

# **Statement of Common Ground**

Between South Ribble Borough Council and Lancashire  
County Council

In respect of Representations 250 – 264 (Inclusive)

Representation ID: 138

**South Ribble Borough Council**

**Site Allocations and Development Management  
Policies DPD**

A meeting was held to discuss the key issues from the Lancashire County Council's representations to assess whether a common ground could be reached.

**Meeting:** 30 January 2013, Civic Centre, South Ribble Borough Council

**In attendance:**

Neil Stevens, LCC

Dave Colbert, LCC

David Cahill, LCC

Helen Hockenhull, SRBC

Kezia Henderson, SRBC

The following sets out an agreed position between the Council and Lancashire County Council in regards to representations received to the South Ribble Site Allocations and Development Management Policies DPD.

Please note where there are references to the Central Lancashire Transport and Highways Masterplan it is currently in a draft version. However, it is anticipated that by the time the DPD is adopted the Masterplan will be finalised and therefore when referenced in the text we have removed 'draft' from the title for this reason.

Please also note that all minor amendments proposed within the Statement of Common Ground can also be seen within the submitted CD4.5 Minor Amendments Schedule, Part Three.

**Issues Discussed:**

The representations received from Lancashire County Council, were discussed, in chronological order as the document is set out. All parties had the opportunity to speak on each issue to assess whether any potential common ground could be reached.

**Representation 250**

This representation was made to the proposed Major Site at Pickering's Farm. The County felt that they could not support this development unless strategic infrastructure was brought forward in the area and there were appropriate funding mechanisms in place to deliver the required infrastructure.

The Central Lancashire Transport and Highways Masterplan proposes the South Ribble Western Distributor to provide the highway infrastructure needed to support the Pickering's Farm allocation and other allocations to the west of Leyland, such as land between Heatherleigh and Moss Lane, Farington and Moss Side Test Track, Leyland. This proposal includes capacity Improvements to the A582 and completion of the Penwortham Bypass. The Masterplan indicates that the South Ribble Western Distributor will be completed in 2023/24 and funded from Developer Contributions and LCC's own funds. The completion of the Penwortham Bypass is indicated to be 2022/23 and funded through Major Transport Schemes funding and LCC funds.

Suggested wording amendments relating to Central Lancashire Transport Masterplan as highlighted below:

6.9 ‘...is the section of the Cross Borough Link Road (development link road) as required in Policy A1, which will ...

...crossing the West Coast Mainline. The upgrading of the A582 South Ribble western distributor to improve capacity on the existing A582 between Cuerden and Penwortham Triangle will support this development.

The role of the Community Infrastructure Levy (CIL) was discussed during our meeting and County Council was updated on the progress of CIL.

#### **Representation 251/ Representation 257**

The proposed allocation of Cuerden Strategic Site was discussed in respect of representations received from LCC. There is one area where the authorities do not agree, in respect of the term ‘comprehensive’ and ‘integrated’ Masterplans. Joint working will continue between the two authorities.

Suggested wording amendments relating to Central Lancashire Transport Masterplan as highlighted below:

6.28 ‘...between the M65 and Lostock Lane’. The Central Lancashire Masterplan now includes a strategy for bringing forward strategic highways and transport infrastructure to support economic development within the area.

#### **Representation 252/ Representation 258**

The County supports the recognition of the Enterprise Zone at Samlesbury. Comments are noted by the Council.

Suggested wording amendments relating to Central Lancashire Transport Masterplan as highlighted below:

6.34 ‘...environment and landscape. The Central Lancashire Masterplan now includes a strategy for bringing forward strategic highways and transport infrastructure to support economic development within the area.

Additionally, County ecologists investigated the presence of a Biological Heritage Site (BHS) at Samlesbury and reported that there is currently an ongoing review of BHS sites across Lancashire. There is no reported evidence of a BHS at this site.

#### **Representation 253**

Issue raised in the meeting regarding the Plan and its need to recognise the Lancashire Minerals and Waste DPD. Suggested inclusion of a paragraph between paragraph 2.19 and paragraph 2.20 on page 5 of the document to read as follows:

## **Joint Lancashire Minerals and Waste DPD**

2.20 The Minerals and Waste Core Strategy is adopted. The emerging Minerals and Waste Site Allocations and Development Management Policies Development Plan Document is under preparation, and is expected to be adopted in 2013. Therefore, minerals and waste issues are not covered in the South Ribble Local Plan; however Mineral Safeguarding Areas will be included on the adopted Policies Map for the Minerals and Waste DPD. It should be borne in mind that any development proposed within areas identified as Mineral Safeguarding Areas must satisfy the criteria set out in Policy M2 of the Minerals and Waste Local Plan; the objective of which is to safeguard minerals from unnecessary sterilisation. Further information is available from Lancashire County Council.

