



**Haweswater Aqueduct Resilience Programme - Proposed Marl Hill
Section**

Environmental Statement

Volume 4

Appendix 5.1: Planning Policy Reference Document

June 2021



Haweswater Aqueduct Resilience Programme - Proposed Marl Hill Section

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Contents

1.	Introduction	1
1.1	Background	1
1.2	Purpose of Reference Document	1
1.3	National Planning Policy	1
1.4	Local Planning Policy	2
2.	National Planning Policy	3
2.1	Background	3
2.2	Relevant Planning Policy within the NPPF	3
3.	Ribble Valley Core Strategy	14
3.1	Background	14
3.2	Relevant Planning Policy	14
4.	Lancashire Joint Minerals and Waste Local Plan – Core Strategy	25
4.1	Background	25
4.2	Relevant Planning Policy	25
5.	Lancashire Joint Minerals and Waste Local Plan – Site Allocations and Development Control Policies	27
5.1	Background	27
5.2	Relevant Planning Policy	27
6.	Forest of Bowland AONB Management Plan 2019 – 2024	28
6.1	Background	28
6.2	Relevant Planning Policy	28
	Appendix A - Relevant Policies	32

1. Introduction

1.1 Background

- 1) This Planning Policy Reference Document specifically refers to the Proposed Marl Hill Section, which is located within the administrative boundary of Ribble Valley Borough Council. It is therefore the Local Planning Authority (LPA) and policies from the local development plan are included within this reference document.
- 2) The upper tier authority for the area that the Proposed Marl Hill Section lies within is Lancashire County Council which is a key statutory consultee in relation to elements of the scheme, such as highways. The County Council is also the waste and minerals authority. Adopted policies concerning these aspects from the County Council have been considered in this reference document.
- 3) The Proposed Marl Hill Section is also located within the Forest of Bowland Area of Outstanding Natural Beauty (AONB) where there are provisions guiding development in the area.

1.2 Purpose of Reference Document

- 4) The purpose of the document is to provide a summary of local development plan policies and planning policy guidance at the national level, that are relevant to the Proposed Marl Hill Section for each environmental topic included in the Environmental Statement (ES). It is therefore a reference document for environmental specialists whilst writing their chapters for the ES.
- 5) Appendix A lists the planning policies that are considered to be relevant to each individual environmental topic. The relevant environmental topics included in the ES are as follows:
 - Landscape and Arboriculture
 - Water Environment
 - Flood Risk
 - Ecology
 - Cultural Heritage
 - Soils, Geology and Land Quality
 - Materials
 - Public Access and Recreation
 - Communities and Health
 - Major Accidents and Hazards
 - Transport Planning
 - Noise and Vibration
 - Air Quality and Climate Change.

1.3 National Planning Policy

- 6) The Government published a revised National Planning Policy Framework (NPPF) in July 2018 to replace the first NPPF from 2012 and later made minor modifications to the NPPF in February 2019. It sets out the Government's strategic overview of planning policies for England and how they are expected to be applied and is therefore a material consideration in planning decisions (NPPF paragraph 2).

1.4 Local Planning Policy

1.4.1 Ribble Valley Borough Council

- 7) The Development Plan for Ribble Valley Borough Council comprises:
- Core Strategy 2008-2028 (2014)
 - Housing and Economic Development DPD (2019).
- 8) The Housing and Economic Development DPD does not contain policies relevant to the Proposed Marl Hill Section and has therefore not been included in this reference document.

1.4.2 Lancashire County Council

- 9) The development plan for Lancashire County Council is the Joint Minerals and Waste Local Plan. The Plan comprises two parts:
- Core Strategy (2009)
 - Site Allocations and Development Control Policies Local Plan (2013).
- 10) The Council is currently undertaking a review of the Minerals and Waste Local Plan and consultation on the pre-submission draft is expected to be carried out in Summer 2020 followed by submission to examination next year, and due the timeframe has not been included in this reference document.

1.4.3 Forest of Bowland AONB

- 11) The Forest of Bowland AONB is not run by an LPA but is managed by a partnership of landowners, farmers, voluntary organisations, wildlife groups, recreation groups, local councils and government agencies. Representatives from these groups sit on the Forest of Bowland AONB Joint Advisory Committee (JAC). To set out the strategic context for development in the AONB, there is an adopted management plan that has a policy framework for the AONB between 2019 and 2024, Forest of Bowland AONB Management Plan 2019-2024.

2. National Planning Policy

2.1 Background

12) The NPPF consists of 17 sections covering various topics within planning, environment and sustainable development. Each section sets out principles and instructions that local authorities, developers and other planning professionals are expected to follow. The most relevant sections of the NPPF to the Proposed Marl Hill Section are:

- Section 8: Promoting healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment
- Section 16: Conserving and enhancing the historic environment.

2.2 Relevant Planning Policy within the NPPF

2.2.1 Section 8: Promoting healthy and safe communities

13) The following NPPF paragraphs relate to the promotion of healthy communities:

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

- a) *anticipating and addressing possible malicious threats and natural hazards, especially in locations where large numbers of people are expected to congregate⁴¹. Policies for relevant areas (such as town centre and regeneration frameworks), and the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security; and*
- b) *recognising and supporting development required for operational defence and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.*

96. Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.

97. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*

c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

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

99. The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.

100. The Local Green Space designation should only be used where the green space is:

a) in reasonably close proximity to the community it serves;

b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and

c) local in character and is not an extensive tract of land.

101. Policies for managing development within a Local Green Space should be consistent with those for Green Belts.'

2.2.2 Section 9: Promoting sustainable transport

14) The following NPPF paragraphs relate to sustainable transport:

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

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

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

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

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

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

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

104. *Planning policies should:*

- a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;*
- b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned;*
- c) identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development;*
- d) provide for high quality walking and cycling networks and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans);*
- e) provide for any large scale transport facilities that need to be located in the area, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy. In doing so they should take into account whether such development is likely to be a nationally significant infrastructure project and any relevant national policy statements; ...*

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

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users; and*
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

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

110. Within this context, applications for development should:

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

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

2.2.3 Section 12: Achieving well-designed places

15) The following NPPF paragraphs relate to the requirement for good design:

'126. To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design. However, their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified. ...

