></p> <table border="1"> <thead> <tr> <th><i>Type of Development</i></th> <th><i>Number of Parking Spaces (per dwelling)</i></th> <th><i>Cycle Parking Provision*</i></th> <th><i>Disabled Parking Provision*</i></th> </tr> </thead> <tbody> <tr> <td>Dwellings with 1 bedroom</td> <td>1</td> <td>1 communal space per 5 dwellings</td> <td>1 space per 10 dwellings</td> </tr> <tr> <td>Dwellings with 2-3 bedrooms</td> <td>2</td> <td>1 communal space per 5 dwellings</td> <td>1 space per 10 dwellings</td> </tr> <tr> <td>Dwellings with 4+bedrooms</td> <td>3</td> <td>1 communal space per 5 dwellings</td> <td>1 space per 10 dwellings</td> </tr> </tbody> </table> <p>*in developments with communal parking only</p> <p><u>For apartment developments a minimum of 1 cycle parking space per 2 dwellings should be provided in a secure, covered location for use by residents.</u></p> <p><u>Non-Residential Development</u></p>	<i>Type of Development</i>	<i>Number of Parking Spaces (per dwelling)</i>	<i>Cycle Parking Provision*</i>	<i>Disabled Parking Provision*</i>	Dwellings with 1 bedroom	1	1 communal space per 5 dwellings	1 space per 10 dwellings	Dwellings with 2-3 bedrooms	2	1 communal space per 5 dwellings	1 space per 10 dwellings	Dwellings with 4+bedrooms	3	1 communal space per 5 dwellings	1 space per 10 dwellings
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			<p><i>Parking standards for non-residential developments are set out within Appendix F.</i></p> <p><i>The Council will support development which seeks to encourage the use of public transport for both residential and non residential development. Locations that are considered more sustainable and well served by public transport by the Council may be considered appropriate for reduced levels of parking provision.</i></p> <p><i>Proposals for provision above or below the recommended parking standards will should be supported by ...</i></p>
MM31	127	IF2	Delete third paragraph of Policy IF2, part (3) and move to justification, after para 8.51 (see MM33)
MM32	130	Justification to IF2, after para. 8.29	<p><i>8.29 Policy IF2 has been set out to ensure that the future transport requirements of the Borough are met and that the correct parking standards are in place to allow sustainable development. This policy seeks to enhance and preserve the existing transport infrastructure whilst looking to improve where provision is lacking. The policy also seeks to improve sustainable forms of transport to reduce carbon emissions.</i></p> <p><u>8.30 In order to secure the long term future and viability of the Borough, and to allow for the increased movement of people and goods expected, the Council will work with neighbouring authorities and transport providers to improve accessibility across the Borough, improve safety and quality of life for residents and reduce the Borough's carbon footprint. Over the Local Plan period the Council will seek to:</u></p>

Ref No	Page	Policy/ Paragraph	Main Modification
			<p><i><u>i. improve community health and well-being by providing alternative means of transport such as walking and cycling. This should be achieved through the provision of additional footpaths and cycleways (including towpaths) where appropriate;</u></i></p> <p><i><u>ii. reduce the environmental impact of transport through suitable mitigation and design;</u></i></p> <p><i><u>iii. reduce transport emissions such as carbon dioxide and other greenhouse gases by encouraging greater usage of public transport facilities;</u></i></p> <p><i><u>iv. reduce congestion in the Borough's key service centres to promote competitiveness, with particular reference to Burscough and Ormskirk;</u></i></p> <p><i><u>v. prepare and actively promote travel plans for all new developments, including both employment and residential, in accordance with DfT guidance on transport assessments; and</u></i></p> <p><i><u>vi. improve public transport to rural parts of the Borough and where appropriate support and implement innovative rural transport initiatives and support the shift towards new technologies and fuels by promoting low carbon travel choices and encouraging the development of ultra low carbon / electric vehicles and associated infrastructure.</u></i></p>
MM33	133	Justification to IF2, after para 8.51	8.51 Through the delivery of EVR points the Council is ensuring that West Lancashire will be in a position to take full advantage of this new technology by having a modern fit for purpose transport infrastructure. EVR points are being rolled out across the North West region and the Country as a whole and in most

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			<p>cases a domestic 13a socket fixed to an internal / external wall should cost less than £100 (based on 2011 prices).</p> <p><u>8.52 In order to support the development of the LES statement, information on the types of mitigation measures and low emission technologies and a national toolkit will be available online to guide applicants in the future (http://www.lowemissionsstrategies.org). This will help assess the amount of transport emissions resulting from the proposed development. Developers will be able to assess the costs, effects and benefits from adopting low emission fuels, technologies and infrastructure.</u></p>
MM34	135	IF3	<p>Amend third paragraph of Policy IF3, and insert new fourth paragraph and section sub-headings, to read:</p> <p><u>Waste Water Treatment and Water Supply</u></p> <p><i>New development proposed in the areas of Ormskirk, Burscough, Rufford and Scarisbrick that are affected by the limitations on waste water treatment <u>will need to be considered in liaison with the statutory undertaker for water and wastewater and the Council to establish the impact on water and wastewater infrastructure. The delivery of development must be phased to ensure delivery of the development that it coincides with an appropriate solution which meets the standards of the Council, the Undertaker and the Regulators agreed with United Utilities and the Environment Agency.</u></i></p> <p><u>New development proposed in the Northern Parishes will need to be considered in liaison with the statutory undertaker for water and wastewater and the Council to establish the impact on water and</u></p>

Ref No	Page	Policy/ Paragraph	Main Modification
			<p><u>wastewater infrastructure. The delivery of development will need to be considered in conjunction with the timescales for delivery of a solution to low water pressure in this area.</u></p> <p><u>Communications</u></p> <p>The Council will support the delivery of broadband and communications technology....</p>
MM35	137	IF4	<p>Amend first and second paragraphs of Policy IF4 to read:</p> <p>1. New development will be expected to contribute to mitigating its impact on infrastructure, services and the environment and to contribute to the requirements of the community. This <u>Contributions</u> may be secured as <u>through</u> a planning obligation through a Section 106 agreement, where the development would otherwise be unacceptable <u>(subject to an obligation meeting the requirements of the relevant legislation and national policy)</u> and through the Community Infrastructure Levy (CIL), at such a time when the Council has prepared a Charging Schedule.</p> <p>2. The types of infrastructure that developments may be required to provide <u>such</u> contributions for include, but are not limited to: ...</p> <p>iv. Community Infrastructure (such as health, education, libraries, public realm <u>and emergency services</u>);</p>
MM36	137	IF4	<p>Insert paragraph at the end of Policy IF4 to read:</p> <p><u>Where a development is made unviable by the requirements of a planning obligation, the Council</u></p>

