

Appendix 1 – ‘Issues and Options’ Summary of Comments and Council Response

Hyndburn DM DPD
Consultation Statement (Regulation 22)
January 2017

Development Management DPD

Summary of Responses – Issues and Options May 4th– June 18th 2012

Number of comments received: 16

Chapter	Summary of Comments	Council's Response	Action
General	<p>Network Rail – Diane Clark Rec via e-mail 4.05.12 townplanningLNW@networkrail.co.uk</p> <p>Network Land Ownership and Level Crossings Informative - Inform Asset Protection prior to submission of any proposals</p>	Noted	Will be completed alongside the next stage of the document
Developer Contributions	<p>Growth areas or significant housing allocations have the potential to significantly increase patronage where stations and routes are currently close to capacity. Rail improvements necessitated and directly related to commercial developments should be funded through appropriate developer contributions or CIL. Different developments will have specific impacts and it is necessary for Transport Assessments supporting planning applications to consider the impacts on the rail network.</p> <p>A developer contributions policy is suggested which includes a requirement to deliver rail network improvements. Further details on what the policy should cover is also provided.</p>	<p>TA's will be carried out as part of any major development.</p> <p>A Developer Contributions policy will be developed as a separate policy within the DM DPD</p>	
Wind Turbines	<p>Where Network Rail is consulted on the erection of wind turbines, a condition is issued which sets out Network Rails view on siting, fail safe distances and other activities which pose a risk to the operational railway. Where a development does not meet this condition, Network Rail would object until further measures were taken.</p> <p>Further issues which the Development Management DPD should cover are any proposed wind turbine scheme that requires the installation of cables under the railway would be objected to by Network Rail as would cabling/high tension over the railway pending negotiation with National Business Team. The comments also state</p>	<p>A separate policy is being developed specifically detailing policy requirements on the criteria for wind energy.</p> <p>Noted</p>	

<p>Level Crossings</p>	<p>that Network Rail are a supported of the sustainable production of energy but a number of matters need to be taken into consideration including shadow flicker and effect upon railway infrastructure, interference with radio/signalling and vibration from turbines affecting ground conditions. As many wind turbines are a large size, it may be necessary to gain permission to cross Network Rail infrastructure. The policy should also cover the need for Network Rail to be consulted as standard on wind applications as they become more prevalent.</p> <p>Development proposals affecting the safety of level crossings in Hyndburn is an important issue and development can increase vehicular and/or pedestrian traffic which can have impact on safety and service provision. The consultee considers that the importance of Level Crossing safety warrants a specific policy in this DPD which should cover Hyndburn Council's responsibility to consult the statutory rail undertaker; as a first principle, Network Rail's desire to close Level Crossings where possible; requirement for a Transport Assessment in certain circumstances and the requirement for a developer to fund improvements to a level crossing as a direct result of development. Reference is made to other authorities which have adopted a similar policy.</p> <p>Additional Information</p> <p>In addition to Huncoat, we have the following level crossings as below listed under Hyndburn.</p> <table border="1" data-bbox="392 874 1220 986"> <tr> <td>Maudsley</td> <td>372839.88</td> <td>429674.53</td> <td>BB1 4RJ</td> <td>UWC</td> <td>HYNDBURN</td> </tr> <tr> <td>Facitt</td> <td>373240.78</td> <td>429262.29</td> <td>BB1 4RJ</td> <td>UWC</td> <td>HYNDBURN</td> </tr> <tr> <td>Pennyhouse</td> <td>376146.25</td> <td>429107.85</td> <td>BB5 6AZ</td> <td>UWC</td> <td>HYNDBURN</td> </tr> </table> <p>UWC stands for User Worked Crossing which is usually on private land and is designed for example for a farmer to take his cattle between fields; it can be a gate each side of the railway line with the land owner calling up the local signal box to check that they can cross the line safely. The crossing may have limited clearance, i.e. the amount of time that you can see a train approaching may be reduced due to the curve and bend of the track, so any change in the type of users or increase in the volume of users (which could include mothers with pushchairs, mobility limited elderly or disabled, minors or young children, horse riders) would greatly increase the level of risk associated with the crossing.</p> <p>We are requesting that the Network Rail level crossings policy is included within the Hyndburn DMDPD papers so that councils, developers and applicants are aware of the impact of their proposals</p>	Maudsley	372839.88	429674.53	BB1 4RJ	UWC	HYNDBURN	Facitt	373240.78	429262.29	BB1 4RJ	UWC	HYNDBURN	Pennyhouse	376146.25	429107.85	BB5 6AZ	UWC	HYNDBURN	<p>Further information has been sought regarding the number of level crossing within Hyndburn, see Additional Information in the adjacent column</p> <p>Comments Noted, will be referenced in the next stage of the document</p>	
Maudsley	372839.88	429674.53	BB1 4RJ	UWC	HYNDBURN																
Facitt	373240.78	429262.29	BB1 4RJ	UWC	HYNDBURN																
Pennyhouse	376146.25	429107.85	BB5 6AZ	UWC	HYNDBURN																

	and the imported dangers of their proposal.		
<i>DM1 – Balanced Development Strategy</i>	<p>Ian Baseley Associates on behalf of Mr H Grimshaw Rec via e-mail 12.06.12 ask@ibaplanning.co.uk</p> <p>The definition of the urban boundary is very clearly a matter which needs to be left to the Site Allocations DPD and cannot logically or realistically be addressed as part of this document.</p>	Note the comments. The urban boundary will be consulted upon as part of the 'Issues and Options' for the Site Allocations DPD.	
<p><i>DM28 – Cultural and Community Development</i></p> <p><i>DM3- Retail and Leisure Development</i></p> <p><i>DM37- Parking Provision</i></p>	<p>The Theatres Trust (Rose Freeman) Rec via e-mail 30.05.12 rose.freeman@theatretrust.org.uk</p> <p>A policy to guard against the loss of cultural facilities should be included. Safeguarding these facilities will help to realize the potential for community use of existing buildings and encourage re-use of buildings when they become available.</p> <p>The title includes the word 'leisure' but there is no mention of any leisure guidance in this draft policy. We suggest that the various subject matters regarding town centres are dealt with in other policies and that retail should be the only issue for this policy. Item 23 on page 7 of the National Planning Policy Framework, regarding the vitality of town centres, states that a range of suitable sites should be allocated to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres. It is important that need for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability. Local planning authorities should therefore undertake an assessment of the need to expand town centres to ensure a sufficient supply of suitable sites.</p> <p>Other issues for town centres usually relate to the evening economy- cafes, restaurants, cinemas, nightclubs, and theatres etc, which do not have an input in the daytime economy.</p> <p>If there is a separate document that provides comprehensive guidance on parking matters then we do not see the need to repeat it in the Development Management Document. If there are any deficiencies in the parking guidance they can be addressed in the Development Management Document.</p> <p>With regard to transport and parking arrangements we would like to emphasize that the economics evening cultural and entertainment venues are reliant on audiences being able to get to the venue by public transport and car, being able to park their cars and bikes, and</p>	<p>One of the aims of the policy is to 'retain' community facilities. This can be expanded upon in the supporting text for the next stage of the document</p> <p>Note the comment that 'leisure' isn't included within the policy text.</p> <p>There is a separate Council 'guidance note' (2010) on parking but the note will have increased weight if it is included as part of the DM DPD</p> <p>The Council has a car parking guidance notes which would cover this detail</p>	

<p>DM28</p>	<p>being able to get home safely.</p> <p>Additional Information which has been supplied from the Theatres Trust</p> <p>Cultural (and Community) Development: Here are examples of two good development management policies from Three Rivers DC and Islington LB that contain all the elements we would expect to protect community and cultural facilities. Although I should mention that we are not happy with the phrase ‘economically viable’, as there are many cultural and community buildings that do not need to be ‘economically viable’ and exist with additional funding, but are nevertheless vital contributors to the health and well-being of residents and visitors – theatres are an obvious example.</p> <p>We also recommend for clarity that the Glossary contains a description for whatever term you use in the title of the policy, and suggest something along the lines of <i>community facilities provide for the health, welfare, social, educational, spiritual, leisure, recreational and cultural needs of the community.</i></p> <p>It would also be appropriate for a Development Management document to contain guidance on Use Classes including sui generis (although this is not a use class but is relevant).</p>	<p>Noted, and the suggested policy wording will be reviewed and placed into the next stage of the document</p>	
<p>DM12</p>	<p><i>Three Rivers District Council</i></p> <p>Community, Leisure and Cultural Facilities Protection</p> <p>Proposals for the redevelopment or change of use of any premises resulting in the loss of facilities or services that support the local community will only be permitted where the Council is satisfied that:</p> <ul style="list-style-type: none"> • The existing facility can be satisfactorily relocated within the development; or • The use concerned is not economically viable, could be provided by some other means, or it can be demonstrated that there is no longer a demand for the use; or • The premises or site cannot readily be used for, or converted to, any other community facility, and: • The facility or service which will be lost will be adequately supplied or met by an easily accessible existing or new facility in an appropriate alternative location, served by sustainable modes of transport. <p>Where a use is no longer economically viable, the Council will require supporting information setting out reasons as to why the use is no longer viable and cannot be made viable in the foreseeable future.</p>	<p>Noted can be placed in the glossary</p>	