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

'130. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

131. In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.'

2.2.4 Section 14: Meeting the challenge of climate change, flooding and coastal change

16) The following NPPF paragraphs relate to climate change, flooding and coastal change:

'149. Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.

150. New development should be planned for in ways that:

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

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

'155. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

156. Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards.

157. All plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:

a) applying the sequential test and then, if necessary, the exception test as set out below;

b) safeguarding land from development that is required, or likely to be required, for current or future flood management;

c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques); and

d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.

158. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.

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

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

a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

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

162. Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account.

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

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan. ...

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

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

2.2.5 Section 15: Conserving and enhancing the natural environment

17) The following NPPF paragraphs relate to the natural environment:

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

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

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. ...

'172. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated. ...

'174. To protect and enhance biodiversity and geodiversity, plans should:

a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and

b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

175. When determining planning applications, local planning authorities should apply the following principles:

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

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

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

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

176. The following should be given the same protection as habitats sites:

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

177. *The presumption in favour of sustainable development does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned or determined.*

178. *Planning policies and decisions should ensure that:*

- a) *a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);*
- b) *after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and*
- c) *adequate site investigation information, prepared by a competent person, is available to inform these assessments.*

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

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

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

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

182. *Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing*

business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

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

2.2.6 Section 16: Conserving and enhancing the historic environment

18) The following NPPF paragraphs relate to the historic environment:

'185. Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;

b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;

c) the desirability of new development making a positive contribution to local character and distinctiveness; and

d) opportunities to draw on the contribution made by the historic environment to the character of a place. ...

'189. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

190. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

191. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

192. In determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.

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

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

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

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

195. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

a) the nature of the heritage asset prevents all reasonable uses of the site; and

b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

d) the harm or loss is outweighed by the benefit of bringing the site back into use.

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

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

198. Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

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

'201. Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account

the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

202. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.'

3. Ribble Valley Core Strategy

3.1 Background

- 19) The Ribble Valley Core Strategy was adopted in December 2014 and forms part of the statutory Development Plan for the Borough. It sets out the strategic planning policy framework to guide development in the borough up to 2028.

3.2 Relevant Planning Policy

Key Statement EN3: Sustainable Development and Climate Change

- 20) This policy states:

'The Council will seek to ensure that all development meets an appropriate recognised sustainable design and construction standard where viable to do so, in order to address both the causes and consequences of climate change. In particular, all development will be required to demonstrate how it will contribute towards reducing the Borough's carbon footprint. The Council will assess applications against the current Code of Sustainable Homes, Lifetime Homes and Buildings for Life and BREEAM standards, or any subsequent nationally recognised standards.

Proposals for the development of new renewable energy generation facilities, including onshore wind turbine technologies, will be considered. This will require the consideration of many factors including the need to reduce the area's carbon footprint whilst also recognising its exceptional environmental and landscape context.

In adapting to the effects of climate change it is expected that proposals for development will demonstrate how sustainable development principles and sustainable construction methods, such as the use of sustainable drainage systems, will be incorporated.

New development in vulnerable areas should ensure that risks can be managed through suitable measures, including through the conservation of biodiversity, improvement of ecological networks and the provision of green infrastructure.

All development should optimise energy efficiency by using new technologies and minimising the use of energy through appropriate design, layout, material and landscaping and address any potential issues relating to flood risk.

Ribble Valley Borough Council will liaise with the County Council over development within Mineral Safeguarding Areas (MSAs) in both proposing future site allocations and in determining planning applications. This liaison will include consideration of the issue of preventing the unnecessary sterilisation of mineral resources within MSAs and, where feasible and practicable, the prior extraction of mineral resources.

On larger schemes, planning permission will only be granted for developments on sites that deliver a proportion of renewable or low carbon energy on site based on targets elaborated within the relevant Development Management policy and also incorporate recycled or reclaimed materials or minimise the use of energy by using energy efficiency solutions and technologies. Where developments fail to achieve any of these, it must be demonstrated why this cannot be achieved.'

Key Statement EN4: Biodiversity and Geodiversity

21) This policy states:

'The Council will seek wherever possible to conserve and enhance the area's biodiversity and geodiversity and to avoid the fragmentation and isolation of natural habitats and help develop green corridors. Where appropriate, cross-Local Authority boundary working will continue to take place to achieve this.

Negative impacts on biodiversity through development proposals should be avoided. Development proposals that adversely affect a site of recognised environmental or ecological importance will only be permitted where a developer can demonstrate that the negative effects of a proposed development can be mitigated, or as a last resort, compensated for. It will be the developer's responsibility to identify and agree an acceptable scheme, accompanied by appropriate survey information, before an application is determined. There should, as a principle be a net enhancement of biodiversity. These sites are as follows:

- *Sites of Special Scientific Interest (SSSIs)*
- *Local Nature Reserves (LNRs)*
- *Local Biological Heritage sites (CBHs)*
- *Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)*
- *Local Geodiversity Heritage Sites*
- *Ancient Woodlands*
- *Lancashire Biodiversity Action Plan priority habitats and species*
- *European Directive on Protected Species and Habitats - Annexe 1 Habitats and Annexe II Species*
- *Habitats and Species of Principal Importance in England.*

With respect to sites designated through European legislation the Authority will be bound by the provisions of the relevant Habitats Directives and Regulations.

For those sites that are not statutorily designated and compensation could be managed through a mechanism such as biodiversity off-setting via conservation credits.'