The Council believe it is not appropriate to include the Minerals Safeguarding Areas on the Plan's Proposals Map as they have not been consulted upon through this DPD process. There are no policies within the Plan which relate to the Minerals Safeguarded areas and as such this could cause confusion. Also, it is not necessary to duplicate the visual display of these allocations which are already shown appropriately on the Minerals and Waste DPD Proposals Map. LCC maintain their original position, that Mineral Safeguarded Areas should be included within the Plan's Proposals Map.

### **Representation 254**

This issue was discussed in relation to planning obligations for infrastructure development including the role and commitment of the Community Infrastructure Levy.

### **Representation 255**

Discussions arose around policies A2 – Cross Borough Link Road and A3 – The Completion of the Penwortham Bypass in line with representations received from Lancashire County Council.

Insert new Paragraph 4.4 detailing the Draft Central Lancashire Transport Masterplan

#### Central Lancashire Transport Masterplan

The Masterplan looks at strategic infrastructure priorities for Central Lancashire to encourage economic development and support wider spatial planning objectives.

4.14 The two key pieces of highways infrastructure proposed within the Borough are:

- The Cross Borough Link Road (development link road)
- The Completion of the Penwortham Bypass

4.16 The Cross Borough Link Road is an important route, ~~both to improve east-west travel across the urban area but also to~~ act as a link road serving new developments and to improve east west travel across the urban area ~~serve the new development in the surrounding area.~~ The Penwortham ~~by-pass~~ Bypass was conceived ...

4.19 ...and completed within an agreed timescale. ~~Funding could be made available for this scheme from the Local Transport Plan 3.~~ This sentence has been deleted due to inaccuracy.

### **Representation 256**

Discussions followed on the Major Sites for Development and modifications that LCC felt were necessary specifically in terms of infrastructure provision.

Insert new paragraph on page 20 between Major Sites for Development and Residential Led Sites detailing what was required for an 'agreed Masterplan'.

6.0 Where sites require a masterplan as part of a condition in the policy or justification text, including the preparation of an agreed Masterplan to achieve the comprehensive development of a Major Site the following applies. It is expected that a Masterplan will be prepared by the landowner/developer of the site in advance of the submission of any planning applications. It is the Councils intention that the draft Masterplan should be the subject of consultation with all stakeholders and interested parties, shall be agreed with the Council and thereafter adopted for the purposes of development management in the determination of subsequent planning applications.

6.1 The Council welcomes early discussions with landowners/developers on the scope, content and process of preparation of a Masterplan. A Masterplan should set the vision for the site and the strategy for implementing that vision. It should include, amongst other matters, an access and movement framework, green infrastructure and ecology mitigation, restoration and enhancement, a hydrology and drainage assessment, land use and development capacity analysis, infrastructure requirements, a viability assessment and a phasing and delivery strategy.

### **Representation 259**

Support noted with regard to economic development opportunities.

### **Representation 260 - 263**

The relationship between Chapter G of the Plan and compliance with the National Planning Policy Framework was briefly discussed. It was agreed that these issues would be further discussed during a meeting with the Lancashire Wildlife Trust (LWT), where an ecologist from Lancashire County Council (LCC) would be present and was considered better placed to discuss the specific ecological representations LCC had made during this process.

During this meeting it was agreed that in order to satisfy the requirements of the NPPF in particular reference to ecological networks, a specific biodiversity policy would be the most appropriate course of action. There were a number of representations made by LCC in terms of biodiversity and specifically ecological networks. Attached to this statement in Appendix 2 is a draft agreed biodiversity policy which has addressed these issues between the Council and LCC.

## **Representation 264**

It has previously been agreed that the Natura 2000 Site at the Ribble and Alt Estuaries SPA/Ramsar should be included within the Proposals Map. See exert Map Appendix 1 to clarify this proposed minor amendment.

### **Agreed Actions:**

As can be seen detailed above, the Council has identified all those areas where discussion was raised and agreement sought through the introduction of new wording or the deletion of wording where appropriate.

Agreed action, not related to one specific representation is the need to include a paragraph on the Central Lancashire Highways and Transport Masterplan.