<p>DM29</p>	<p>This may include details of previous use, accounts and marketing information demonstrating that the premises has been marketed for use as a community facility for a reasonable length of time and that no suitable user has been/or is likely to be found.</p> <p><u>New provision and enhancement</u> Where development proposals are submitted for new or improved community, leisure or cultural facilities, they should be accessible by sustainable modes of transport.</p> <p><i>London Borough of Islington</i> Islington's community, social and cultural facilities</p> <p>A. The council will protect existing community and social facilities by resisting loss/Change of Use unless:</p> <ul style="list-style-type: none"> i) replacement facilities are provided on site or within the vicinity which meet the need of the local population; or ii) necessary services can be delivered from other facilities without leading to, or increasing, any shortfall in provision, and it has been demonstrated that there is no demand for another similar use on site. <p>B. The council will encourage the provision of new community, social and cultural facilities in appropriate locations, particularly as part of major mixed-use developments, subject to an assessment of the scale, character, location and impact of the proposal on existing facilities and neighbouring uses. Developments that result in additional need for community facilities will be required to contribute towards enhancing existing facilities, or provide/contribute towards new facilities. This contribution will be addressed through CIL and/or section 106 obligations, as appropriate.</p> <p>C. New community and social facilities and must be provided in:</p> <ul style="list-style-type: none"> i) locations which are convenient to the communities they serve and accessible by a range of sustainable transport modes, including walking, cycling and public transport, and ii) buildings that are inclusive, accessible, flexible and sited to maximise shared use of the facility. <p>D. New cultural facilities that are expected to attract significant numbers of visitors should be located in the Central Activities Zone or the Town Centres.</p> <p>E. The loss and/or Change of Use of cultural facilities such as arts venues, theatres, cinemas, public galleries and community art centres will be resisted unless the premises has been vacant for a period of at least 2 years and marketing evidence for this 2 year vacancy period is provided and demonstrates that there is no realistic prospect of the unit being used for similar purposes in the foreseeable future.</p>		
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<p>DM37</p>	<p>Parking Provision: We suggest for theatres (sui generis) = 1 cycle stand per 40 seats – 1 parking space per 5 fixed seats – adequate turning and loading facilities inc. space for one coach or 16.5m lorry.</p> <p>Guidance from the NPPF Item 70 in the NPPF on page 17 states that to deliver the social, recreational and cultural facilities and services that the community needs, planning policies and decisions should plan for the use of shared space and guard against unnecessary loss of valued facilities. Also to ensure that established facilities and services are retained and able to develop for the benefit of the community.</p>	<p>HBC car parking standards are ; 1 space per 5 seats for car parking and 1 space per 10 seats for cycle provision. These are our local standards which are appropriate to Hyndburn.</p> <p>Noted</p>	
	<p>Lancs Police – Rachel Hines Arch Liaison Officer Rec via e-mail 17.05.12 rachel.hines@lancashire.pnn.police.uk</p> <p>The following to be incorporated into the text:</p> <ul style="list-style-type: none"> - Crime Impact Statements and Crime Disorder Act 1998 - a reference to ‘Secure by Design’ wording suggested: <p>It may be worth considering applying for Secured By Design accreditation in the process of designing developments. Secured By Design focuses on crime prevention at the design, layout and construction stages of homes and commercial premises and promotes the use of security standards for a wide range of applications and products. Further advice can be found at www.securedbydesign.com.</p> <p>Thresholds:</p> <ul style="list-style-type: none"> • All applications involving development on the site of licensed premises. • All major developments eg 10 dwellings or more • Some minor developments, including changes of use, which may increase the risk of crime and disorder (for example Automated Teller Machines (ATM's)) • Sensitive developments which are sited in an area where crime and disorder is a particular local issue 	<p>Noted and to be placed in Policy DM24 – High Quality Design.</p> <p>Secure by Design is mentioned within the text of Core Strategy Policy ENV6 – High Quality Design</p>	

<i>DM3 – Retail and Leisure Development</i>	<p>The policy should recognise, support and reflect the individuality of different historic town centres.</p> <p>The definition of primary and secondary frontages should recognise and support historic shopping streets.</p> <p>Any policies on permitted uses should safeguard the character of the area and any important historic uses.</p>	<p>The adopted Accrington Area Action Plan covers all issues to do with historic character within the town centre. The AAP is also supported with the CA appraisal and Management Plan.</p> <p>There is scope to put further information together on the other centres; Great Harwood, Rishton, Clayton le Moors and Oswaldtwistle. GH has a completed CA Appraisal.</p>	
<i>DM4 & 5</i>	<p>Consideration should be given as to how these uses impact upon the character and appearance of historic streets and places.</p>	<p>Noted</p>	
<i>DM6- Telecommunications</i>	<p>A criteria based policy should refer to heritage assets (NPPF definition) and their setting and the wider historic environment.</p>	<p>Noted, information to be placed within the policy specifically on Listed Buildings and Conservation Areas.</p>	
<i>DM9</i>	<p>Is this policy going to address the designation of Local Green Space? If so how has any historic significance of Local Green Space been assessed and how does this relate to a list of locally important heritage assets?</p>	<p>Local Green Space designations will be addressed in the Site Allocations DPD (NPPF para 76-78)</p>	
<i>DM10</i>	<p>We would support setting different housing densities to reflect the local characteristics of the area.</p> <p>With reference to housing market renewal; is it necessary to include policies to bring back into residential use empty housing and buildings? Are policies needed to encourage the sensitive adaptive reuse of buildings?</p>	<p>There is no national policy to support setting housing densities, each site we would consider on its merits and on a site by site basis.</p> <p>The Council has a empty homes strategy.</p>	
<i>DM13</i>	<p>Development of residential gardens should be resisted. Consideration should be given to the definition of these distinctive character areas. Some areas may be covered by conservation area appraisals but for other areas you may wish to consider showing on the proposals map distinctive townscape areas.</p>	<p>Noted. We have not done any mapping based around 'townscape areas', if we had more resources this could be considered.</p>	
<i>DM20</i>	<p>The development of guidance for trees within conservation areas would be supported but should be considered holistically as part of a conservation area appraisal and management plan.</p>	<p>Noted. Information will be put into this policy on trees within CA.</p>	
<i>DM24</i>	<p>An integral part in achieving high quality design is an understanding and evaluation of the defining characteristics of the area. How has sense of place been defined and how has local character and history been described?</p> <p>Policy should aim to integrate new development into the historic environment; reinforcing local distinctiveness and ensure that no harm is caused to designated heritage assets and their setting.</p> <p>The council should consider putting in place local design review</p>	<p>Design reviews will be recommended where policy, but</p>	

	<p>arrangements and set out how historic environment advice and expertise is to be obtained.</p> <p>The use of the right materials is a key component of a successful development. Sourcing local traditional building and roofing material will require concomitant policies relating to relict/heritage quarries and brick clay sources. It can be the case that development is diminished through the subsequent approval of amended plans, the substitution of materials, the lack of enforcement of planning conditions and the approval of later additions. The policy could set out the council's approach to this issue.</p> <p>It is important to have up to date evidence about the historic environment, the policy should set out how this will be achieved. Conservation areas should be reviewed and appraisals put in place. Local characterisations may be needed to support other policies and the Lancashire Landscape Strategy and the Lancashire Historic Landscape Characterisation should be noted. Information on heritage at risk will also be needed, noting that the English Heritage does not cover grade II listed buildings. Issues in the document will need to be covered and in addition: How heritage at risk is to be addressed. How the sensitive reuse of heritage assets is to be handled. How the historic environment is used to inform decisions on new development in order to retain local character and distinctiveness. Where sites have potential archaeological interest do policies require desk based assessment and if needed field evaluation?</p> <p>Are areas of archaeological potential identified What policy required is to avoid or minimise any harmful impact heritage assets and their setting? How have non-designated heritage assets including those of archaeological interest been identified and what policy is required?</p> <p>What policies are included to cover the loss of heritage assets and to ensure the new development will proceed?</p> <p>What measures have been taken to ensure that new development in Conservation Areas and World Heritage Sites and within the setting of</p>	<p>with limited resources design reviews are difficult to achieve and especially when there is now a charge (in the case of Places Matter). The Council has an informative 'Validation checklist' which states a whole host of requirements and recommendations for development on Listed Buildings and CA's.</p> <p>Policy ENV4 of the CS highlights these issues. Seek further information from LCC on active quarries</p> <p>The Council asks for a Statement of Significance to accompany an application</p> <p>Both these documents will be noted within the supporting text</p> <p>We have a separate section within the 'Validation Checklist' on Archaeological assessments. When necessary LCC archaeologist will make comment on an application.</p>	
DM25			
DM27			