Key Statement EN5: Heritage Assets

22) This policy states:

'There will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. The Historic Environment and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits.

This will be achieved through:

- *Recognising that the best way of ensuring the long term protection of heritage assets is to ensure a viable use that optimises opportunities for sustaining and enhancing its significance.*
- *Keeping Conservation Area Appraisals under review to ensure that any development proposals respect and safeguard the character, appearance and significance of the area.*

- *Considering any development proposals which may impact on a heritage asset or their setting through seeking benefits that conserve and enhance their significance and avoids any substantial harm to the heritage asset.*
- *Requiring all development proposals to make a positive contribution to local distinctiveness/sense of place.*
- *The consideration of Article 4 Directions to restrict permitted development rights where the exercise of such rights would harm the historic environment.'*

Policy DMG1: General Considerations

23) This policy states:

'In determining planning applications, all development must:

Design

- 1. Be of a high standard of building design which considers the 8 building in context principles (from the CABE/English Heritage building in context toolkit).*
- 2. Be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.*
- 3. Consider the density, layout and relationship between buildings, which is of major importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.*
- 4. Use sustainable construction techniques where possible and provide evidence that energy efficiency, as described within policy dme5, has been incorporated into schemes where possible.*
- 5. The code for sustainable homes and lifetime homes, or any subsequent nationally recognised equivalent standards, should be incorporated into schemes.*

Access

- 1. Consider the potential traffic and car parking implications.*
- 2. Ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated.*
- 3. Consider the protection and enhancement of public rights of way and access.*

Amenity

- 1. Not adversely affect the amenities of the surrounding area.*
- 2. Provide adequate day lighting and privacy distances.*
- 3. Have regard to public safety and secured by design principles.*
- 4. Consider air quality and mitigate adverse impacts where possible.*

Environment

1. Consider the environmental implications such as SSSIs, County Heritage Sites, Local Nature Reserves, Biodiversity Action Plan (BAP) habitats and species, Special Areas of Conservation and Special Protected Areas, protected species, green corridors and other sites of nature conservation.

2. With regards to possible effects upon the natural environment, the council propose that the principles of the mitigation hierarchy be followed. This gives sequential preference to the following: 1) enhance the environment 2) avoid the impact 3) minimise the impact 4) restore the damage 5) compensate for the damage 6) offset the damage. 3. All development must protect and enhance heritage assets and their settings.

4. All new development proposals will be required to take into account the risks arising from former coal mining and, where necessary, incorporate suitable mitigation measures to address them.

5. Achieve efficient land use and the reuse and remediation of previously developed sites where possible. Previously developed sites should always be used instead of greenfield sites where possible.

Infrastructure

1. Not result in the net loss of important open space, including public and private playing fields without a robust assessment that the sites are surplus to need. In assessing this, regard must be had to the level of provision and standard of public open space in the area, the importance of playing fields and the need to protect school playing fields to meet future needs. Regard will also be had to the landscape or townscape of an area and the importance the open space has on this.

2. Have regard to the availability to key infrastructure with capacity. Where key infrastructure with capacity is not available it may be necessary to phase development to allow infrastructure enhancements to take place.

3. Consider the potential impact on social infrastructure provision.

Other

1. Not prejudice future development which would provide significant environmental and amenity improvements.'

Policy DMG2: Strategic Considerations

24) The policy states:

'Development should be in accordance with the core strategy development strategy and should support the spatial vision.

1. *Development proposals in the principal settlements of Clitheroe, Longridge and Whalley and the tier 1 villages should consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.*

Within the tier 2 villages and outside the defined settlement areas development must meet at least one of the following considerations:

1. *The development should be essential to the local economy or social well being of the area.*
2. *The development is needed for the purposes of forestry or agriculture.*

3. *The development is for local needs housing which meets an identified need and is secured as such.*
4. *The development is for small scale tourism or recreational developments appropriate to a rural area.*
5. *The development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated.*
6. *The development is compatible with the enterprise zone designation.*

Within the open countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build.

In protecting the designated Area of Outstanding Natural Beauty the council will have regard to the economic and social well being of the area. However the most important consideration in the assessment of any development proposals will be the protection, conservation and enhancement of the landscape and character of the area avoiding where possible habitat fragmentation. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build. Development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the AONB by virtue of its size, design, use of material, landscaping and siting. The AONB management plan should be considered and will be used by the council in determining planning applications.

For the purposes of this policy the term settlement is defined in the glossary. Current settlement boundaries will be updated in subsequent DPDs.'

Policy DMG3: Transport and Mobility

25) This policy states:

'In making decisions on development proposals the local planning authority will, in addition to assessing proposals within the context of the development strategy, attach considerable weight to:

The availability and adequacy of public transport and associated infrastructure to serve those moving to and from the development –

1. *The relationship of the site to the primary route network and the strategic road network.*
2. *The provision made for access to the development by pedestrian, cyclists and those with reduced mobility.*
3. *Proposals which promote development within existing developed areas or extensions to them at locations which are highly accessible by means other than the private car.*
4. *Proposals which locate major generators of travel demand in existing centres which are highly accessible by means other than the private car.*
5. *Proposals which strengthen existing town and village centres which offer a range of everyday community shopping and employment opportunities by protecting and enhancing their vitality and viability.*
6. *Proposals which locate development in areas which maintain and improve choice for people to walk, cycle or catch public transport rather than drive between homes and facilities which they need to visit regularly.*

7. *Proposals which limit parking provision for developments and other on or off street parking provision to discourage reliance on the car for work and other journeys where there are effective alternatives.*

All major proposals should offer opportunities for increased use of, or the improved provision of, bus and rail facilities.

All development proposals will be required to provide adequate car parking and servicing space in line with currently approved standards.

The council will protect land currently identified on the proposals map from inappropriate development that may be required for the opening of stations at Gisburn and Chatburn. Any planning application relating to these sites will be assessed having regard to the likelihood of the sites being required and the amount of harm that will be caused to the possible implementation of schemes.