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			<u>will have regard to appropriate evidence submitted by an applicant and consider whether any flexibility in the planning obligation is justified.</u>
MM37	138	Justification to IF4, para. 8.66	<p>Amend paragraph 8.66 to read:</p> <p>8.66 <i>The introduction of a CIL charging schedule will not always remove the requirement for Section 106 planning obligations which will remain to be used in accordance with the tests set out within the CIL regulations. <u>There may still be exceptional instances where a planning obligation is required to make a proposal acceptable, provided it meets the following statutory tests, set out within national policy:</u></i></p> <ul style="list-style-type: none"> • <u>Necessary to make the development acceptable in planning terms;</u> • <u>Directly related to the development; and</u> • <u>Fairly and reasonably related in scale and kind to the development.</u> <p><u>8.67 Planning obligations are a key delivery tool in providing the opportunity to secure financial contributions which will mitigate against the localised impacts of development which would otherwise render the proposal unacceptable in planning terms. However, the Council recognise that there may be certain development proposals which would become unviable with the additional costs of a planning obligation and so the Council will weigh up the benefits of permitting the development with the impacts of allowing the development to proceed without requiring the full planning</u></p>

Ref No	Page	Policy/ Paragraph	Main Modification
			<u>obligation and, where appropriate, may reduce the costs of the planning obligation required. In such a situation, the applicant will be required to provide a full financial appraisal and will be required to bear the cost of independent verification of this financial appraisal where necessary.</u>
MM38	140	EN1	Amend first paragraph of Policy EN1, part (3) to read: <i>Wind energy development potential is significant proposals within West Lancashire and will be given <u>positive consideration provided that any adverse impacts can be satisfactorily addressed. To assist in decision making,</u> developers are required to provide evidence to support their proposals considering the following: ...</i>
MM39	143- 145	EN2	Delete Introductory paragraph, part (1) and part (2) (a) and (b) of Policy EN2 and replace with the following: <u>1. Nature Conservation Sites and Ecological Networks</u> <u>a) The hierarchy of nature conservation sites</u> <u>The Council is committed to ensuring the protection and enhancement of West Lancashire's biodiversity and geological assets and interests. In order to do this, the Council will have regard to the following hierarchy of nature conservation sites when making planning decisions, according to their designation:</u>

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			<p><u>i) International</u></p> <ul style="list-style-type: none"> • <u>Ramsar Sites</u> • <u>Special Areas of Conservation (SAC)</u> • <u>Special Protection Areas (SPA)</u> • <u>Candidate SACs or SPAs</u> <p><u>The strongest possible protection will be given to sites of international importance.</u></p> <p><u>The Council will also support the development of the Ribble Coast and Wetlands Regional Park, which encompasses part of the Ribble and Alt Estuaries SPA / Ramsar site.</u></p> <p><u>ii) National</u></p> <ul style="list-style-type: none"> • <u>National Nature Reserves (NNR)</u> • <u>Sites of Special Scientific Interest (SSSI)</u> <p><u>Developments that would directly or indirectly affect any site of national importance will only be permitted where there are exceptional circumstances and where the benefits of the development at that site clearly outweigh the impacts to the site and the wider ecological network. In the case of SSSI's, consideration will be given to the likely impact of the development on the features of the site that make it of special scientific interest.</u></p>

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			<p><u>iii) Local</u></p> <ul style="list-style-type: none"> • <u>Regionally Important Geological Sites</u> • <u>County Biological Heritage Sites</u> • <u>Local Nature Conservation Sites</u> <p><u>Development that would directly or indirectly affect any sites of local importance will be permitted only where it is necessary to meet an overriding local public need or where it is in relation to the purposes of the nature conservation site.</u></p> <p><u>b) Development within or affecting nature conservation sites and ecological networks</u></p> <p><u>In addition to the provisions of National and European law, and in accordance with national planning policy, proposals for development within or affecting the above nature conservation sites must adhere to the following principles:</u></p> <p><u>i) proposals which seek to enhance or conserve biodiversity will be supported in principle, subject to the consideration of other Local Plan policies;</u></p> <p><u>ii) consideration should be given to the impact of development proposals on the Lancashire Ecological Network [insert footnote to read - Lancashire Ecological Network refers to a document currently being developed by Lancashire County Council to be completed 2013 or</u></p>

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			<p><u>any subsequent replacement documents.] and, where possible, opportunities to support the network by incorporating biodiversity in and around the development should be encouraged;</u></p> <p><u>See comments in Inspector's explanatory notes</u></p> <p><u>iii) where development is considered necessary, adequate mitigation measures and compensatory habitat creation will be required through planning conditions and / or obligations, with the aim of providing an overall improvement in the site's biodiversity value. Where compensatory habitat is provided it should be of at least equal area and diversity, if not larger and more diverse, than what is being replaced; and</u></p> <p><u>iv) the development of recreation will be targeted in areas which are not sensitive to visitor pressures.</u></p> <p><u>c) Damage to nature conservation sites and ecological networks</u></p> <p><u>The following definition of what constitutes damage to nature conservation sites and other ecological assets will be used in assessing developments likely to impact upon them:</u></p> <p><u>i. loss of the undeveloped open character of a part, parts or the entire nature conservation site or ecological network;</u></p> <p><u>ii. reducing the width of part of an ecological network or causing direct or indirect severance of any</u></p>

Deleted: - the protection of biodiversity will be considered over and above the development of recreation in sensitive areas of Natura 2000 and Ramsar Sites or where conflict arises

Ref No	Page	Policy/ Paragraph	Main Modification
			<p><u>part of the ecological network or of any part of a nature conservation site;</u></p> <p><u>iii. restricting the potential for lateral movement of wildlife within or through an ecological network or nature conservation site;</u></p> <p><u>iv. causing the degradation of the ecological functions of any part of the ecological network or nature conservation site;</u></p> <p><u>v. directly or indirectly damaging or severing links between nature conservation sites, green spaces, wildlife corridors and the open countryside; and</u></p> <p><u>vi. impeding links to the wider ecological network and nature conservation sites that are recognised by neighbouring planning authorities.</u></p> <p><u>Part (1) of this policy applies to all presently designated nature conservation sites, as shown on the Policies Map and set out in Appendix I, and to any nature conservation sites or ecological networks that may be designated in the future by appropriate agencies.</u></p> <p><u>2. Priority Species and Habitats</u></p> <p><u>Where there is reason to suspect that there may be priority species, or their habitat, on or close to a proposed development site, planning applications should be accompanied by a survey assessing</u></p>

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			<p><u><i>the presence of such species and, where appropriate, making provision for their needs.</i></u></p> <p><u><i>In particular, the HRA of the Local Plan identifies a series of sites (in Appendix 8 of that document) where the potential of the site to support important habitat for birds associated with Martin Mere SPA cannot be ruled out at this stage. For those sites (and any others which may support suitable habitat) the applicant should submit an Ornithology Report containing sufficient information to demonstrate that consideration has been given to the potential for effects on SPA birds and, if necessary, that suitable mitigation measures will be implemented to address this to the satisfaction of the Council and ensure no adverse effect on site integrity.</i></u></p> <p><u><i>The report could, depending on the site, be a confirmation that no suitable habitat is in fact present and therefore no loss of supporting habitat would result. This will allow the Council to screen the project against the Habitats Regulations (or equivalent legislation) and relevant national and local policy.</i></u></p>
MM40	145	EN2, part (2)(c)	<p>Amend second paragraph of Policy EN2 (2)(c) to read:</p> <p><i>Development involving the loss of, or damage to, <u>woodlands</u> or trees of significant amenity, screening, wildlife or historical value will only be permitted where the development is required to meet a need that could not be met elsewhere, <u>and where the benefits of the development clearly outweigh the loss or damage.</u></i></p>