New paragraph inserted

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

2.21 A Central Lancashire Highways and Transport Masterplan was produced in December 2012 for a public consultation event during early 2013. The Masterplan sets out the County Council's proposed highways and transport strategy for Central Lancashire to 2026 and beyond. The Masterplan looks at strategic infrastructure priorities for Central Lancashire to encourage economic development and support wider spatial planning objectives.

### **Outstanding Actions:**

There are some areas that are outstanding where the Council does not feel it is appropriate to make amendments, these are detailed below and can further be seen in our initial response in SRSD002a.

## **Representation 251**

LCC request the wording 'comprehensive development' is changed to 'integrated development' within Policy C4: Cuerden. Through discussions the term 'integrated' was used to refer to the production of a piecemeal masterplan. The Council does not support this amendment as considers important that a strategic masterplan encompassing the whole site is produced considering all of the strategic matters. However, the Council does accept that the deliverability of the site will need to be phased.

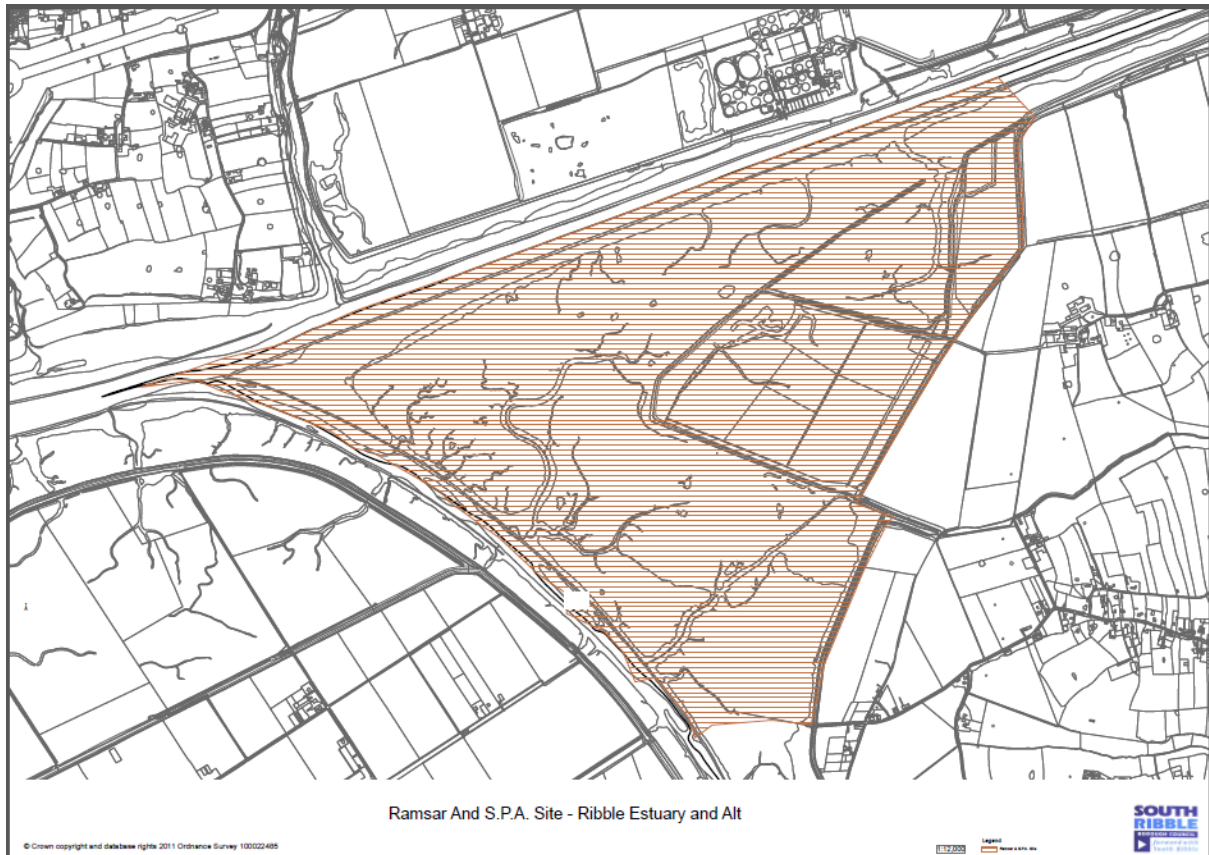
LCC has produced a separate statement setting out their position in terms of the Cuerden Strategic Site which was submitted to the Inspector on 20 February 2013.