The council will resist development that will result in the loss of opportunities to transport freight by rail.'

Policy DME1: Protecting Trees and Woodlands

- 26) This policy states:

'There will be a presumption against the clearance of broad-leaved woodland for development proposes. The council will seek to ensure that woodland management safeguards the structural integrity and visual amenity value of woodland, enhances biodiversity and provides environmental health benefits for the residents of the borough. The council encourages successional tree planting to ensure tree cover is maintained into the future.

Where applications are likely to have a substantial effect on tree cover, the borough council will require detailed arboricultural survey information and tree constraint plans including appropriate plans and particulars. These will include the position of every tree on site that could be influenced by the proposed development and any tree on neighbouring land that is also likely to be with in influencing distance and could also include other relevant information such as stem diameter and crown spread. The borough council will ensure that:

1. *The visual, botanical and historical value, together with the useful and safe life expectancy of tree cover, are important factors in determining planning applications. This will include an assessment of the impact of the density of development, lay out of roads, access points and services on any affected trees.*
2. *That a detailed tree protection plan is submitted with appropriate levels of detail.*
3. *Site-specific tree protection planning conditions are attached to planning permissions.*

Tree preservation orders

The borough council will make tree preservation orders where important individual trees or groups of trees and woodland of visual, and/or botanical and/or historical value appears to be under threat. The council will expect every tree work application for work to protected trees to be in accordance with modern arboricultural practices and current British standards.

Ancient woodlands

Development proposals that would result in loss or damage to ancient woodlands will be refused unless the need for, and the benefits of, the development in that location outweigh the loss of the woodland habitat. In addition, in circumstances where a development would affect an ancient woodland, the

borough council will seek to include appropriate woodland planting and management regimes through planning conditions and agreements.

Veteran and ancient trees

The borough council will take measures through appropriate planning conditions, legislation and management regimes to ensure that any tree classified identified as veteran/ancient tree is afforded sufficient level of protection and appropriate management in order to ensure its long term survivability.

Hedgerows

The borough council will use the hedgerow regulations to protect hedgerows considered to be under threat and use planning conditions to protect and enhance hedgerows through the use of traditional management regimes and planting with appropriate hedgerow species mix.

Felling licences

When consulted on felling licence applications, the council will attempt to minimise the short-term adverse impact on the landscape and ensure replanting schemes contain an appropriate balance of species to safeguard and enhance the biodiversity and landscape value of woodland. '

Policy DME2: Landscape and Townscape Protection

27) This policy states:

'Development proposals will be refused which significantly harm important landscape or landscape features including:

- 1. Traditional stone walls.*
- 2. Ponds.*
- 3. Characteristic herb rich meadows and pastures.*
- 4. Woodlands.*
- 5. Copses.*
- 6. Hedgerows and individual trees (other than in exceptional circumstances where satisfactory works of mitigation or enhancement would be achieved, including rebuilding, replanting and landscape management).*
- 7. Townscape elements such as the scale, form, and materials that contribute to the characteristic townscapes of the area.*
- 8. Upland landscapes and associated habitats such as blanket bog.*
- 9. Botanically rich roadside verges (that are worthy of protection).'*

Policy DME3: Site and Species Protection and Conservation

28) This policy states:

'Development proposals that are likely to adversely affect the following will not be granted planning permission. Exceptions will only be made where it can clearly be demonstrated that the benefits of a development at a site outweigh both the local and the wider impacts. Planning conditions or agreements will be used to secure protection or, in the case of any exceptional development as defined above, to

mitigate any harm, unless arrangements can be made through planning conditions or agreements to secure their protection:

1. *Wildlife species protected by law*
2. *SSSI's*
3. *Priority habitats or species identified in the Lancashire Biodiversity Action Plan*
4. *Local Nature Reserves*
5. *County Biological Heritage Sites*
6. *Special Areas of Conservation (SACs)*
7. *Special Protected Areas (SPAs)*
8. *Any acknowledged nature conservation value of sites or species.*

Developers are encouraged to consider incorporating measures to enhance biodiversity where appropriate that will complement priority habitats and species identified in the Lancashire BAP.

With regard to sites designated under European legislation the authority will follow the relevant processes as defined within the Habitats Regulations 2010. Development will not be permitted unless either it is established that it is not likely to have a significant effect on any RAMSAR site or Natura 2000 site (including Special Protection Areas, potential Special Protection Areas, Special Areas Of Conservation, candidate Special Areas of Conservation), either alone or in combination with other projects, or it is ascertained, following appropriate assessment, that it will not adversely affect the integrity of any RAMSAR site or Natura 2000 site. The habitats regulations include provision for development which may cause an adverse effect on integrity to be allowed under exceptional circumstances. These include where there are no alternative solutions, imperative reasons of overriding public interest can be demonstrated and appropriate compensatory measures are implemented. In terms of the protection of the soil resource and high quality agricultural land development and land management practices should seek to avoid soil erosion; avoid contamination of land and promote restoration, protect the peat resource and recognise the importance of peat in particular for its carbon sequestration value, water quality improvements for both drinking water and biodiversity, reduction of local flood risk and reduction of moorland wildfire risk. The important link between soil quality, the natural environment and the landscape should be recognised.'

Policy DME4: Protecting Heritage Assets

29) This policy states:

'In considering development proposals the council will make a presumption in favour of the conservation and enhancement of heritage assets and their settings.

1. Conservation areas

Proposals within, or affecting views into and out of, or affecting the setting of a conservation area will be required to conserve and where appropriate enhance its character and appearance and those elements which contribute towards its significance. This should include considerations as to whether it conserves and enhances the special architectural and historic character of the area as set out in the relevant conservation area appraisal. Development which makes a positive contribution and conserves and enhances the character, appearance and significance of the area in terms of its location, scale, size, design and materials and existing buildings, structures, trees and open spaces will be supported.