Comment [RC1]: Suggest the identified sites are listed in an Appendix to the Local Plan itself

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Ref No	Page	Policy/ Paragraph	Main Modification
MM41	146	EN2, part (2)(c)	Delete fifth and sixth paragraphs of Policy EN2 (2)(c) and replace with the following: <u>To assist the Council in decision making, sufficient information should be submitted alongside proposals for development to enable the Council to assess the effects on trees. The level of detail should be in accordance with BS.5837: 2012 – “Trees in relation to design, demolition and construction”, or any subsequent document.</u>
MM42	147	Justification to EN2, para. 9.19 and 9.20	Delete paragraphs 9.19 and 9.20 and replace with the following: <u>9.19 The Council plays an important strategic role in supporting biodiversity in West Lancashire and will:</u> <u>i. Protect and safeguard all sites of international, national and local level importance;</u> <u>ii. support the development of the Ribble Coast and Wetlands Regional Park with the vision that by 2020 the Ribble Coast and Wetlands Regional Park will become an internationally recognised area;</u> <u>iii. support a network of strategic green links between the rural areas, river corridors and green spaces to provide an ecological network that will provide habitats to support biodiversity and prevent fragmentation of the natural environment; and</u> <u>iv. support the development of recreation in areas which are not sensitive to visitor pressures.</u>

Ref No	Page	Policy/ Paragraph	Main Modification
			<p><u>9.20 The County Council is currently engaged in work to identify a functional ecological network for Lancashire (including Blackpool and Blackburn with Darwen). It is envisaged that the results of this work will be available in the first half of 2013. The network will be based on the tiers of designated wildlife sites and the habitats that lie within and around them. It will seek to identify how these are utilised by species on a functional basis. It will take account of land types and allocations which may have an implication for strengthening or improving the network. It will also provide a foundation for how Lancashire fits into other networks regionally, nationally and internationally and set the context for other local networks which may be identified. It is intended that the work will provide the necessary information and outputs to enable the Council to meet the requirements of the NPPF in this respect.</u></p> <p>See comments in Inspector's explanatory notes</p>
MM43	155-156	EN4	<p>Rename Policy EN4 as follows: <i>Preserving and Enhancing West Lancashire's Built Environment</i> <u>Cultural and Heritage Assets</u></p> <p>Delete part (1) of Policy EN4 and delete sub-heading "2. Cultural and Heritage Assets".</p>
MM44	157	Justification to EN4, para. 9.48	<p>Amend paragraphs 9.48 – 9.52 to read:</p> <p>9.48 <i>Policy EN4 establishes the fundamental need for high quality design for all development in the Borough, reflecting the fact that West Lancashire is an attractive place to live, work and visit <u>that respects</u></i></p>

Ref No	Page	Policy/ Paragraph	Main Modification
		9.52	<p><u>the historic environment within which it sits.</u> Development should reflect and draw on the local distinctiveness of the area whilst being able to adapt to the changing climate and social and economic conditions.</p> <p>9.49 Developing an understanding of the characteristics of an area and the context should always form part of the work undertaken before drawing up a development proposal. A design led approach will ensure that every proposal, whatever its scale, responds positively to the particular characteristics of a site and its surroundings and reinforces local distinctiveness and sense of place.</p> <p>9.50 Development proposals should be accompanied by Design and Access statements and proposals <u>relating to a designated heritage asset</u> should also <u>be supported by a Heritage Statement. The level of detail provided need only be proportionate to the asset's importance, in accordance with national planning policy. Proposals should demonstrate</u> have a good understanding of <u>the latest national guidance and principles.</u> Documents and standards to consider will include <u>those prepared by organisations such as</u> English Heritage, the Commission for Architecture and the Built Environment (CABE), Homes and Community Agency (HCA) and the 'Building for Life' standard.</p> <p>9.54 <u>9.50</u> Proposals should also have regard to the Council's Design Guide SPD (January 2008) along with other locally derived documents, including <u>the</u> West Lancashire Heritage Strategy 2009. The Heritage Strategy aims to provide an overview of how the Council will preserve the historic environment of the Borough and promote awareness of the value of our shared heritage. The Council also maintains an "At Risk Register" which it will continue to monitor and keep up to date.</p>

Ref No	Page	Policy/ Paragraph	Main Modification
			9.52 9.51 West Lancashire has numerous and extensive historic assets, including 28 Conservation Areas and 12 scheduled ancient monuments which are all identified on the <u>Policies</u> Map. In terms of buildings, West Lancashire is home to around 600 buildings on the statutory list of buildings of architectural or historic interest. The Council also maintains its own a list of buildings of local importance which is updated periodically and available on the website. The range of assets includes both statutory designations and sites and those of regional and local importance.
MM45	<u>67</u>	<u>GN3</u>	Insert Min 56 from minor modifications document, as it is necessary to achieve soundness: <u>Amend Policy GN3 (3)(vi) to read:</u> <u>“Achieve a reduction in surface water run-off of at least 30% on previously developed land, rising to a minimum of 50% in Critical Drainage Areas unless this is demonstrated to be unfeasible or unviable.”</u>
MM46	<u>125</u>	<u>IF2</u>	Delete paragraph xiii of Policy IF2(1)(b) and replace it with a new paragraph (e) as follows: <u>Land at the railway pad, Appley Bridge will be safeguarded for a small-scale rail facility.</u> <u>Development which would prejudice such a use will not be permitted unless there has been a conclusive demonstration that such a use is unviable.</u>
MM47	<u>140</u>	<u>EN1</u>	Delete the last sentence of Policy EN1(2)(iv) and replace it with the following: <u>Very special circumstances will need to be demonstrated in order to justify renewable and low</u>

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Ref No	Page	Policy/ Paragraph	Main Modification
			<u>carbon energy proposals where they constitute inappropriate development in the Green Belt.</u>
<u>MM48</u>	<u>150</u>	<u>EN3</u>	<p><u>Insert Min 94 from minor modifications document, as it is necessary to achieve soundness:</u></p> <p><u>Amend Policy EN3 (2)(a) to read:</u></p> <p><u>“a) Development should be strongly resisted if it that results in the loss of existing open space or sports and recreation facilities (including school playing fields) unless will only be permitted if one of the following conditions are met:</u></p> <p><u>i. The open space has been identified agreed by the Council as being unsuitable for retention because it is under used, poor quality or poorly located;</u></p> <p><u>ii. the proposed development would be ancillary to the use of the site as open space and the benefits to recreation would outweigh any loss of the open area; or</u></p> <p><u>iii. Successful mitigation takes place and alternative, improved provision is provided in the same locality. This should include improvements to the quality and quantity of provision to the benefit of the local community.”</u></p>
<u>MM49</u>	<u>151</u>	<u>EN3</u>	<p><u>Insert Min 97 from minor modifications document, as it is necessary to achieve soundness:</u></p> <p><u>Amend Policy EN3 (2)(e) to read:</u></p>