DM29	heritage assets enhances or better reveals their significance?		
DM30	How has enabling development been addressed? We support the provision of further guidance to ensure that advertisements have no negative impact on the historic environment.	The Council will follow EH's policy on enabling Resource dependent, ideally we would like to plan to do some further work on this.	
DM33	We support the preparation of guidance to secure shop fronts and security grills which safeguard and compliment the character and appearance of historic buildings and places.	Noted and can be referenced within the policy	
DM34	Please refer to our guidance on <i>Wind Energy</i> and the <i>Historic Environment</i> . The impact of energy efficient measures on historic buildings requires careful consideration; please see website www.climatechangeandyourhome.org.uk and the publication <i>Improving the Thermal Performance of Traditional Windows</i> together with our guidance <i>Energy Efficiency and Historic Buildings</i> see http://www.english-heritage.org.uk/publications/energy-efficiency-historic-buildings-pt1/eehb-part1.pdf		
General	Children & Young People Planning Team (Ben Terry) Rec via e-mail 15.06.12 Ben.Terry@lancashire.gov.uk Have reviewed the Document (DPD) and do not have any comments that they wish to submit.	Noted	
General	amec on behalf of National Grid (Damien Holdstock) Rec via e-mail 08.06.12 damien.holdstock@amec.com National Grid has no specific comments to make on the document, but wishes to be kept informed of future stages of its development.	Noted	
DM36- Traffic and Highway Safety	Andrew Coombe Rec via e-mail 15.06.12 Andrew.Coombe@lancashire.gov.uk In the introduction/scene setting there is no reference to the safety aspect of this element and this is a key item as no development should have a negative impact on highway safety. There are potential issues around how far away from a potential development impact can be felt. There needs to be some recognition of the cumulative impact of developments on the existing highway network. Design should reflect national and local guidelines.	Comments noted and a sentence on 'Safety' to be placed into the introductory text to the policy.	
DM37- Parking Provision	Suggestion that the parking standards are included as well as	Will be using HBC parking standards which were	

	<p>information on why the council has chosen to adopt their own standards. Some of the definitions could be reviewed/ made clearer. Where there is no direct definition then it should be made clear that equivalents would be used. Not sure that the thresholds should be set as the need for things like travel plans will be very dependent on circumstances of site.</p>	<p>produced Dec 2010.</p> <p>Travel Assessments and Green Travel Plans are listed within the Council's validation checklist which gives detail as to when they are required and the detail which needs to be contained within them.</p>	
<p><i>Policy DM21 Protection and Enhancement of the Natural Environment</i></p> <p><i>Policy DM22 Protected Species</i></p> <p><i>Policy DM23 Flood Risk Management</i></p>	<p>Environment Agency (Rachel Welsby) Rec via e-mail 15.06.12 nwnorthplanning@environment-agency.gov.uk</p> <p>Other criteria to be considered should include the protection of wildlife corridors (e.g. canals, rivers, woodlands and hedges). Watercourses have undergone significant changes in the past and where opportunities arise, to restore culverted or channelised watercourse to enhance their ecological value, these should be taken as should building removal that encroach on the river corridor. Environmental assets should be seen as opportunities for providing enhancements as well as providing potential flood risk reduction features.</p> <p>Planning decisions should prevent harm to biodiversity and ecological conservation interests including ensuring that development is located on sites where there is little or no harm. If this is not possible, adequate mitigation and compensation measures should be sought; if this cannot be achieved, planning permission should be refused.</p> <p>In addition to the NPPF, a Development Management policy would be useful in covering other water related issues such as Water Framework Directive (WFD) and water quality. The WFD applies to all surface freshwater bodies and requires all of the designated water bodies to ensure good ecological status/potential. Further detail is provided on River Management Plans which are statutory documents that local authorities must have regard to. Examples are given on how spatial planning bodies can help deliver the WFD objectives including through the adoption of planning policies. There are 5 WFD bodies in Hyndburn of which Hyndburn Brook and the River Calder are priorities. Development must ensure that there is no negative impact on water quality in any WFD body.</p> <p>The comments suggest the inclusion of an overarching policy covering Water Resources/Quality and Flood Risk Management with various criteria to prevent inappropriate development in area at risk of flooding and to protect water resources and improve water quality.</p>	<p>Comments noted and to be included within the policy wording of the draft policy.</p> <p>Comments noted and to be included within the policy wording of the draft policy.</p> <p>Information on the WFD to be included in the next draft.</p> <p>Have a sub heading within the policy on Water Resources.</p>	

<p><i>Policy DM31 Environmental Amenity</i></p> <p><i>Policy DM32 Contaminated Land</i></p> <p><i>Policy DM34 Energy Efficiency</i></p> <p><i>Policy DM42 Equestrian Development</i></p>	<p>Information on Byelaws and the need to obtain the Agency's permission is set out.</p> <p>Support is offered to Core Strategy policy Env 7. If a similar DM policy is proposed, it is suggested that odour is also included.</p> <p>Reference is made to NPPF and the NW River basin Management Plan. The remediation and reuse of contaminated land is integral to the improvement of water quality. Reference is made to the former Clariant site as a contaminated site recently inspected. The comments also make reference to the Environment Agency's 'Groundwater Protection: Principle and Practice' suite of documents which should be used where there are potential impacts on groundwater.</p> <p>A number of suggestions are made on how to contribute to energy efficiency including water management in new developments, including dealing with grey water, the use of sustainable forms of construction including recycling of materials and energy efficient buildings.</p> <p>It is suggested that this policy includes further details to ensure that development does not have a negative effect on controlled waters (e.g. the store of manure).</p>	<p>Comments noted</p> <p>Comments noted, the Environment Agency's 'Groundwater Protection: Principle and Practice' to be referenced.</p> <p>Comments noted and suggestions can be placed in the supporting policy text.</p> <p>There is a planning condition which we would place on any application to avoid this issue</p>	
<p><i>DM20</i></p>	<p>Woodland Trust re by e-mail NickSandford@woodlandtrust.org.uk</p>		
<p>DM 32</p>	<p>We should start by saying that it is really good that the Council has decided to have a specific policy on trees and woodland.</p> <p><u>Should a detailed guidance note be prepared to support the policy? If so, should this be contained as an appendix to the document?</u></p> <p>Yes we believe it would be good to have a detailed guidance note to accompany the policy. This could cover some of the additional issues which we have outlined below. It would be useful to have it contained within the document (perhaps as an appendix) to ensure that the planning committee or planning officers have all the information they need in one place when considering planning applications where trees and woodland issues are involved.</p> <p><u>Should there be specific guidance on tree replacement in terms of numbers and type?</u> Yes. We would strongly support such guidance so as to ensure that</p>	<p>Noted</p> <p>It is intended to produce a detail policy on Trees and Woodland. As there is potentially a lot of detailed information to go into the policy, it may be that some of the supporting information is placed in an appendix.</p> <p>Noted. As this is industry standard then we will place the</p>	