In the conservation areas there will be a presumption in favour of the conservation and enhancement of elements that make a positive contribution to the character or appearance of the conservation area.

2. Listed Buildings and Other Buildings of Significant Heritage Interest

Alterations or extensions to listed buildings or buildings of local heritage interest, or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported.

Any proposals involving the demolition or loss of important historic fabric from listed buildings will be refused unless it can be demonstrated that exceptional circumstances exist.

3. Registered historic parks and gardens of special historic interest and other gardens of significant heritage interest

Proposals which cause harm to or loss of significance to registered parks, gardens or landscapes of special historic interest or other gardens of significant local heritage interest, including their setting, will not be supported.

4. Scheduled monuments and other archaeological remains

Applications for development that would result in harm to the significance of a scheduled monument or nationally important archaeological sites will not be supported.

Developers will be expected to investigate the significance of non designated archaeology prior to determination of an application. Where this demonstrates that the significance is equivalent to that of designated assets, proposals which cause harm to the significance of non designated assets will not be supported.

Where it can be demonstrated that the substantial public benefits of any proposals outweigh the harm to or loss of the above, the council will seek to ensure mitigation of damage through preservation of remains in situ as the preferred solution. Where this is not justified developers will be required to make adequate provision for excavation and recording of the asset before or during excavation.

Proposals should also give adequate consideration of how the public understanding and appreciation of such sites could be improved. In line with NPPF, Ribble Valley aims to seek positive improvements in the quality of the historic environment through the following:

A) monitoring heritage assets at risk and;

I) supporting development/re-use proposals consistent with their conservation;

II) considering use of legal powers (building preservation notices, urgent works notices) to ensure the proper preservation of listed buildings and buildings within the conservation areas.

B) supporting redevelopment proposals which better reveal the significance of heritage assets or their settings.

C) production of design guidance.

D) keeping conservation area management guidance under review.

E) use of legal enforcement powers to address unauthorised works where it is expedient to do so.

F) assess the significance and opportunities for enhancement of non designated heritage assets through the development management process.'

Policy DME6: Water Management

30) This policy states:

'Development will not be permitted where the proposal would be at an unacceptable risk of flooding or exacerbate flooding elsewhere. Applications for development should include appropriate measures for the conservation, protection and management of water such that development contributes to:

- 1. Preventing pollution of surface and / or groundwater*
- 2. Reducing water consumption*
- 3. Reducing the risk of surface water flooding (for example the use of Sustainable Drainage Systems (SuDS))*

As a part of the consideration of water management issues, and in parallel with flood management objectives, the authority will also seek the protection of the Borough's water courses for their biodiversity value.

All applications for planning permission should include details for surface water drainage and means of disposal based on sustainable drainage principles. The use of the public sewerage system is the least sustainable form of surface water drainage and therefore development proposals will be expected to investigate and identify more sustainable alternatives to help reduce the risk of surface water flooding and environmental impact.'

Policy DMB4: Open Space Provision

31) This policy states:

'On all residential sites of over 1 hectare, the layout will be expected to provide adequate and usable public open space. On a site-by-site basis, the council will also negotiate for provision on smaller sites, or seek to secure an off-site contribution towards provision for sport and recreational facilities or public open space within the area where the overall level of supply is inadequate. Any green infrastructure should be multi functional and encourage, where possible, walking and cycling opportunities.

The Borough Council will refuse development proposals which involve the loss of existing public open space, including private playing fields which are in recreational use. In exceptional circumstances and following a robust assessment where the loss of a site is justifiable because of the social and economic benefits a proposed development would bring to the community, consent may be granted where replacement facilities are provided, or where existing facilities elsewhere in the vicinity are substantially upgraded. These must be readily accessible and convenient to users of the former open space areas.

It is important to protect existing recreational areas from development. Within defined settlements public recreational land will be identified on the proposals map.'

Policy DMB5: Footpaths and Bridleways

32) This policy states:

'The Borough Council will seek to ensure the retention, maintenance and improvement of by-ways and un-surfaced/unclassified roads as part of the public rights of way network. In situations where a public right of way will inevitably become less attractive (due to adjacent/surrounding development), the policy should require compensatory enhancements such that there is a net improvement to the public right of way network. The borough council will, unless suitable mitigation measures are made, protect from the development footpaths which:

- 1. Provide a link between towns/villages and attractive open land;*

2. *Link with the Ribble Way footpath;*
3. *Are associated to the local nature reserves; and*
4. *Are heavily used. '*

4. Lancashire Joint Minerals and Waste Local Plan – Core Strategy

4.1 Background

33) The Core Strategy of the Lancashire Joint Minerals and Waste Plan was adopted March 2009 and sets out the vision, aims and objectives of the Minerals and Waste Local Plan.

4.2 Relevant Planning Policy

Policy CS2 - Minimising the need for Mineral Extraction

34) This policy states:

'All new developments will be expected to maximise the use of recycled and secondary materials by including measures to:

- (i) reduce, reuse, recycle and recover the waste they produce during construction and demolition, where possible on-site;*
- (ii) maximise the use of recycled and secondary materials, and the reuse of other building materials, within the development; and*
- (iii) maximise the potential for recovering and recycling construction materials at the end of the development's life, through the design of, and specification of materials used in, the development.*

25% of construction aggregates used in the Plan area will comprise recycled and secondary materials by 2021.

A network of sites for fixed recycling facilities will be identified across the Plan area, with sufficient capacity and conveniently located to maximise recycling of construction, demolition, industrial and quarry wastes.

Temporary recycling facilities will be located at larger sites of construction, demolition and highway projects with on-site re-use of these materials wherever possible.'

Policy CS6 - Promoting Waste Minimisation and Increasing Waste Awareness

35) This policy states:

'The following annualised targets for waste growth will be planned for in the Plan period: zero growth in industrial and commercial waste; 1% growth in municipal waste; and 1% growth in construction and demolition waste.