Ref No	Page	Policy/ Paragraph	Main Modification
			<u>“e) Facilities for Development which would prejudice the delivery of the informal countryside recreational activities are proposed at the following sites, as shown on the proposals map will not be permitted: ...”</u>
MM50	<u>151</u>	<u>EN3</u>	<p><u>Insert Min 98 from minor modifications document, as it is necessary to achieve soundness:</u></p> <p><u>Amend Policy EN3 (2)(f) to read:</u></p> <p><u>“f) Proposals will also be developed to Development which would prejudice the protection and improvement of facilities at the following existing countryside recreation sites shown on the proposals map will not be permitted: ...”</u></p>

Proposed Minor Modifications to policies GN3-GN5, RS3, RS5, IF1-IF4, EN1-EN4

Inspector's suggested amendments – shown as track-changes

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min01	N/A	WLBC	Correction	Update Preface following receipt of Inspector's Report and prior to Adoption.
Min02	N/A	WLBC	Correction	Amend second sentence of paragraph 1.1 to read: <i>"This Development Plan Document will supersede the current West Lancashire Replacement Local Plan 2001-16 ..."</i>
Min03	N/A	WLBC	Correction	Amend first sentence of paragraph 1.4 to read: <i>"The West Lancashire Local Plan 2012-2027 contains a vision and strategy that will set out how the Council wants West Lancashire to develop over the period to 2027."</i>
Min04	N/A	WLBC	Correction	Delete paragraphs 1.5 – 1.7 and amend subsequent paragraph numbers in Chapter 1 accordingly.
Min05	N/A	WLBC	Correction	Amend paragraphs 1.17 and 1.18 to update references following receipt of Inspector's Report and prior to Adoption.
Min06	156 / 132 / ch2 / 1	Mr David Dunlop	Incorrect reference to Wildlife Trust reserves in paragraph 2.6.	Amend first sentence of paragraph 2.6 to read: <i>"The Borough contains a large proportion of the best and most versatile agricultural land in Lancashire and the highest total area of Wildlife Trust reserves <u>local wildlife sites</u> in the County."</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min07	137 / 241 / ch2 / 4	The National Trust	Concern about the way the Environment / Heritage issue is expressed in Table 2.1.	Amend Environment / Heritage issue in Table 2.1 to read: <i>"The need for development should be balanced with the protection and conservation pursued in tandem with the protection, conservation and enhancement of the environment. This includes protection of landscape the safeguarding and enhancement of West Lancashire's distinctive landscapes, its nature conservation and heritage assets, historic places and the public realm."</i>
Min08	325 / 50 / ch3 / 3	The Jean and Leslie Connor Charitable Foundation	Reference to PPS12 in paragraphs 3.3 and 3.8.	Amend first sentence of paragraph 3.3 to read: <i>"Government guidance, contained within Planning Policy Statement 12 (PPS12), requires the key objectives to be linked with indicators and targets."</i> Amend first sentence of paragraph 3.8 to read: <i>"PPS12 states that each Local Planning Authority (LPA) should produce It is important that a Local Plan which includes ..."</i>
Min09	N/A	WLBC	Correction	Amend Objective 8 – Climate Change to read: <i>"To mitigate against and adapt to climate change ..."</i>
Min16	N/A	WLBC	Correction	Amend first sentence of Paragraph 5.29 to read: <i>"The Ministerial Statement which emerged at the end of March 2011, along with the draft National Planning Policy Framework (NPPF, July 2011) (March 2012) have made it clear ..."</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min17	N/A	WLBC	Correction	Amend second sentence of Paragraph 5.46 to read: <i>“Suitability considerations may include policy designations or physical constraints which may mitigate against the development of sequentially preferable sites, ...”</i>
Min21	N/A	WLBC	Clarification of Policy RS3.	Amend last sentence of paragraph 7.49 to read: <i>“Given one of the main objectives of this policy is to protect residential amenity, only residential units <u>(excluding those used specifically for the accommodation of older people or in a C2 use)</u> should be considered when calculating percentages of HMOs in a particular street.”</i>
Min22	N/A	WLBC	Correction	Paragraph 7.42 <i>“An Article 4 Direction covering Ormskirk, Aughton and Westhead is intended to take <u>took</u> effect in December 2011. This should give <u>has given</u> the Council some control over the number and distribution of further HMOs in these areas, although it will <u>does</u> not affect any HMOs already in place at the time the Direction comes <u>came</u> into force.”</i>
Min23	N/A	WLBC	Clarification	Amend paragraph 8.14, second sentence to read: <i>“In the case of any multi-storey shopping centres (e.g. the Concourse, Skelmersdale), the area to be assessed should be restricted to <u>will comprise the whole of</u> the storey on which the retail unit is located.”</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min24	120 / 310 / IF2 / S	Lancashire County Council Strategic Planning Group	Minor alterations to Policy IF2 suggested.	<p>Paragraph 8.25 – LTP3 adopted in May 2011 not March 2011</p> <p>Paragraph 8.26 – Add bullet point to refer to the “<u>West Lancashire Highways and Transport Masterplanning exercise</u>”</p> <p>Amend paragraph 8.35 to read:</p> <p><i>“Although Burscough is currently served by two rail stations, one on each of the Southport to Wigan and Ormskirk to Preston lines, connectivity between these two routes is poor. The proposed reinstatement of aspiration to reinstate the Burscough Curves and electrification to electrify the line from Ormskirk would allow connectivity between lines and improve accessibility of Burscough to Liverpool and Ormskirk to Southport and Wigan. This would be likely to It is hoped that this would increase rail usage, therefore reducing dependency upon the car. Merseytravel are in the process of conducting work to assess the viability of reinstating these links. However, it is recognised that the reopening of the Burscough Curves in particular is, at this time, only an aspiration.”</i></p> <p>Paragraph 8.36 – Refer to LTP3 regarding Ormskirk Bus Station.</p>
Min25	N/A	WLBC	Clarification	Superseded by MM29 & MM32.
Min26	N/A	WLBC	Min26 replaced by MM30	-
Min27	N/A	WLBC	Min27 replaced by MM37	-

Deleted: Amend Policy IF2, part (a), second sentence to read:¶
“~~Over the Local Plan period the Council will~~ **Therefore, development proposals should, where appropriate, seek to:**¶
...¶
ii. ~~reducing~~ **reduce** the environmental impact of transport through suitable mitigation and design,¶
...¶
v. ~~preparing~~ **prepare** and actively ~~promoting~~ **promote** travel plans ...”