	<p>the tree population is maintained and enhanced over time.</p> <p><u>Should 3:1 replacement of trees on development sites be required (as it is an industry standard throughout the country and is based on recommendations in the CLG document 'Trees in Towns 2').</u></p> <p>Yes. A 3 for 1 replacement ration ensures that mature trees which are lost are replaced by three young saplings. This recognises that newly planted trees do not provide the same benefits (eg biodiversity, carbon sequestration etc) as larger trees and that not all trees which are planted will survive. Loss of trees can be particularly high in urban locations , where trees are subject to a large number of environmental and other pressures (pollution, root compaction, vandalism etc)</p> <p><u>Should 'off site' contributions be asked for on sites where tree replacement is not possible? How would this be calculated?</u></p> <p>Yes. It has to be recognised that on site three for one replacement planting may not be feasible or desirable in every location, for example on very small urban sites or in confined street locations. Allowing for off site contributions ensures that trees can be planted in other locations to compensate for this. Pooling of these resources may allow, for example, a small woodland to be planted in an appropriate location. Trees in a woodland context provide a range of benefits in addition to those in streets or park locations ...for example development of woodland ecosystems and provision of pleasant environments for walking or other recreation.</p> <p><u>Should there be specific guidance on the 'types' of trees required on site, for example, native species, ornamental trees</u></p> <p>Yes this would be helpful. The Woodland Trust favours planting of native trees in woodland and in some other locations but we also support the concept of planting "the right tree in the right place". This means that in some street locations near to buildings, smaller ornamental trees may be more appropriate than larger native species. In all cases the purpose of planting the trees and what benefits are desired from them should be carefully considered in choosing an appropriate species for planting.</p> <p><u>On larger sites issues around management and long term maintenance need to be considered. Should this be to the cost of the developer or the future households and what role should the Highway</u></p>	<p>3:1 will be going into our new policy</p> <p>Noted.</p> <p>Noted, guidance on 'types' of trees will be put into the policy</p>	
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	<p><u>Authority play?</u></p> <p>Management should always be considered as lack of such provision could cause problems in the future. We have no strong views as to who should pay for this. In the case of woodland planting, grant aid may be available under the Forestry Commission's Woodland Grant Scheme but it may also be appropriate to seek developer contributions.</p> <p><u>Off set carbon emissions by giving a donation to a tree/woodland scheme</u></p> <p>We would strongly support woodland planting for this purpose, provided that measures are also being taken to reduce the carbon emissions where possible and the resulting trees and woodland are managed in a sustainable manner. In the case of woodland, we would like to see this ensured by the owner having the woodland certified under an appropriate scheme, such as that of the Forest Stewardship Council.</p> <p><u>Are there any other criteria which should be considered?</u></p> <p>In our comments in response to an earlier consultation on your core strategy, we outlined a number of issues which we would like your LDF documents to consider. There was no specific woodland policy included in the Core Strategy, so we would now wish you to consider these matters for inclusion in the Development Plan policies document</p> <p><u>Protection of irreplaceable habitats</u></p> <p>We would like to see a specific commitment that there should be no further loss at all of any irreplaceable semi-natural habitat, such as ancient woodland and ancient/veteran trees.</p> <p>Recognising this, the Woodland Trust has researched and developed a Woodland Access Standard for local authorities to aim for. This standard is endorsed by Natural England.</p> <p>The Woodland Trust Woodland Access Standard recommends:</p> <ul style="list-style-type: none"> - that no person should live more than 500m from at least one area of accessible woodland of no less than 2ha in size - that there should <u>also</u> be at least one area of accessible woodland of no less than 20ha within 4km (8km round-trip) of people's homes. 	<p>Comments noted, something on management to go into the policy</p> <p>Seek some further information from Trees and Woodlands Officer</p> <p>Noted. It is the intention to have separate policy on 'Trees and Woodlands'</p> <p>add definition for 'ancient woodland and ancient/veteran trees.</p> <p>Noted, place this in the supporting text or appendix</p>	
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	<p>We can supply statistics on how Hyndburn and other local authorities perform against this standard and what it means in terms of the amount of woodland creation which is needed. We would be happy to supply this information on request or to come and talk to your officers about it.</p> <p>We would like to see reference to the role of trees and woodland and other types of natural greenspace in helping to alleviate certain types of flooding.</p> <p>The Woodland Trust believes that trees and woodlands can deliver a major contribution to resolving a range of water management issues. They offer opportunities to make positive water use change whilst also contributing to other objectives, such as biodiversity, timber & green infrastructure - see the Woodland Trust publication Woodland actions for biodiversity and their role in water management (pdf) - http://www.woodlandtrust.org.uk/en/about-us/publications/Pages/ours.aspx.</p> <p>Trees and woodland are very well placed to contribute to the emerging agenda of water risk management in the light of a changing climate. For example: -</p> <p>Creation/Restoration of floodplain woodland to alleviate, and slow the rate of, flooding</p> <ul style="list-style-type: none"> • The creation or restoration of native broadleaf woodland can lead to a reduction of major and local flood events. Modelling suggests that major targeted to bottlenecks in 100-year flood envelopes. • At the local scale woodland creation also needs to be appropriately targeted. Research by the University of Manchester has shown that increasing tree cover in urban areas by 10 % reduces surface water run-off by almost 6 %. • The creation of short rotation coppice woodland can lead to a reduction in major and local flood events. 	<p>Further information has been sought from The Woodlands Trust</p> <p>Links to policy DM23 – Flood Risk Management to be made</p>	
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<p><i>DM7- New School Places</i></p>	<p>Lancashire County Council (Richard Sharples) Rec via email 18.06.12 Richard.sharples@lancashire.gov.uk</p> <p>This recognises the potential impact that new developments can have on education resources, and commit developers to financial contributions where there is an identified shortfall of provision at local schools. We would support the inclusion of recognition in the plan that new development impacts on school places.</p> <p>However, we feel it would be more appropriate to separate DM7 into a clear topic specific development management policy and a generic planning obligations development management policy. One of the options proposed under DM7 is to include it in the planning contributions policy instead (there is no planning contributions policy currently in the DPD). We would support the inclusion of a planning contributions policy that identifies the matters to be covered by planning obligations and the factors to be taken into account when considering the scale and form of contributions. This policy should be in addition to the topic specific development management policy that identifies the impact that the obligation seeks to mitigate, as discussed above. In this instance we would wish to seek primary and secondary education provision, and access to sustainable transport included in the list of matters that may be covered by planning obligations.</p>	<p>Noted. It is the intention to combine policies DM7 and DM8 to 'Schools and Early Learning'. It is also the intention that a separate policy be produced on planning contributions.</p>	
<p><i>DM36- Traffic and Highway Safety</i></p>	<p>This seeks to ensure the safe and free flow of traffic, including through encouraging travel by other modes of transport. We support the inclusion of recognition in the plan that new developments can impact on the safe and free flow of traffic.</p> <p>We would support the inclusion of a planning contributions policy that identifies the matters to be covered by planning obligations and the factors to be taken into account when considering the scale and form of contributions. This policy should be in addition to the topic specific development management policy that identifies the impact that the obligation seeks to mitigate, as discussed above. In this instance we</p>	<p>Noted, add sustainable transport into a separate planning obligations policy</p>	

	would wish to seek primary and secondary education provision, and access to sustainable transport included in the list of matters that may be covered by planning obligations.		
GENERAL	<p>Natural England (Kate Wheeler) Rec via e-mail 18.06.12 kate.wheeler@naturalengland.org.uk</p> <p>Overall, Natural England is satisfied that the Hyndburn Development Management Issues and Options Paper considers the natural environment.</p> <p>Natural England supports the draft Development Management Policies set out within the issues and options paper as they cover a range of topics. In particular, policy DM20 (Trees and Woodland), DM21 (Protection and enhancement of the natural environment), DM22 (Protected species), DM23 (Flood risk management), DM24 (High quality design), and DM33 (Wind Energy) will help to ensure that the natural environment is protected and enhanced within Hyndburn.</p> <p>The importance of Green Infrastructure (GI) is clearly recognised in the Hyndburn adopted Core Strategy, and although touched upon in the Issues and Options Paper (specifically under DM20 Trees and Woodland, DM11 Open space provision in residential development and DM19 Allotments), it needs to be better integrated into the Issues and Options Paper preferably in the form of a specific GI policy. GI is particularly relevant to the environmental policies, but there are also opportunities for GI links to be made through all the key areas: balanced development, education, housing and health.</p> <p>There are references to landscape but there should be greater emphasis on this and stronger linkages to the environmental policy (ENV3) in the Core Strategy.</p> <p>These documents have not be made available</p>	<p>Comments of support welcomed</p> <p>Consider having a combined policy on GI, just need to differentiate the GI policy within the Core Strategy.</p> <p>Under each of the policies there will be a box which highlights relevant linkages to other policies. This is a approach which will be followed throughout the document</p> <p>Will be distributed to you</p>	
Sustainability Appraisal Habitats Regulation Assessment			
DM6- Telecommunications	<p>MONO Consultants Ltd on behalf of the MOA (Carolyn Wilson) Rec letter dated 11.06.12 carolyn.wilson@monoconsultants.com</p> <p>The inclusion of a generic policy within the LDF to facilitate telecommunications development would be appropriate, with the following suggestions for a policy which reads;</p> <p><i>Proposals for telecommunications development will be permitted</i></p>	<p>Comments welcomed and will be considered for using in the next stage of the document.</p>	