All major development proposals will be required to include details of measures to minimise the potential amounts of waste generated during construction and to provide for the segregation of any waste arisings to be taken off-site.

On-site waste management solutions will be encouraged during construction, particularly for the creation of green infrastructure, to minimise the amount of waste taken off-site.

Local communities and other stakeholders will be involved through the plan-making process and all available information will be published to ensure that decisions are based on reliable and up-to-date evidence.

Applicants will be encouraged to undertake early consultation with local communities to raise awareness and build consensus on their proposals.

Local liaison groups will be established for those minerals and waste developments which have the potential to impact upon the local environment and nearby communities.'

Policy CS7 - Managing our Waste as a Resource

36) This policy states:

'An integrated waste management strategy will be planned for that relies on the 'top end' of the waste hierarchy, to improve waste prevention and maximise re-use, recycling and composting, supported by a network of facilities providing flexibility for different technologies.

Lancashire's Municipal Waste Management Strategy will be delivered through the identification and release of sites for waste management facilities.

Proposals for all new development, including commercial and industrial development, will be required to provide suitable facilities for the handling, storage and collection of segregated wastes arising from the permanent use of the development.

The following recycling, composting and recovery targets will be planned for in the Plan period.

- (i) recycle and compost 46% of MSW by 2010, to reach 56% by 2015 and 61% by 2020*
- (ii) additionally recover value from 18% of MSW by 2015*
- (iii) recycle 35% of I&C waste by 2010, 40% by 2015 and 45% by 2020*
- (iv) additionally recover value from 30% of I&C waste by 2010, falling to 25% by 2020*
- (v) recycle 50% of C&D waste by 2010, 55% by 2015 and 60% by 2020*
- (vi) additionally recover value from 42 % of C&D waste by 2010, falling to 35% by 2020*

Provision will be made for the minimal amount of new landfill capacity for the disposal of residues from the treatment of all wastes where no further value can be recovered.'

5. Lancashire Joint Minerals and Waste Local Plan – Site Allocations and Development Control Policies

5.1 Background

37) The Site Allocations and Development Control Policies document of the Lancashire Joint Minerals and Waste Plan was adopted September 2013 to support the Core Strategy.

5.2 Relevant Planning Policy

Policy M2 - Safeguarding Lancashire's Mineral Resources

38) This policy states:

'Within the Plan area, Mineral Safeguarding Areas have been delineated on the Policies Map around all deposits of:

- *Limestone*
- *Sand and Gravel*
- *Gritstone [Sandstone]*
- *Shallow Coal*
- *Brickshales*
- *Salt*

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

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

6. Forest of Bowland AONB Management Plan 2019 – 2024

6.1 Background

39) The Forest of Bowland AONB draft Management Plan 2019-2024 is at its final consultation stage and is expected to be adopted in 2020 and will supersede the Management Plan 2014-2019. The Forest of Bowland AONB Management Plan provides a policy framework and identifies a 5-year programme of actions, between 2019 and 2024, to help guide the work of the AONB partnership organisations towards achieving the purpose of the plan - to conserve and enhance the natural and cultural beauty of the Forest of Bowland landscape.

6.2 Relevant Planning Policy

Objective 1.1 – Landscape

40) This objective is:

'Apply the guiding principles of the European Landscape Convention, using landscape characterisation as the basis for policy- and decision making for land and development management, to conserve and enhance natural beauty of the landscape.'

Actions

1.1A Provide landscape planning advice and guidance for local planning authorities, highway authorities, government agencies, local communities and developers based on the Forest of Bowland AONB Landscape Character Assessment 2009.

1.1B Influence planning and development policy-making at a local, county and national level by responding to consultations for relevant plans and strategies, e.g. neighbourhood plans, local plans and national planning policy guidance.

1.1C Carry out a 'refresh' of the AONB Landscape Character Assessment, focusing on new and emerging forces for change affecting the AONB.

1.1D Develop and review bespoke policy statements and guidance on current landscape planning issues affecting the AONB landscape, including statements on AONB development principles, renewable energy, lighting and design guidance notes (e.g. building design, moorland tracks, fencing).

1.1E Develop an AONB Woodland Strategy to conserve and enhance existing woodlands, promote the creation of new native and mixed woodlands and address the impact of tree health issues.

1.1F Continue to deliver 'Traditional Boundaries' programmes (via both the AONB and Pendle Hill Landscape Partnership), supporting training and competitions to help manage traditional boundaries and promote traditional rural skills.

1.1G Continue to work with Electricity North West Limited (ENWL) on the 'Undergrounding for Visual Amenity' programme to remove overhead powerlines in 'landscape-sensitive' locations within and close to the AONB.

1.1H Develop and deliver a 'landscape enhancement' project (focusing on management of traditional boundaries and woodland creation) to address the impacts of National Grid's high-voltage, overhead power lines in the AONB and its setting, with a view to submitting a bid to National Grid's Landscape Enhancement Initiative.

1.1I Work with geodiversity partnerships to increase awareness and understanding of importance of geodiversity in the AONB landscape, seeking to build it into AONB Partnership activity or projects, wherever relevant.'

Objective 1.2 – Habitats and Species

41) This objective is:

'Conserve, enhance and restore the AONB's characteristic mosaic of habitats by improving their connectivity, extent and condition; whilst taking targeted action to conserve key species and improving understanding of the biodiversity of the AONB.

Actions

1.2A Support farmers and landowners to conserve, enhance and restore land in nationally and internationally important wildlife sites, ensuring that at least 95% of SSSIs in the AONB are in favourable or recovering condition and at least 50% in favourable condition by 2024.

1.2B Support farmers and landowners to conserve, enhance and restore priority habitats outside SSSIs, focusing on local wildlife sites.