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min28	N/A	WLBC	Correction	<p>Amend first sentence of Policy EN1, part 1 to read: <i>"The Council will mitigate against and adapt to climate change by requiring all development to: ..."</i></p> <p><u>In sub-para iii, insert an apostrophe in "Government's"</u></p> <p><u>In sub-para iv, second line, change "it" to "development"</u></p> <p><u>In the following paragraph, insert "I" and "ii" after "The above standards".</u></p>
Min29	N/A	WLBC	Clarification	<p>Insert footnote against "major developments" in Policy EN1, part 2, i to read:</p> <p><u>"Major Development is defined in the Town and Country Planning (General Development Procedure) Order 1995 and includes:</u></p> <ul style="list-style-type: none"> • <u>provision of 10 or more flats or houses, and</u> • <u>provision of over 1,000 square metres of floorspace."</u>
Min30	242 / 543 / EN1 / 3	RenewableUK	Suggests minor changes to wording of Policy EN1.	<p>Amend Policy EN1, part 3, ii to read: <i>"impact on local residents (including flicker noise and shadow flicker)"</i></p> <p><u>In sub-para v, change the capital "I" in "Impacts" to lower-case</u></p> <p>Add the following documents to the 'supporting documents' list at the end of the justification:</p> <p><u>National Policy Statements for Energy (EN-1, EN-3) (2011)</u></p>

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min31	120 / 312 / EN1 / S	Lancashire County Council Strategic Planning Group	The Lancashire Sustainable Energy Study is now finalised.	Amend first sentence of paragraph 9.9 to read: “When finalised, the The Lancashire Sustainable Energy Study will <u>set</u> sets out a target for the expected amount of renewable energy that is <u>may be</u> deployable within the Borough.”
Min32	N/A	WLBC	Correction	Amend first sentence of paragraph 9.10 to read: “ ... and guidance on how developments can adapt to and mitigate against climate change.”
Min33	N/A	WLBC	Min33 replaced by MM39	-
Min34	N/A	WLBC	Min34 replaced by MM42	-
Min35	N/A	WLBC	Clarification	Amend Policy EN3, part 1 to read: “1. Green Infrastructure The Council will: <i>i. The Council will provide a green infrastructure strategy which supports the provision of a network of multi-functional green space including open space, sports facilities, recreational and play opportunities, allotments, flood storage, habitat creation, footpaths, bridleways and cycleways, food growing and climate change mitigation. The network will facilitate active lifestyles by providing leisure spaces within walking distance of people’s</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<p>homes, schools and work;</p> <p><u>In order to support this green infrastructure strategy, all development, where appropriate, should:</u></p> <p>ii. require development to contribute <u>i. Contribute</u> to the green infrastructure strategy and enhance, as well as protect <u>by enhancing</u> and <u>safeguarding</u> the existing network of green links, open spaces and sports facilities, and secure <u>securing</u> additional areas where deficiencies are identified – this will be achieved through contributions to open space as outlined within Policy IF4;</p> <p>iii. provide <u>ii. Provide</u> open space and sports facilities in line with an appraisal of local context and community need, with particular regard to the impact of site development on biodiversity;</p> <p>iv. seek <u>iii. Seek</u> to deliver new recreational opportunities, including the proposed linear parks between Ormskirk and Skelmersdale, between Ormskirk and Burscough, along the River Douglas at Tarleton and Hesketh Bank and along the former railway line in Banks;</p> <p>v. support <u>iv. Support</u> the development of new allotments and protect existing allotments from development; and</p> <p>vi. support <u>v. Support</u> the Ribble Coast and Wetlands Regional Park and associated infrastructure.”</p>
Min36	N/A	WLBC	Min36 replaced by MM44	-
Min37	N/A	WLBC	Correction	Delete Chapter 11 – Next Steps

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min38	N/A	WLBC	Correction	<p>Glossary</p> <p>Delete:</p> <p><i>“Previously Developed Land (PDL) and Buildings: As defined in Annex C of PPS3: “previously developed land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings) and associated fixed surface infrastructure.”</i></p> <p>Replace with:</p> <p><u>“Previously Developed Land (PDL): Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.”</u></p>
Min40	N/A	WLBC	Correction	<p><u>Policies</u> Map 4 – correct error relating to Green Belt boundary at 9-19 Broadhurst Lane, Wrightington</p>

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Reference number	Representation No.	Representor	Comment made	Modification proposed
Min41	N/A	WLBC	Correction of Printing Error	<u>Policies</u> , Map 5 – Pilkington Laboratories employment site designation
Min42	N/A	WLBC	Correction of Printing Error	<u>Policies</u> , Map 5 – EN3 Open Recreation Space on Delph Common Road, Aughton
Min43	N/A	WLBC	Correction	<u>Policies</u> , Map 5 – correct error of EN3 Open Recreation Space allocation at Edge Hill University
Min44	N/A	WLBC	Correction	<u>Policies</u> , Map 6 – correct error of EN3 Open Recreation Space allocation at Digmoor Sports Centre
Min45	N/A	WLBC	Correction	<u>Policies</u> , Map 5 – correct error relating to Green Belt boundary at 35-37 Moss Nook, Burscough
Min49	N/A	WLBC	Clarification of Policy GN3 (1)(ii)	Amend Policy GN3 (1)(ii) to read: <i>“Respect Have regard to the historic character of the local landscape and / or townscape;”</i>
Min50	N/A	WLBC	Clarification of Policy GN3 (1)(iii)	Amend Policy GN3 (1)(iii) to read: <i>“Retain or create reasonable levels of privacy, amenity and sufficient garden / outdoor space for occupiers of the neighbouring proposed and proposed neighbouring properties;”</i>
Min51	N/A	WLBC	Clarification of Policy GN3 (1)(iv)	Amend Policy GN3 (1)(iv) to read: <i>“Respect Have regard to visual amenity ... where appropriate;”</i>

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Reference number	Representation No.	Representor	Comment made	Modification proposed
Min52	N/A	WLBC	Clarification of Policy GN3 (1)(vi)	Amend Policy GN3 (1)(vi) to read: <i>"In the case of extensions, conversions or alterations to existing buildings, the proposal should relate to the existing building, in terms of design and materials, and should not detract from the character of the street scene.; and"</i>
Min53	N/A	WLBC	Clarification of Policy GN3 (2)(iii)	Amend Policy GN3 (2)(iii) to read: <i>"Ensure that parking provision is made in line with the thresholds standards set out in Local Plan Policy IF2 and Appendix F;"</i>
Min54	N/A	WLBC	Clarification of Policy GN3 (2)(vi)	Amend Policy GN3 (2)(vi) to read: <i>"Provide, where appropriate, suitable provision infrastructure for public transport, including bus stops and shelters; and"</i>
Min55	N/A	WLBC	Clarification of Policy GN3 (2)(vii)	Amend Policy GN3 (2)(vii) to read: <i>"Incorporate suitable and safe access and road layout design in line with the latest standards."</i>
Min56	N/A	WLBC	Inclusion of viability / feasibility clause gives the policy greater flexibility in Policy GN3 (3)(vi)	<u>Move this minor modification to the main modifications annex</u> Amend Policy GN3 (3)(vi) to read: <i>"Achieve a reduction in surface water run-off of at least 30% on previously developed land, rising to a minimum of 50% in Critical Drainage Areas <u>unless this is demonstrated to be unfeasible</u>"</i>