<p><i>Policy DM6 – Telecommunications</i></p>	<p>and to prescribe mechanisms for their conservation and enhancement. The comments go on to state that there should be no net loss in biodiversity and where damage cannot be avoided, there may be a need to provide protection and adequate compensatory and/or mitigation measures. It is normally desirable to safeguard existing trees, hedgerows, ponds and ditches as much as possible.</p> <p>The comments also make reference to the legal requirement in the Flood and Water Management Act 2010 for all new development and re-development to provide Sustainable Drainage Systems (SuDS) which should also be referenced in the DPD.</p> <p>The comments state that it would be useful in each of the relevant development sections to qualify the policy by reference to environmental or amenity safeguards to help ensure that potential developers are aware that they need to take into account. The detail of such qualification does not need to be in generic policies in most cases. Environmental safeguards need to include wildlife sites, wildlife corridors, habitats, biodiversity (flora and fauna) and land identified for habitat creation.</p> <p>Reference to the need for ecological surveys is made as per the comments to the previous policy.</p>	<p>Survey is required.</p> <p>SuDS are already highlighted within the main policy text of Core Strategy ENV4 – Sustainable Development and Climate Change</p> <p>Comments Noted</p>	
<p><i>Policy DM10 – New Housing Development</i></p>	<p>As per the comments to previous policies, the need for all development sections to qualify the policy by reference to environmental or amenity safeguards is made as is the need for ecological surveys, particularly on greenfield sites.</p> <p>Green infrastructure needs to be identified for possible section 106 and Community Infrastructure Levy (CIL) funding. The comments also state that the policy does not promote the concept of sustainability in terms of new development such as by specifying the use of recycled building materials, energy efficiency, etc. The legal requirement under the Flood and Water Management Act was also reiterated.</p>	<p>Comments Noted</p> <p>GI may be considered with a future policy on Planning Contributions Re-use of buildings materials is highlighted in policy ENV4 of the Core Strategy</p>	
<p><i>Policy DM11 – Open Space Provision in Residential Development</i></p>	<p>Any consideration of garden size and open space provision should be linked to a clear green infrastructure policy and ensuring that such open space provision has regards to a biodiversity strategy and wildlife links to open countryside. The Site Allocation DPD should go some way to identifying such links and valuable habitats.</p>	<p>A policy on GI will be considered within the re-draft. These issues will be included in any new policy.</p>	

<p><i>Policy DM12 – Affordable Housing</i></p>	<p>The Trust would welcome specific reference being made to the government’s Accessible Natural Greenspace Standards (ANGSt).</p> <p>As with policy DM10, the commentator doesn’t consider the policy promotes the concept of sustainability in terms of new development such as by specifying the use of recycled building materials, energy efficiency, energy generation, water collection, Sustainable Drainage Systems (SuDS) etc.</p> <p>If affordable housing is aimed at people on lower incomes then it is even more important that the houses are very well insulated and generate as much of their own energy as possible in order to minimise the costs of living.</p>	<p>Noted and reference to be put in</p> <p>Re-use of buildings materials is highlighted in policy ENV4 of the Core Strategy</p> <p>Comments noted, retro-fitting is an issue which is highlighted in policy ENV4 of the CS</p>	
<p><i>Policy DM13 - Development of Housing within Residential Gardens</i></p>	<p>The commentator considers that reference to environmental or amenity safeguards should be made in each of the development sections. Reference is also required to state the need for ecological surveys.</p>	<p>Comments noted</p>	
<p>DM14 – Housing with Care and Extra Care</p>	<p>The commentator considers that reference to environmental or amenity safeguards should be made in each of the development sections. Reference is also required to state the need for ecological surveys.</p>	<p>Comments Noted</p>	
<p>DM15 – Gypsy and Traveller Sites</p>	<p>The commentator considers that reference to environmental or amenity safeguards should be made in each of the development sections. Reference is also required to state the need for ecological surveys.</p>	<p>Comments Noted</p>	
<p>DM19 – Allotments and other food growing areas</p>	<p>Allotments represent an important element of green infrastructure and open space. They provide recreational value, support biodiversity and landscape quality, contribute to physical and mental wellbeing, provide the possibility to grow fresh produce and contribute towards a healthy lifestyle that is active, sustainable and socially inclusive.</p> <p>The commentator considers that reference to environmental or amenity safeguards should be made in each of the development sections. Reference is also required to state the need for ecological surveys.</p>	<p>Comments Noted</p>	

<p>DM20 Trees and Woodlands</p>	<p>There is a need for clear policies with regard to trees affected by development. Where trees are protected by tree preservation orders (TPO) then the presumption should clearly be against their felling and clear safeguarding measures need to be taken to avoid damage during construction in particular. The setting of minimum distances and fencing off of protection zones (e.g. the spread of the tree as a minimum) are needed and it would be better to set the basic principles out here rather than rely on planning conditions when a planning application is submitted.</p> <p>Where there are significant trees that are not protected by a TPO, the issue is more problematic. Unless the trees are of a size and/or number that would breach the Forestry Act 1967, there is nothing stopping a potential developer / landowner felling trees in advance of submitting an application just to avoid being required to retain them. The Trust would advise the Council to protect valuable trees on any site that they intend to allocate for development. However, where trees do exist on development sites, their retention should be a serious consideration with replacements being required where felling is unavoidable. As much as possible of this should be included in the DPD.</p> <p>Reference should be made to the need to take account of the possibility of bats roosting in suitable trees and the need to avoid carrying out works during the season for breeding birds. Guidance notes and legal requirements should be referred to.</p>	<p>Minimum distances would be the RPZ (Root Protection Zone) which currently goes in planning conditions but this could be included in policy.</p> <p>Felling more than 5 square meters at a time needs a felling licence, this is currently poorly enforced but this is something which could go into our policy</p> <p>Make reference to the Ecological surveys in validation checklist</p>	
<p>DM21 – Protection and Enhancement of the Natural Environment</p>	<p>The Trust is very disappointed with this section. It should not just refer to the national policy. Nationally and European protected sites will be automatically protected but what about locally important habitats, sites and species?</p> <p>The Core Strategy itself is quite vague in terms of nature conservation and biodiversity stating:</p> <p><i>Policy Env2: Natural Environment Enhancement</i></p> <p><i>Opportunities for natural environment enhancement will be secured by ensuring that all development within or in proximity to ecological or geological resources:</i></p> <p>a) <i>protect those resources, and;</i></p>	<p>Comments noted. DM21 and DM 22 were both policies where supporting text and option generation was a little light. Work will be done on both policies to make them robust and up to date</p>	