1.2C Develop a pilot nature recovery area within the AONB, as part of the Government's proposals for 'Nature Recovery Network', outlined in its '25 Year Environment Plan'.

1.2D Work with moorland owners to develop long-term moorland management plans in the AONB, with a focus on features of the Bowland Fells SSSI being on a path to favourable condition (see 1.2A).

1.2E Work with moorland owners to deliver landscape-scale projects to restore and re-wet at least 250 ha. of blanket bog habitat, including: Pennine Peat LIFE Project; Northern England Peat Project, Ribble Life and United Utilities PR19.

1.2F Work with farmers, landowners and local communities to deliver projects to conserve, enhance and restore at least 15ha. of species-rich grassland habitat; including Bowland Haytime & Bee Together.

1.2G Support the creation and establishment of at least 200 ha. of new native and mixed woodland that enhances the AONB landscape, with priority given to projects that conserve and enhance existing key habitats and species, increase carbon storage, keep rivers cool and help reduce flooding.

1.2H Support woodland owners to actively manage existing woodlands to conserve, enhance and restore biodiversity, whilst identifying opportunities for sustainable timber production and woodland products.

1.2I Influence, test and trial the development of the Government's proposed 'Environmental Land Management System' to offer support for farmers and landowners to conserve, enhance and restore priority habitats in the AONB, including species-rich grassland, wet grassland, peatland and woodland.

1.2J Support a catchment-based approach to the delivery of projects to conserve, enhance and restore riparian habitat; including Ribble Life Together, Pendle WINNS.

1.2L Support 'Restoring Sustainable Abstraction' (RSA) Programme being delivered by the relevant authorities and United Utilities, particularly on the Wyre catchment.

1.2M Devise and deliver local species recovery plans for threatened or priority species either locally or nationally; ensuring synergy with national species recovery plans, where these exist or are under development; including curlew, hen harrier, black grouse and threatened or locally important plant species.

1.2N Work with moorland managers and other key partners to implement a local approach to combat and eradicate illegal persecution of raptors, including survey work, satellite tagging and monitoring, co-ordinated hen harrier nest protection and winter roost site monitoring.

1.2O Support key partners to address invasive non-native species (INNS) where these impact on the AONB, including coordination of surveying, volunteer tasks days and specialist work via contractors.

1.2P Support research and monitoring of habitat extent/condition and priority species (both S41 and local priority species) for the AONB, including blanket bog, species-rich grassland, birds of prey, waders, aquatic species, pollinators.'

Objective 1.3 – Historic Environment

42) This objective is:

'Support the conservation, restoration and management of the historic environment and wider cultural landscape.

Actions

1.3A Work with statutory agencies to monitor, manage and conserve designated heritage assets; identifying any which become 'at risk' and develop management plans to remove assets from the 'Heritage at Risk' register (HAR).

1.3B Develop and deliver landscape-scale projects and activity which celebrate, conserve and enhance the distinctive landscape, cultural heritage and special qualities of the AONB; including Pendle Hill Landscape Partnership and Ribble Life Together.

1.3C Support community-based projects to conserve, enhance and restore historic environment features; and help increase access to- and understanding of the historic environment and wider cultural landscape.

1.3D Develop and improve information to raise awareness and understanding of the historic environment and wider cultural landscape of the AONB, using print and digital media and appropriate on-site interpretation.'

Objective 1.4 - Natural Capital and Ecosystems Services

43) This objective is:

'Seek to better understand and promote the value of the natural capital of the landscape and the public benefits derived from these assets; guiding land and development management decision-making to increase the natural capital of the AONB.

Actions

1.4A Carry out research into the value of natural capital and ecosystems services provided by the natural environment of the AONB and disseminate to a wider audience; including Pendle Hill LP's 'What's A Hill Worth' and Upper River Wyre Natural Flood Management scoping research.

1.4B Develop a more detailed local evidence base on the natural capital assets and ecosystem services for the AONB; using GIS to map these assets and services.

1.4C Carry out a more in-depth 'Ecosystems Approach' self-assessment of the AONB Partnership and its activities, helping to deliver outcomes outlined in the Government's 25 Year Environment Plan.

1.4D Use the developing evidence base on natural capital and ecosystems services to influence and shape local delivery of the Government's proposed 'Environmental Land Management System', which prioritises

support for the supply of public goods such as biodiversity, carbon, natural flood management, water quality and access to the countryside.

1.4E Investigate and trial local delivery of potential mechanisms for investment in natural capital, such as Peatland Code, Woodland Carbon Code and Net Gain for Nature.'

Objective 3.1 – Countryside Access

44) This objective is:

'Maintain and improve access to the countryside in a sustainable way for a diverse range of people and that promotes responsible, safe and quiet enjoyment.

Actions

3.1A Maintain and improve the Public Rights of Way network and signage, making necessary repairs and improvements to AONB 'Promoted Routes' and strategic routes/links in and around the AONB.

3.1B Develop and promote countryside access opportunities for all, seeking to meet the needs of a diverse range of users; considering use of least restrictive access furniture, appropriate surfacing and special signage.

3.1C Support the development and delivery of new multi-use, strategic routes, particularly those linking visitor gateways and communities to the wider PRoW network in and around the AONB, e.g. Pendle Hill LP 'Access for All' and Settle to Gisburn Forest off-road link.

3.1D Support volunteers to help survey and maintain the PRoW network, particularly focusing on AONB 'Promoted Routes'.

3.1E Work with landowners to assist with management of 'Access Land', in particular dissemination of information on restrictions or closures for land management purposes or wildfire risk.

3.1F Review and renew signage and information boards at important and well-used access points to 'Access Land' in the AONB, using the Pendle Hill LP 'Access for All' project to pilot this review and renewal.

3.1G Maintain concessionary routes and countryside access created via agri-environment schemes, where these are important or valued links in the wider countryside access network.