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Reference number	Representation No.	Representor	Comment made	Modification proposed
				<u>or unviable.</u>
Min57	N/A	WLBC	Correction of Policy GN3 (4)(i)	Amend Policy GN3 (4)(i) to read: <i>“Maintain or enhance the distinctive character and visual quality of any Landscape Character Areas in which it is they are located;”</i>
Min58	N/A	WLBC	Correction of Policy GN3 (4)(ii)	Amend Policy GN3 (4)(ii) to read: <i>“Provide sufficient landscaped buffer zones and appropriate levels of public open space / green space to limit the impact of development on any adjoining sensitive uses and or the open countryside;”</i>
Min59	N/A	WLBC	Correction of Policy GN3 (4)(iii)	Amend Policy GN3 (4)(iii) to read: <i>“Minimise the loss removal of trees, hedgerows, and areas of ecological value, or, where loss removal is unavoidable, provide for their like for like replacement , or provide enhancement of features of ecological value;”</i>
Min60	N/A	WLBC	Correction of Policy GN3 (5)(iii)	Amend Policy GN3 (5)(iii) to read: <i>“Provide Where floodlights are proposed, provide minimum levels of lighting for proposed floodlights whilst having regard to any potential adverse impacts and ensuring any light spillage is minimal;”</i>
Min61	N/A	WLBC	Clarification of paragraph 5.22	Amendment to second sentence of paragraph 5.22 to read: <i>“Sustainable development incorporates many aspects which should be considered at the earliest possible stage of the planning</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<u>process</u> when designing a scheme.”
Min62	N/A	WLBC	Clarification of paragraph 5.39	Amend first sentence of paragraph 5.39 to read: “The <u>extent of the area of search will depend on the size and nature of the proposed development, but</u> will usually be the settlement, ward or parish in which the proposed development site lies.”
Min63	N/A	WLBC	Correction of paragraph 5.41	Amend paragraph 5.41 to read: “The area of search for any development proposal can <u>should</u> be agreed with Council officers prior to the commencement of any sequential testing work.”
Min64	N/A	WLBC	Removal of repetition within paragraphs 5.44 and 5.45	Replace paragraphs 5.44 and 5.45 with: <u>5.44 When considering the availability, viability or deliverability of sequentially preferable sites, the Council will expect written evidence to demonstrate that landowners / site occupiers or their agents have been contacted regarding the sale or development of the sites in question. A letter from the landowner or agent will usually suffice.</u> <u>5.45 Where sites are rejected as being unviable for the proposed development, financial information should be provided to show on what basis it would be unviable to proceed with the scheme. The level of detail should be proportionate to the scale or significance of the proposed development. The Council will expect clear, unambiguous information, but will not impose unreasonable burdens on</u>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<u>applicants.</u>
Min 65	N/A	WLBC	Correction of last sentence of paragraph 5.46	Amend paragraph 5.46, line 5 to read: “... development proposals should not preclude the development of larger areas <u>of</u> land or render ...”
Min66	N/A	WLBC	Clarification of paragraph 5.48 to provide a link between Policy GN1 and GN5	Add sentence to the beginning of paragraph 5.48 to read: <u>“Policy GN1 requires a sequential test for affordable housing proposals on Protected Land, including the consideration of Protected Land sites closest to the village centre. The town, village and local centres ...”</u>
Min69	N/A	WLBC	Clarification	Add wording to the end of footnote 13 to Policy RS3 (p104-105) to read: <u>“... then Policy RS3 will apply, just as it applies to HMOs with between three and six people.”</u>
Min70	N/A	WLBC	Correction	Amend sentence after the table in Policy RS3(b) as follows: <u>“Figure 7.1 below shows the above streets the streets in Categories A and B listed in the table above.”</u>
Min71	N/A	WLBC	Correction	Amend Figure 7.1 (p106) to show the full extent of Wigan Road, Ruff Lane and St Helens Road up to the settlement boundary.
Min77	N/A	WLBC	Clarification	Change the first sentence under the table on p118 in Policy IF1, to read: <u>“The Policies Map shows the location <u>defines the extent</u> of all</u>

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Reference number	Representation No.	Representor	Comment made	Modification proposed
				<i>town, village and local centres, and defines the primary shopping areas of town centres."</i>
Min78	N/A	WLBC	Amendment to better reflect the relationship between Policy IF1 and Policy GN4.	Replace final sentence of paragraph 8.19 as follows: "The Council would expect written evidence of the marketing to be provided before granting permission for a change away from retail use, especially where the proportion of units in the centre in question was close to the 70% target. <u>Marketing of a vacant retail unit should be undertaken in accordance with the requirements of Policy GN4 (Demonstrating Viability).</u>
Min79	N/A	WLBC	Clarification of context of Policy IF2	Amend paragraphs 8.25 – 8.28 to read: "8.25 West Lancashire is a two tier authority with Lancashire County Council being responsible for transport. The current Local Transport Plan-Local Transport Plan 3 was adopted in March 2011 and runs from 2011-2021. Transport Policies contained within the Local Plan will aim to support this LTP. 8.26 Transport policies within the Local Plan will seek to support the strategic transport priorities for West Lancashire, as well as more minor local priorities and specific local issues. These include: <ul style="list-style-type: none"> • Assisting in the ongoing regeneration of Skelmersdale through the delivery of a modern, fit for purpose, public transport system; • Improving the accessibility of public transport in rural areas;