	<p>b) <i>incorporate appropriate resource enhancement and positive management measures, and;</i></p> <p>c) <i>contribute to an effective ecological network through expansion and reconnection of environmental resources, particularly where such improvements would complement local regeneration priorities and improvements to health and well-being.</i></p> <p><i>The level of protection afforded to ecological and geological resources will depend upon their level of importance and vulnerability.</i></p> <p>But in 4.66 states that “Other areas suitable for habitat enhancement, expansion and re-connection will also be identified. This will be developed in more detail in the Site Allocations and Development Management DPD”.</p> <p>It is therefore vital that the Site Allocations DPD and this Development Management DPD rescue the situation by, between them, clearly identifying (on the proposals map) those locally important sites of nature conservation value / biodiversity value and setting out clear policies that will apply to any development on or adjacent to such areas. The Core Strategy refers to effective ecological networks through expansion and reconnection of environmental resources. The proposals map and the Development Management Policies need to clearly identify what that environmental resource is and have clear policies to safeguard and enhance it.</p> <p>All sites of nature conservation interest (including land supporting a UK Priority Habitat) need to be clearly identified on the Proposals Map that will be being developed by the Site Allocation DPD. There need to be clear policies protecting such areas to varying degrees, depending on their importance, together with mitigation policies in the event of harm being unavoidable (and acceptable on balance). There will be the need to cross-reference to these policies, e.g. when dealing with new developments and the adaptation of existing buildings, especially in rural areas (see below).</p> <p>There also be a reference to the need for an ecological survey to accompany any planning application which relates to green field sites or where important habitats and/or species may be affected.</p> <p>The Trust notes that there is no attempt at identifying any landscape scale strategy for the local authority area. The West Pennine Moors lie partly within Hyndburn and the areas should be identified with appropriate specific policies. Other landscape scale strategies could be incorporated into Countryside and Green Belt policies.</p> <p>The NPPF requires cross border cooperation but there is no mention</p>	<p>Note the comments, and agree that this section of the document was a little 'light'. As part of the Site All DPD a proposals map will be developed.</p> <p>Updating the Green Infrastructure layers has already begun and this will be added to and reviewed as part of the Site All DPD.</p> <p>Comments Noted</p> <p>Comments Noted</p> <p>Duty to co-operate can be written into the introduction</p>	
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<p>DM22 – Protected Species</p>	<p>of this in the DPD, though hopefully adjoining authorities have been consulted. The West Pennine Moors policies in particular need to be co-ordinated with the other relevant authorities in whose area the Moors lie within. Reference also needs to be made to the proposal to designate the West Pennine Moors as a Site of Special Scientific Interest (SSSI). The area under consideration includes Oswaldtwistle Moor in Hyndburn.</p> <p>The Lawton Review (2010) and Natural Choices (2011) should be added as key policy references.</p> <p>Depending on the content of the action plan (due for publication) in order to deliver the government’s Biodiversity Strategy, these documents may need to be added as key policy references.</p> <p>There should also be reference under this policy to the need for ecological surveys, at appropriate times of the year, to determine whether or not there are any protected / notable species and to prescribe mechanisms for their conservation and enhancement. There should be no net loss in biodiversity. Where damage cannot be avoided, valuable sites, habitats and/or species may need to be protected and adequate compensatory and/or mitigation measures specified.</p> <p>Note: much of the text in the ‘Issues and Options’ box is out of place here and should be moved to 6.14 and/or DM21.</p> <p>Depending on the content of the action plan (due for publication) in order to deliver the government’s Biodiversity Strategy, these documents may need to be added as key policy references.</p>	<p>Noted and can be put in as a reference</p> <p>Comments Noted and to be included in the next stage of the document</p>	
<p>DM23 – Flood Risk Management</p>	<p>The management of land at risk of flooding presents opportunities for mitigation of the impacts of climate change and to create valuable habitats for wildlife (including Habitats of Principal Importance in England such as fens, grassland types, grazing marsh, ponds and wet woodland), that can also support Species of Principal Importance in England.</p> <p>There is also a legal requirement in the Flood and Water Management</p>	<p>Comments noted</p> <p>Noted and to be included</p>	

<p>DM38 – New Building and Conversion of Existing Buildings in Countryside</p>	<ul style="list-style-type: none"> • Any criteria would need to take into account bird / bat flight paths. • If acceptable areas are to be identified on the proposals map then clear requirements regarding the protection of habitats and species should be included in the policy. <p>There should also be reference under the wind energy policy to the need for ecological surveys, at appropriate times of the year, to determine whether or not there are any notable habitats and species and to prescribe mechanisms for their conservation and enhancement. There should be no net loss in biodiversity (sites, habitats and species). Where damage cannot be avoided valuable habitats and/or species may need to be protected and adequate compensatory and/or mitigation measures specified. It is normally desirable to safeguard existing trees, hedgerows, ponds and ditches as much as possible.</p> <p>The wind energy policy needs to take into account, not just the siting of the turbines, but the effects / land requirements of the construction and decommissioning phases.</p> <p>There is potential for existing buildings to support protected species. Suitable policies need to be included to remind developers of their legal responsibility in this respect.</p> <p>There should also be reference under this policy to the need for ecological surveys, at appropriate times of the year, to determine whether or not there are any notable habitats and species and to prescribe mechanisms for their conservation and enhancement. There should be no net loss in biodiversity (sites, habitats and species). Where damage cannot be avoided valuable habitats and/or species may need to be protected and adequate compensatory and/or mitigation measures specified.</p> <p>See comments to the above policy</p>	<p>Comments Noted</p> <p>Comments Noted and reference to be made</p> <p>Comments noted and cross reference to be made</p> <p>Comments noted</p> <p>Comments Noted</p>	
<p>DM39 – New Building</p>	<p>It is useful in each of the development sections to qualify the policy by</p>		

<p>and Conversion of Existing Buildings in Green Belt</p>	<p>reference to environmental or amenity safeguards to help ensure that potential developers are aware that they need to take them into account. However the detail of such qualifications does need to be in generic policies in most cases. Environmental safeguards need to include wildlife sites, wildlife corridors, habitats, biodiversity (flora and fauna) and land identified for habitat creation.</p>		
<p>DM40 – Farm Diversification</p>	<p>There should also be reference under this policy to the need for ecological surveys, at appropriate times of the year, to determine whether or not there are any notable habitats and species and to prescribe mechanisms for their conservation and enhancement. There should be no net loss in biodiversity (sites, habitats and species). Where damage cannot be avoided valuable habitats and/or species may need to be protected and adequate compensatory and/or mitigation measures specified. It is normally desirable to safeguard existing trees, hedgerows, ponds and ditches as much as possible.</p> <p>There should be cross-referencing to other relevant policies such as DM33, DM34, DM35 etc.</p> <p>It is useful in each of the development sections to qualify the policy by reference to environmental or amenity safeguards to help ensure that potential developers are aware that they need to take them into account. However the detail of such qualifications does need to be in generic policies in most cases. Environmental safeguards need to include wildlife sites, wildlife corridors, habitats, biodiversity (flora and fauna) and land identified for habitat creation.</p>	<p>Comments noted and to be included in the re-draft</p>	
<p>DM42 – Equestrian Development</p>	<p>There should also be reference under this policy to the need for ecological surveys, at appropriate times of the year, to determine whether or not there are any notable habitats and species and to prescribe mechanisms for their conservation and enhancement. There should be no net loss in biodiversity (sites, habitats and species). Where damage cannot be avoided valuable habitats and/or species may need to be protected and adequate compensatory and/or mitigation measures specified. It is normally desirable to safeguard existing trees, hedgerows, ponds and ditches as much as possible.</p>	<p>Comments Noted</p>	

<p>General Comments</p>	<p>There should be cross-referencing to other relevant policies such as DM33, DM34, DM35 etc.</p> <p>In 1.4 it states “promote sustainable development whilst at the same time protect the environment and help address the wider social issues which prevail”. This implies that sustainable development can take place that does not protect the environment or address social issues. The Trust recommends that the definitions of sustainable development as quoted on page 2 of the National Planning Policy Framework (NPPF) are used.</p> <p>The DPD (as quoted in 4.4) uses key Thematic Policies that include Economy, Education, Health, Environment and Accessibility. However, the key themes of sustainable development as quoted in the NPPF are Economy, Environment and Society. Hence the themes could be restructured into Economy, Environment and Society (the latter including Accessibility, Education and Health).</p> <p>DM9 on page 25 refers to the policy equally being within the health or urban environment sections of the DPD yet there is no Urban Environment section in the document.</p> <p>There are no landscape scale policies in the DPD.</p> <p>The only reference to cross border working is in respect of wind turbines. Cross border working also needs to apply to nature conservation and landscape scale policies & plans.</p> <p>Clearly worded policies are needed to afford protection to the natural environment (sites, habitats and species) that need linking to sensitive / protected areas shown on the Site Allocations DPD.</p> <p>Because no draft wording of possible Development Management</p>	<p>Comments Noted</p> <p>A duty to co-operate will be highlighted in the introductory text</p>	
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	<p>Policies has been put forward at this stage, it is vital that consultees get a chance to comment on the proposed wording before the DPD is finalised for submission.</p> <p>There is inconsistent use of 'Issues and Options' or 'Issues & Options' and 'Options' (and 'Options and key issues' in DM12) across the policies in the DPD.</p> <p>There is a need to ensure that there is adequate cross-referencing to other relevant policies in order to enable developers to take account of all relevant policies.</p> <p>The diagram below, taken from the Lawton review (2010), is a simple and useful way of explaining how sustainable development should work to conserve and enhance the ecological network of a Borough. The core areas are wildlife sites (designated and non-designated sites) and Habitats of Principal Importance in England (listed in the NERC Act 2006), which are surrounded by buffer zones and connected by landscape, linear and stepping stone corridors. Restoration areas are identified on the ground and the rest of the Borough is a sustainable use area, with development control used to ensure that there is no net loss of biodiversity (sites, habitats and species) across the Borough.</p>	<p>This will be available in the next stage of the documents production, pre-submission consultation</p> <p>Noted</p> <p>There will be a cross reference check at the end of each of the policies in the next stage of the document</p>	
<p><i>DM1 – Balanced Development Strategy</i></p> <p><i>DM2 – Employment Development</i></p>	<p>Hyder Consulting</p> <p>Comments don't consider that policy adds anything new over Core Strategy. Suggested that text could be included as background rather than actual policy and provide linkages between documents. Comments also state that Green Belt may be better placed in rural chapter.</p> <p>Employment sites are often large and can have adverse effects on the environment and amenity, the comments therefore consider on this basis that cross-references are made with policies on amenity, access and design. Question the need for all this information to be repeated in this policy but should be clear that these are significant issues for employment sites.</p>	<p>Comments noted and policy DM1 to be removed. Linkages between different policy areas and planning documents to be added.</p> <p>Policy will not duplicate other policy areas Supporting text will mention potential impacts Clear links to other policies in this and other plans this will be shown in a table at the end of each policy</p>	