### **Minerals and Waste DPD**

The Council believe it is not appropriate to include the Minerals Safeguarding Areas on the Plan's Proposals Map as they have not been consulted upon through this DPD process. There are no policies within the Plan which relate to the Minerals Safeguarded areas and as such this could cause confusion. Also, it is not necessary to duplicate the visual display of these allocations which are already shown appropriately on the Minerals and Waste DPD Proposals Map. LCC maintain their original position, that Mineral Safeguarded Areas should be included within the Plan's Proposals Map.

## Appendix One – Amended Map Exert Natura 2000 Site – Ribble and Alt Estuaries

Also we have proposed an alteration to the legend of the Proposals Map to reflect this change.



## Appendix 2 Draft Agreed Policy G16 Biodiversity and Nature Conservation

### **Draft Agreed Policy G16 – Biodiversity and Nature Conservation**

The borough's Biodiversity and Ecological Network resources will be protected, conserved and enhanced:

Priority will be given to:

- Protecting and safeguarding all designated sites of international, national, regional, county and local level importance including all Ramsar, Special Protection Areas, Special Areas of Conservation, national nature reserves, sites of special scientific interest and biological heritage sites, geological heritage site, local nature reserves, wildlife corridors together with any ecological network approved by the Council;
- Protecting, safeguarding and enhancing habitats for European, nationally and locally important species;
- When considering applications for planning permission protecting, conserving and enhancing the borough's ecological network and providing links to the network from and/or through a proposed development site.

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

- a) The production of a net gain in biodiversity by designing in wildlife and by ensuring that any adverse impacts are avoided or if unavoidable are reduced or appropriately mitigated and/or compensated;
- b) The provision of opportunities for habitats and species to adapt to climate change;
- c) The support and encouragement of enhancements which contribute to habitat restoration;
- d) Protecting and enhancing existing habitats and features on all sites;
- e) Where there is reason to suspect that there may be protected habitats/species on or close to a proposed development site planning applications must be accompanied by a survey undertaken by an appropriate qualified professional;
- f) In exceptional cases where the benefits for development in social or economic terms is considered to significantly outweigh the impact on the natural environment, appropriate and proportionate mitigation measures and/or compensatory habitat creation of an equal or greater area will be required through planning conditions and/or planning obligations.

### **Justification (Paragraphs to start at 10.78 in DPD)**

10.78 The borough includes an extensive network of sites important for biodiversity including the Ribble and Alt Estuaries SPA and Ramsar, an internationally important wetland habitat commonly referred to as one of the 'Natura 2000' Sites. Additionally this site is a Site of Special Scientific Interest (SSSI), as well as two other SSSIs in the borough at River Darwen and Beeston Brook Meadow.

10.79 Alongside international and national designations are a wide range of regional, county and local designations including Regionally Important Geological Sites (RIGS), Biological Heritage Sites (BHS), Local Nature Reserves (LNRs), and Wildlife



Corridors all of which are an important part of the network of nature conservation sites and will be protected from development that will cause fragmented networks or isolate habitats. These designations are highlighted on the Proposals Map. This policy will also apply to any future designations that may arise over the plan period.

- 10.80 As well as the need to protect, conserve and enhance designated sites it is also important to protect, conserve and enhance nationally and locally important species that use a variety of sites/habitats as part of a nature conservation network. Lancashire County Council is producing an Ecological Network covering the County, including South Ribble's borough. Once finalised this will be an important contribution to the nature conservation agenda and will need to be protected, conserved, maintained and enhanced where appropriate.
- 10.81 Biodiversity has many important roles and functions including protecting biodiversity for its own sake, adapting to climate change, recreation, health and wellbeing etc. As part of a changing climate it is important to allow habitats and species the opportunities to adapt, making provision where possible. Ecological networks form an important basis for this and it is the Council's view that these networks should be maintained and enhanced, where appropriate to allow habitats and species the best opportunity to adapt to a changing climate.
- 10.82 Protected habitats and species play an important role and are protected under European and National Law. Where habitats or species may come under threat, it is the developer's responsibility to assess and carry out all necessary surveys. Ecology surveys need to be provided by an appropriate qualified professional to assess the quality, quantity and value of biodiversity on site or near the site and how the proposed development may affect biodiversity. In certain cases development will not be permitted and in other cases mitigation/ compensatory measures of equal area, quality and diversity, if not higher will be required to reduce or overcome the impacts and where possible provide net gains or enhancements to improve the borough's nature conservation assets.
- 10.83 Further detailed guidance will be provided within a supplementary planning document.