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Deleted: or subsequent LTPs

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<ul style="list-style-type: none"> • Tackling congestion in the Key Service Centres of Ormskirk and Burscough; • Improving the rail linkages across West Lancashire through the delivery of new rail infrastructure; • Encouraging sustainable forms of transport; and • Improving road safety for users and pedestrians <u>all road users, especially pedestrians and cyclists.</u> <p>8.27 Government policy allows local authorities to set their own parking standards and Lancashire County Council have indicated that they do not intend to provide future parking standards at the County level. The standards applying to West Lancashire were previously set out in a Supplementary Planning Document to the Joint Lancashire Structure Plan 2005. However, the adoption of the North West Regional Spatial Strategy in 2008 (RSS) rendered the Structure Plan obsolete. RSS Policy TR2 contained parking standards of its own, although they did not cover every type of development. The RSS is intended to be abolished in the near future.</p> <p>8.28 The National Planning Policy Framework encourages local authorities to set local parking standards for residential and non residential development.”</p>
Min80	N/A	WLBC		<p>Amend Policy IF2 (1)(d) to read:</p> <p><u>“Decisions relating to</u> development adjacent to, or affecting, rail lines (including resulting in a material increase or change of character of the traffic using a rail crossing of a railway) <u>will only</u></p>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				be permitted with the agreement of <u>will have regard to the views of Network Rail.</u>
Min81	N/A	WLBC	Correction	Amend last sentence of para. 8.40 to read: <i>"This Policy approach will make a contribution to meeting the priorities of the sustainable-communities' strategy <u>Sustainable Community Strategy</u> with emphasis on safety, economic performance, environmental sustainability and health and wellbeing."</i>
Min82	N/A	WLBC	Clarification to Context of Policy IF3	Following paragraph 8.55 insert a new paragraph to read: <u>"8.56 In the Northern Parishes, there is significant use of water by the market garden industry. This places a strain on existing water supply infrastructure and contributes to low water pressure. A solution to this problem will need to be delivered by the statutory undertaker for water supply."</u>
Min83	N/A	WLBC	Clarification	Amend criteria (iii) and (v) of Policy IF3 to read: <i>"iii. where appropriate, contribute towards improvements to existing infrastructure and provision of new infrastructure, as required to support <u>meet</u> the needs of the development;</i> ... <i>v. where appropriate, demonstrate how the range of local social and community services and facilities available will be suitable and accessible for the intended user(s) <u>occupiers or users</u> of the development."</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min84	N/A	WLBC	Clarification	Amend third sentence of paragraph 8.57 to read: <i>"In addition, the rural nature of West Lancashire means that isolation access to services can be common limited in some locations and is a particular concern which requires consideration through the Local Plan."</i>
Min85	N/A	WLBC	Correction	Amend second sentence of paragraph 8.65 to read: <i>"The Localism Bill Act 2011 has confirmed ..."</i>
Min86	N/A	WLBC	Clarification	Amend first sentence of Policy EN1 (2)(iv) to read: <i>"supporting proposals for renewable, low carbon or decentralised energy schemes, including community-led energy schemes, provided they can demonstrate that they will not result in unacceptable harm to the local environment, having regard to Policy Policies EN2 and EN4, which cannot be satisfactorily addressed and which is not outweighed by the benefits of such proposals."</i>
Min87	N/A	WLBC	Clarification	Amend the final sentence of paragraph 9.11 to read: <i>"However, the NPPF suggests such very special circumstances could include the wider environmental benefits associated with the production of renewable energy. Therefore, the Green Belt designation is a consideration but does not entirely rule out renewable energy generation projects."</i>
Min88	N/A	WLBC	Clarification	Amend paragraph 9.13 to read: <i>"... the planning authority Council will monitor all energy projects"</i>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				..."
Min89	N/A	WLBC	Re-numbering of sections of Policy EN2	Amend section numbering for parts (2) (c), (d), (e) and (f) of Policy EN2 to (3), (4), (5) and (6) respectively
Min90	N/A	WLBC	Clarification	Amend title of Policy EN2, part (2)(c) (now Policy EN2, Part (3)) to read: <i>"Trees and Hedgerows <u>Landscaping</u>"</i>
Min91	N/A	WLBC	Clarification and reference to Figure showing map of peat deposits	Delete paragraphs 9.23 and 9.24 and replace with the following: <u>"9.23 West Lancashire's land resources include deep peat deposits and some of the country's best and most versatile agricultural land. Policy EN2 seeks to avoid the extraction or degradation of peat, recognising the role it plays as a unique habitat and also as an important carbon store. Figure 9.1 provides a map of the deep peat deposits in the Borough. In addition, the Policy seeks to protect the best and most versatile agricultural land which is of national significance."</u> Insert Figure 9.1 (map of peat deposits) after para. 9.23.
Min92	N/A	WLBC	Clarification	Amend third sentence of para. 9.25 to read: <i>"Due to the flat open nature of this area <u>land</u>, developments can be particularly visually intrusive ..."</i>
Min93	N/A	WLBC	Correction	Amend list of other Local Planning Policy and supporting documents after para. 9.28 to read:

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<ul style="list-style-type: none"> • Marine & Coastal Access Act & Marine Licensing System (2011) • Lancashire Biodiversity Action Plan <i>(date needed)</i> • Lancashire Landscape and Heritage DPD <u>SPG (2006)</u> • <u>Natural Areas and Areas of landscape History Importance SPG (1996 updated 2007)</u> • West Lancashire Open Space, Sports and Recreational Study (October 2009) • West Lancashire Playing Pitch Strategy (October 2009) • Tarleton-Hesketh Bank Linear Park Study <u>(July 2010)</u> • Skelmersdale-Ormskirk Linear Park Study <u>(May 2006)</u>
Min94	N/A	WLBC	Clarification	<p><u>Move this minor modification to the main modifications annex</u></p> <p>Amend Policy EN3 (2)(a) to read: “a) Development should be strongly resisted if it that results in the loss of existing open space or sports and recreation facilities (including school playing fields) unless <u>will only be permitted if</u> one of the following conditions are met:</p> <p><i>i. The open space has been identified agreed by the Council as being <u>unsuitable for retention because it is</u> under used, poor quality or poorly located;</i></p>

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Reference number	Representation No.	Representor	Comment made	Modification proposed
				<p><i>ii. the proposed development would be ancillary to the use of the site as open space and the benefits to recreation would outweigh any loss of the open area; or</i></p> <p><i>iii. Successful mitigation takes place and alternative, improved provision is provided in the same locality. This should include improvements to the quality and quantity of provision to the benefit of the local community.</i></p>
Min95	N/A	WLBC	Clarification	<p>Amend Policy EN3 (2)(b) to read:</p> <p><u>"b) Development <i>on open space and sports and recreation facilities</i> will not be permitted where:</u></p> <p><i>i. Development would affect the open characteristic of the area</i></p> <p>...</p> <p><i>viii. Proposals contradict other policies contained within the Local Plan</i></p>
Min96	N/A	WLBC	Clarification	<p>Amend Policy EN3 (2)(d) to read:</p> <p><i>"Where deficiencies in existing open recreation space provision exist, as demonstrated in the Council's Open Space, Sports and Recreation study and any subsequent equivalent document, ..."</i></p>
Min97	N/A	WLBC	Clarification	<p><u>Move this minor modification to the main modifications annex</u></p> <p>Amend Policy EN3 (2)(e) to read:</p>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<i>"e) Facilities for Development which would prejudice the delivery of the informal countryside recreational activities are proposed at the following sites, as shown on the proposals map will not be permitted: ..."</i>
Min98	N/A	WLBC	Clarification	<p><u>Move this minor modification to the main modifications annex</u></p> <p>Amend Policy EN3 (2)(f) to read:</p> <p><i>"f) Proposals will also be developed to Development which would prejudice the protection and improvement of facilities at the following existing countryside recreation sites shown on the proposals map will not be permitted: ..."</i></p>
Min99	215 / 88 / ch2 / 2	Cllr Cynthia Dereli	Inclusion of reference to traffic congestion in Burscough in Spatial Portrait	<p>Amend first sentence of paragraph 2.34 to read:</p> <p><i>"Burscough is located on the A59 and has been known to experience congestion at peak times. Burscough has two railway stations: Burscough Junction providing a link between Preston and Ormskirk, and Burscough Bridge Interechange with links to Southport and Manchester."</i></p>
Min100	215 / 88 / ch2 / 2	Cllr Cynthia Dereli	Inclusion of reference to traffic congestion in Burscough in Key Issues table	<p>Amend comment on "Traffic Congestion" in Table 2.1 Key Issues to read:</p> <p><i>"Whilst this is not a particularly severe issue overall in the Borough, there are local 'congestion hot-spots' in Ormskirk and, to a lesser degree, in Burscough and Tarleton/Hesketh Bank."</i></p>