3.1H Investigate the potential for creation of new countryside access via the Government's proposed new Environmental Land Management Schemes.'

Appendix A - Relevant Policies

Ctrl+Click the policies to find them in this document

Planning Document	Landscape and Arboriculture	Water Environment	Flood Risk	Ecology	Cultural Heritage	Soils, Geology and Land Quality	Materials	Public Access and Recreation	Communities and Health	Major Accidents and Hazards	Transport Planning	Noise and Vibration	Air Quality and Climate Change
National Planning Policy Framework NPPF	<p>Section 12: Achieving well-designed places Paragraph: 126, 131.</p> <p>Section 8: Promoting healthy and safe communities Paragraphs 96, 97, 99, 100, 101.</p> <p>Section 15: Conserving and Enhancing the Natural Environment Paragraphs 170, 172, 175, 180.</p>	<p>Section 14: Meeting the challenge of climate change, flooding and coastal change Paragraphs 149, 150, 155-163,165.</p> <p>Section 15: Conserving and Enhancing the Natural Environment Paragraph 170</p>	<p>Section 14: Meeting the challenge of climate change, flooding and coastal change Paragraphs 149, 150, 155-163,165.</p>	<p>Section 15: Conserving and Enhancing the Natural Environment Paragraphs 170, 174, 175, 176, 177</p>	<p>Section 12: Achieving well-designed places Paragraphs 128, 130, 131.</p> <p>Section 16: Conserving and enhancing the historic environment Paragraphs: 185, 189, 190, 191, 192, 193, 194, 195, 196, 197,198, 199, 201, 202.</p>	<p>Section 15: Conserving and Enhancing the Natural Environment Paragraphs 170, 174, 178, 179, 183.</p>	<p>Section 15: Conserving and Enhancing the Natural Environment Paragraphs 170, 178, 179, 183.</p>	<p>Section 8: Promoting healthy and safe communities Paragraphs 96, 97, 98.</p>	<p>Section 8: Promoting healthy and safe communities Paragraphs 96, 97, 98.</p> <p>Section 9: Promoting sustainable transport Paragraph 102, 103,104, 110, 111.</p> <p>Section 15: Conserving and Enhancing the Natural Environment Paragraph 182.</p>	<p>Section 8: Promoting healthy and safe communities Paragraph 95</p>	<p>Section 9: Promoting sustainable transport Paragraph 102, 103, 104, 108, 109, 110, 111.</p>	<p>Section 15: Conserving and Enhancing the Natural Environment Paragraphs 170,180.</p>	<p>Section 14: Meeting the challenge of climate change, flooding and coastal change Paragraphs 149, 150, 155-162,165.</p> <p>Section 15: Conserving and Enhancing the Natural Environment Paragraphs: 170,180,181.</p>
Ribble Valley Core Strategy	<p>Policy DMG1: General Considerations</p> <p>Policy DMG2: Strategic Considerations</p> <p>Policy DME1: Protecting</p>	<p>Policy DME6: Water Management</p>	<p>Key Statement EN3: Sustainable Development and Climate Change</p> <p>Policy DME6: Water Management</p>	<p>Key Statement EN3: Sustainable Development and Climate Change</p> <p>Key Statement EN4: Biodiversity and Geodiversity</p>	<p>Key Statement EN5: Heritage Assets</p> <p>Policy DMG1: General Considerations</p> <p>Policy DME4: Protecting Heritage Assets</p>	<p>Key Statement EN4: Biodiversity and Geodiversity</p> <p>Policy DMG1: General Considerations</p>	<p>Key Statement EN3: Sustainable Development and Climate Change</p> <p>Policy DMG1: General Considerations</p>	<p>Policy DMG1: General Considerations</p> <p>Policy DMB4: Open Space Provision</p> <p>Policy DMB5: Footpaths and Bridleways</p>	<p>Policy DMG1: General Considerations</p> <p>Policy DMB4: Open Space Provision</p> <p>Policy DMB5: Footpaths and Bridleways</p>		<p>Policy DMG3: Transport and Mobility</p>	<p>Policy DMG1: General Considerations</p>	<p>Key Statement EN3: Sustainable Development and Climate Change</p>

Planning Document	Landscape and Arboriculture	Water Environment	Flood Risk	Ecology	Cultural Heritage	Soils, Geology and Land Quality	Materials	Public Access and Recreation	Communities and Health	Major Accidents and Hazards	Transport Planning	Noise and Vibration	Air Quality and Climate Change
	Trees and Woodlands Policy DME2: Landscape and Townscape Protection			Policy DMG1: General Considerations Policy DME1: Protecting Trees and Woodlands Policy DME3: Site and Species Protection and Conservation Policy DME6: Water Management			Policy DMG2: Strategic Considerations						
Lancashire Joint Minerals and Waste Local Plan – Core Strategy							Policy CS1 - Safeguarding Lancashire's Mineral Resources Policy CS2 - Minimising the need for Mineral Extraction Policy CS6 - Promoting Waste Minimisation and Increasing Waste Awareness Policy CS7 - Managing our Waste as a Resource						

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Lancashire Joint Minerals and Waste Local Plan – Site Allocations and Development Control Policies							Policy M2 - Safeguarding Lancashire’s Mineral Resources						
Forest of Bowland AONB Management Plan 2019 – 2024	Objective 1.1 - Landscape Objective 1.2 – Habitats and Species Objective 1.3 – Historic Environment Objective 1.4 - Natural Capital and Ecosystems Services	Objective 1.4 - Natural Capital and Ecosystems Services	Objective 1.4 - Natural Capital and Ecosystems Services	Objective 1.2 – Habitats and Species Objective 1.4 - Natural Capital and Ecosystems Services	Objective 1.3 – Historic Environment	Objective 1.1 - Landscape		Objective 1.4 - Natural Capital and Ecosystems Services Objective 3.1 – Countryside Access					