<p><i>DM5 – Hot Food Takeaways</i></p>	<p>less parking, etc and appropriate restrictions could be imposed.</p> <p>A minimum distance threshold should be combined with specific controls, the latter controls being tighter, the close these offices are to residential areas. A permit system is suggested where specific car parks are not available to ensure appropriate parking.</p> <p>Suggested that this policy area could form part of policy DM3 (Retail and Leisure Development).</p> <p>The policy is considered to be a significant enough issue to warrant a combination of requirements regarding physical standards, extraction equipment, waste and location. Such a policy would need to be cross-referenced to other policies regarding highway standards/parking. Security should be considered in the siting of such development with the example given of avoiding significant clustering with bars, taxi offices and other takeaways, etc.</p>	<p>subject of a planning application.</p> <p>Consider the issues surrounding this use to be important enough to warrant a separate policy.</p> <p>Yes a policy will contribute to all of these . Clear links to other policies in this and other plans this will be shown in a table at the end of each policy</p>	
<p><i>DM6 – Telecommunications</i></p>	<p>The comments support a criterion based approach and state that further guidance on location and design of masts would be beneficial in order to avoid local amenity intrusion and public concerns.</p>	<p>Support noted</p>	
<p><i>DM7 – New School Places</i></p>	<p>The comments state that it is a useful policy and it is recommended that it remains in order to ensure that the document remains relevant in the future.</p>	<p>Support noted</p>	
<p><i>DM8 – Nursery Places</i></p>	<p>Comments state that similar issues are raised to taxi booking offices as to whether it needs own policy. If the issue is a significant problem at present then an additional policy such as this would be beneficial. Otherwise the accessibility policies should be more wide-reaching with reference to certain land-uses which need extra attention with regard to traffic.</p>	<p>Agree with comments made, we are considering merging DM7 and DM8 together as a combined ‘ schools and early learning policy.</p>	
<p><i>DM9 – Protection of Playing Fields, Sports Grounds</i></p>	<p>If areas are located in the Site Allocations document, then a reference to the protection of playing fields and sports grounds may be sufficient in the environmental and health policies.</p>	<p>Open Space as a whole will be reviewed as part of the next stage in the document. Designations will be placed in the Site Allocations although we will still have reference to this in the DM.</p>	
<p><i>DM10 – New Housing Development</i></p>	<p>The comments state that it is not clear what policy DM10 seeks to achieve on its own at present but go on to state that it would be useful to use this policy on design of new housing development. This could include sustainable design principles (e.g. Code for Sustainable</p>	<p>Note the comments made, propose to re-name the policy : Design of new Housing Development</p>	

<p><i>DM11 – Open Space Provision in Residential Development</i></p>	<p>Homes Standards, etc), open space provision, amenity, parking, gardens, space standards and privacy. Density standards for different areas may be useful in conjunction with Neighbourhood Plans.</p> <p>Comments stress the importance of open space provision to health and wellbeing and green infrastructure connections. The need for private (and/or public) gardens (emphasis on greenspace) should be encouraged in new development although there is a balance to be achieved with housing affordability. The comments also state that the requirements for open space should be included, drawing from the study already undertaken and there should be guidance on minimum size standards. It would always be preferable to include open space rather than financial contributions in lieu.</p>	<p>Comments Noted, the Council takes a view on individual sites, and where appropriate on-site provision would be asked for in the first instance. Where this is not appropriate ie there is already a provision/facilities nearby then an 'off-site' contribution through Section 106 will be worked into any planning decision</p>	
<p><i>DM12 – Affordable Housing</i></p>	<p>The comments state that this policy could supplement the CS approach and that using an evidence-based approach would seem more sensible as long as the evidence base is robust. This may also enable more a greater degree of flexibility to ensure that affordable units are targeted at the most appropriate development types/sizes.</p> <p>With regards to off-site contributions, a hybrid approach is suggested as all three options have benefits in different ways.</p>	<p>Comments Noted</p> <p>Comments Noted</p>	
<p><i>DM13 – Development of Housing with Residential Gardens</i></p>	<p>The comments state that housing within gardens should be restricted for a number of environmental reasons. However, guidance on exceptional circumstances with accompanying criteria to avoid environmental and neighbour amenity issues could be provided.</p>	<p>Support noted</p>	
<p><i>DM14 – Housing with care and extra care</i></p>	<p>The comments support this type of development alongside local services, public transport and community hubs because such residents are likely to be less mobile. Similarly, vulnerable groups have special housing needs and the same locational principles apply (although not necessarily on the same development). Both issues can however be covered by the same policy.</p>	<p>Comments Noted</p>	
<p><i>DM15 – Gypsy and Traveller Sites</i></p>	<p>Using a robust evidence base, allocating specific sites for the gypsy and traveller community would provide greater certainty for them and should help to identify the most sustainable sites in terms of amenity and access. The comments do go on to caution that this may cause a degree of blight for surrounding land.</p> <p>A criteria based policy should be able to achieve sustainable locations in the same way but less certainty would be provided up-front. It may</p>	<p>Comments Noted</p>	

<p><i>DM16 – Privacy and Impact in New Housing Development</i></p> <p><i>DM17 – Minimum Space Standards for residential development</i></p> <p><i>DM18 – Health eating near schools</i></p> <p><i>DM19 – Allotments and other food growing areas</i></p> <p><i>DM20 – Trees and Woodland</i></p>	<p>be that this latter approach would work best for longer term needs that have not currently been identified.</p> <p>The comments state that this policy may be better incorporated into an overall policy on design considerations. Reference to the Residential Extensions SPD could provide much of the detail required.</p> <p>The comments state that a policy developed on both RIBA's recommendations and local circumstances would be more robust.</p> <p>The commentator considers that criteria based policy that addresses both distance and opening hours would be beneficial. A sensible distance may be more than that would be walkable within a typical lunch hour, over a mile and a half is suggested. If hot food takeaways are located within this distance, it is recommended they are not allowed to open at lunch.</p> <p>The protection of allotments is seen to be important for health and wellbeing, community and the environment. If allotments were listed in the Site Allocations DPD then this may be sufficient. The comments go on to state that it would be beneficial for new developments to provide contributions to these but this must be weighed up against the risk of deterring developers given the increasing requirements for contributions to a number of other initiatives that may be more important (e.g. affordable housing, green space education, etc).</p> <p>The minimum of 3:1 replacement ratio should be encourage, if it cannot be achieved on site then off site but within a nearby area in order to achieve the same localised benefits. The comments go on to state that native trees would usually be preferable but guidance should be sought on scale, type and location with respect to soil type, growth rates, local character and impacts on neighbouring land/building and its setting.</p> <p>Guidance on maintenance would be useful and in some circumstances, it may benefit to communities to offer some form of community ownership. Support was also offered for other ideas such as carbon offset planting.</p>	<p>A combined policy with DM10 may be considered in the next stage of the document</p> <p>Comments noted</p> <p>Support for policy noted and suggested distance threshold and other control. Policies which we create have to be relevant, meaningful and reasonable.</p> <p>Comments noted. Allotment sites will be identified and protected in the Site Allocations DPD. Planning Contributions policy to address all matters relating to planning gain which will also be subject to viability considerations. It may be considered that a general 'Green Infrastructure' policy is developed which goes into more detail than that of the CS policy ENV1.</p> <p>Support for this policy and its contents noted.</p>	
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<p><i>DM21 – Protection and Enhancement of the Natural Environment</i></p>	<p>It is suggested that liaison is made with the Woodland Trust that would help identify appropriate sites for new trees and their types. A guidance document could be prepared to provide further detail on these issues (including in conservation areas) which could be referenced in the DPD.</p> <p>The commentator considers that the current policy option does not provide required detail other than the setting out general principle of environmental protection/enhancement. This policy could cover other issues such as protection of designated wildlife (and geological) sites or also possibly green infrastructure links and wildlife connectivity/corridors. A policy on landscape/townscape character protection/enhancement would also be useful.</p>	<p>The Woodland Trust have commented on this document. Further information of the type suggested can be included within a more detailed document.</p> <p>Comments noted. DM21 and DM 22 were both policies where supporting text and option generation was a little light. Work will be done on both policies to make them robust and up to date</p>	
<p><i>DM22 – Protected Species</i></p>	<p>The comments state that a reference to European Protected species and rare and endangered species would make the policy stronger. Reference to the existing legislation would be a good approach with a summary of the key principles to ensure the policy is in line with them. Protected habitats should also be referenced together with those habitats which support protected species. Criteria-based policy should give consideration to, for example, habitats loss, fragmentation, severance, direct mortality of species, disturbance, pollution, groundwater and opportunities for enhancement.</p>	<p>Comments Noted</p>	
<p><i>DM23 – Flood Risk Management</i></p>	<p>The commentator supports a policy that reflects the sequential approach and key principles of the Technical Guidance Note is recommended.</p>	<p>Support noted.</p>	
<p><i>DM24 – High Quality Design</i></p>	<p>The comments state that the policy at present mainly focuses on urban form and character which is important as it has links to landscape and townscape character (although a separate policy on landscape/townscape protection is recommended)</p> <p>It is suggested that a policy on high quality design could also cover secured by design, water efficiency measures, BREEAM/Code for Sustainable Homes requirements, residential amenity, scale, massing, materials, mix of building types, transport, parking and access requirements, planting, environmental enhancement, sustainable drainage, habitat creation, air, noise and light pollution, local distinctiveness, waste recycling, etc.</p>	<p>Core Strategy policy ENV6 and ENV4 provides guidance on a number of areas and references many of the factors suggested by the commentator. This policy and others e.g. DM25 is to cover remaining areas such as materials</p>	