Reference number	Representation No.	Representor	Comment made	Modification proposed
Min102	N/A	WLBC	Inclusion of additional definitions in Glossary	<p>Insert definition of additional terms and amended definitions into Glossary, as follows:</p> <p><u>Allowable Solutions - Used in the Definition of Zero Carbon Homes and Non-Domestic Buildings consultation (CLG, 2008) to describe a range of solutions that could account for the carbon emissions that are not expected to be achieved on site through carbon compliance measures. Developers will make a payment to an Allowable Solutions provider (Local Authority or third party), who will take the responsibility and liability for ensuring that Allowable Solutions, which may be small, medium or large scale carbon-saving projects, deliver the required emissions reductions to offset the residual carbon impact of the development.</u></p> <p><u>Decentralised Energy Network / District Heat Network – Primarily the generation of energy close to the user and where appropriate, the recovery of the surplus heat (combined heat and power – CHP) for purposes such as building space heating and domestic hot water production. CHP is often used in District Heating Networks, with the heat generated as a by-product of electricity generation being pumped into homes, either as hot water or as steam, through networks of reinforced pipes.</u></p> <p><u>Main Town Centre Uses: [Insert definition as per the Glossary at Annex 2 to the NPPF]</u></p> <p><u>Priority Habitats and Species: Species and Habitats of Principle Importance included in the England Biodiversity List published by the Secretary of State under section 41 of</u></p>

Reference number	Representation No.	Representor	Comment made	Modification proposed
				<p><u>the Natural Environment and Rural Communities Act 2006.</u></p> <p><u>Special Areas of Conservation: Areas given special protection under the European Union’s Habitats Directive, which is transposed into UK law by the Habitats and Conservation of Species Regulations 2010.</u></p> <p><u>Special Protection Areas: Areas which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within European Union countries. They are European designated sites, classified under the Birds Directive.</u></p>
Min103	N/A	WLBC	Correction	<p>Policies Map 5 – correct error relating to boundary of Strategic Employment Site and Town Centre boundary</p>
Min 104				<p>Amend Policy GN3(1)(i) to read: “<u>Be of high-quality design and have regard to the West Lancashire Design Guide SPD;</u></p>
Min 105				<p>In the bullet points after para 5.26, provide the full title and date for the West Lancashire Design Guide SPD and add the date for the West Lancashire SFRA.</p>

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EXPLANATORY NOTES FOR THE INSPECTOR'S SUGGESTED AMENDMENTS
TO THE COUNCIL'S PROPOSED MAIN AND MINOR MODIFICATIONS

Main modifications

Mod. No.	Reason(s) for suggested amendment(s)
MM9	For clarification.
MM18	The word "unnecessary" is redundant, given that the modification spells out the circumstances in which the loss of these facilities would be justified.
MM24	<p>In modified policy GN4(1), change numbering of first set of sub-paras i, ii and iii to (a), (b) and (c), to avoid confusion with second set of sub-paras i, ii and iii.</p> <p>Insert "or" after sub-para (a), as any of situations (a), (b) or (c) would independently demonstrate that the site need not be retained for its existing use.</p> <p>Delete the first bullet point, in the light of advice in NPPF paragraph 51 and the previous comment.</p> <p>Correct "advert" to "advertisements" in sub-para iii.</p> <p>Replace "Viability Statement" with "submitted evidence, as the modified policy no longer refers to a Viability Statement.</p> <p>Amendments to para 5.32 for consistency and clarity.</p>
MM32	Grammatical corrections.
MM34	Amendment to correct a slip in the original modification.
MM39	<p>Amendment to modified para 1(a) of Policy EN2 for clarity.</p> <p>Amendment to modified para 1(a)ii & iii for clarity and for consistency with NPPF paragraph 118.</p> <p>Para 1(b)ii – While the work being done on the Lancashire Ecological Network [LEN] is to be welcomed, I am concerned that the reference to the LEN in the policy would be premature unless it is possible also to amend the Policies Map to show the LEN, prior to consultation on the proposed modifications. If this is not possible, anyone with interests affected by the LEN designation could potentially be prejudiced by a policy which applies protection to the designated area before it has been formally defined. If the Policies Map cannot be amended to show the LEN, it may be necessary to deal with the LEN through a future SPD. In the meantime, it might then be appropriate for this section of policy EN2 to refer to the Major Wildlife Corridors which are defined on the Proposals Map (and which otherwise are not referred to in the policy as modified).</p> <p>Deletion of the final part of modified Policy EN4(b)(iv) to avoid duplication with part (a) of the modified policy.</p>

	Other amendments for clarity and consistency.
MM40	For consistency.
MM41	Clarification and grammatical amendments.
MM42	See notes on MM39 above. Para 9.20 may need to be amended to comply with any amendments to modified policy EN2.
MM44	Correct "Proposals Map" to "Policies Map".
MM45 (added)	Min 56 moved from minor modifications annex as it is necessary to achieve soundness.
MM46 (added)	<p>The small size of the railway pad at Appley Bridge and its relative remoteness from the motorway network would make it unsuitable for anything more than a very limited throughput of freight. It is by no means certain, however, whether such limited throughput would be able to support the significant investment needed to restore the track connections to the pad and the associated signalling.</p> <p>The land was removed from the Green Belt and safeguarded for small-scale rail-based facilities by RLP policy SC8 in 2006. That policy goes on to say that <i>Development which would prejudice such future uses will not be permitted unless there has been a conclusive demonstration that such uses are not viable</i>. This additional flexibility is absent from policy IF2, as submitted, but it is necessary to reinstate it via the proposed modification, in view of the significant uncertainty over the deliverability of a rail-based facility at the Appley Bridge site. Given that the RLP policy accepts the possibility of other development at the site, no exceptional circumstances now exist that would justify returning the site to the Green Belt.</p>
MM47 (added)	Amendment to more accurately reflect NPPF paragraph 91.
MM48 (added)	Min 94 moved from minor modifications annex as it is necessary to achieve soundness.
MM49 (added)	Min 97 moved from minor modifications annex as it is necessary to achieve soundness.
MM50 (added)	Min 98 moved from minor modifications annex as it is necessary to achieve soundness.

Minor modifications

Mod. No.	Reason(s) for suggested amendment(s)
Min 25	Delete this minor modification as it is superseded by MM29& MM32.
Min 28	Grammatical and clarification amendments.
Min 30	Grammatical and consistency amendments.
Min 40-45	Correct "Proposals Map" to "Policies Map".
Min 54	Delete "provision" – to correct an error in the original proposed modification.
Min 56	Move this minor modification to main modifications annex as it is necessary to achieve soundness.
Min 77	Correct "Proposals Map" to "Policies Map".
Min 79	Changes for clarification – the Local Plan cannot "enhance" the LTP, or commit support to future LTPs the content of which is unknown.
Min 85	Insert date of Localism Act – for accuracy.
Min 93	For consistency, add date for Lancs Biodiversity Action Plan
Min 94	Move this minor modification to main modifications annex as it is necessary to achieve soundness.
Min 97	Move this minor modification to main modifications annex as it is necessary to achieve soundness.
Min 98	Move this minor modification to main modifications annex as it is necessary to achieve soundness.
Min 102	Add "Main Town Centre Uses" to the Glossary as the term is now referred to in modified policy IF2.
Min 103	Correct "Proposals Map" to "Policies Map".
Min 104	For consistency with other modifications, remove cross-reference to modified policy EN4. Change "in keeping with" the Design SPD to "have regard to" as the Local Plan is a higher-level policy document than the SPD.
Min 105	For consistency and accuracy.