<i>DM25 – Materials</i>	All three options for materials are supported. It is considered that recycled or secondary materials could also be mentioned.	Covered in ENV4, a link can be made to this policy in the supporting text.	
<i>DM26 – Public Art</i>	The comments state that public art can divide opinion and that it may be better to promote higher quality art on a case-by-case basis rather than lower quality in more areas. A size threshold is suggested and input from the outset would be beneficial in terms of integration overall. Consideration should also be given to safety, maintenance and longevity (e.g. deterioration of materials over time).	Comments Noted A size threshold and other details will be included within the policy.	
<i>DM27 – Heritage Assets</i>	<p>The policy could also mention historic landscapes and historic character and there is a need to check Scheduled Ancient Monuments, Registered Historic Parks and Gardens and archaeology are covered in the list of heritage assets.</p> <p>The comments also state that it would be useful for heritage topics to be covered in a single policy but also to be cross-referenced to other policies on townscape character, etc. Information on climate change and Conservation Areas would be useful as would how listed buildings can be made more energy efficient. Reference to the setting of heritage assets is also important. Key principles such as preservation in situ should be referenced together with the requirements of the NPPF. Measures to promote education and appropriate public access and information would also help.</p>	<p>These can be highlighted in the supporting text.</p> <p>Comments noted. Climate Change and CA' to be explored further as well as energy efficiency. May be that supporting documents/papers produced by English Heritage are cross referenced.</p>	
<i>DM28 – Cultural (and Community) Development</i>	The comments support this policy stating that the retention and promotion of cultural and community facilities is very important for community spirit and cohesion. The sequential approach seems sensible and key sites could be included in Site Allocations document to add strength to this.	Support noted	
<i>DM29 – Advertisements</i>	The proposed approach to advertisements is supported. Other aspects to consider are quality, clustering, location with respect to heritage and local character, residential amenity, safety and rural character.	Support Noted	
<i>DM30 – Shop fronts and Security Shutters</i>	The comments ask whether it would be beneficial in referencing types of business uses for shop frontages, i.e. continuity of use classes together, etc. They also state that further guidance on frontages would be helpful. More stringent guidance for Conservation Areas and Listed	Additional advice for Listed Buildings and CA's to be included.	

<p><i>DM31 – Environmental Amenity</i></p>	<p>Buildings would also ensure these assets are protected and enhanced. Advice on shutters is also helpful with respect to character, heritage and security.</p> <p>The issue of residential amenity is considered to be important whether it is a stand alone policy or part of another. The commentator considers that this policy area could also cover separation distances and noise survey requirements but these may be better addressed separately. Other forms of pollution such as air pollution may be relevant and parking may also be an issue.</p>	<p>Comments noted, other forms of pollution to be considered in the next stage of the document</p>	
<p><i>DM32 – Contaminated and Unstable Land</i></p>	<p>The policy and the referencing of statutory requirements for assessing and remediating contaminated land is supported. Reference should also be made to avoiding future contamination through development control. The comments also state that contamination could restrict the type of development allowable, depending upon the viability of and the degree to which it can be remediated. The use of PDL is also encouraged</p>	<p>Comments Noted</p>	
<p><i>DM33 – Wind Energy</i></p>	<p>A criteria-based policy would be beneficial that looks at the range of considerations required for wind energy including environmental and amenity issues. An SPD covering matters of greater detail would be useful if a significant number of applications are expected. Cumulative impacts are also seen as important which could include proposals near to Borough boundaries. A sensitivity map is suggested (e.g. drawing from Lancaster-wide landscape sensitivity work) but it is accepted that these have problems such as causing blight.</p>	<p>Comments noted, an SPD on wind energy would be useful but unfortunately we don't have the resources to do this. We aim to get a robust policy within the DM DPD which will be further supported by a guidance note to be included in the appendix.</p>	
<p><i>DM34 – Energy Efficiency</i></p>	<p>Energy efficiency could form part of a sustainable building design policy. The commentator considers that it would be useful to use policy to 'encourage' energy efficiency in conversions and extensions in addition to the existing requirements of Building Control and the Core Strategy.</p>	<p>Comments noted</p>	
<p><i>DM36 – Traffic and Highway Safety</i></p>	<p>The proposed criteria are supported. New connections to footpaths/cycleways/bridleways could also reference the need to develop a coherent network of rights of way and also the role they may play in developing green infrastructure networks. Links to public</p>	<p>Supported comments noted. 'Safety' will feature more in</p>	

<p><i>DM37 – Parking Provision</i></p> <p><i>DM38 – New Building and Conversion of Existing Buildings in Countryside</i></p> <p><i>DM39 – New Building and Conversion of Existing Buildings in Green Belt</i></p> <p><i>DM40 – Farm Diversification</i></p> <p><i>DM41 – Agricultural Workers Dwelling</i></p> <p><i>DM41 – Equestrian Development</i></p>	<p>transport connections, new bus stops/routes, etc and transport interchanges would also be beneficial. Safety should also feature strongly in all of these.</p> <p>Referencing the parking standards should suffice and clear guidance is needed on where travel plans would be required. Parking provision may be reduced if developments are in areas accessible by public transport.</p> <p>New dwellings and conversions should give consideration to a range of factors including: amenity, character, landscape, traffic, access to amenities, effect on wildlife (e.g. bats and barn owls in conversions), water quality, utilities supply, effect on tranquillity, appropriate materials, scale, design, historic value and setting, etc</p> <p>The comments consider a definition of terms would be helpful as would guidance on materials and design but should be more stringent than those suggested above (referring to DM38). Particular attention should be given to not exceeding existing footprints and visual appeal including the effect on local character. A criteria-based approach may be sensible and allows control with a degree of flexibility.</p> <p>A criteria-based policy is supported which could include scale, traffic/access, local community focus and impacts upon wildlife, landscape.</p> <p>The comments consider that the proposed tests seem logical. Reference to other environmental protection policies should also be applied.</p> <p>All of the policy options proposed could be taken forward in parallel within one policy.</p>	<p>the next stage of the document</p> <p>Comments Noted</p> <p>Comments Noted</p> <p>Comments Noted</p> <p>Comments Noted</p> <p>Comments Noted</p> <p>Comments Noted</p>	
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