

## Appendix 21

### Policies

#### Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan documents (LMWDF)

##### Policy CS1                      Safeguarding Lancashire's Mineral Resources

Minerals will be extracted only where they meet a proven need for materials with those

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

##### Policy CS5                      Achieving Sustainable Minerals Production

Alternatives to the bulk transportation of minerals by road will be encouraged. Existing or potential transport, storage, handling or reprocessing facilities will be safeguarded

where they offer the potential for the use of rail, water or other means to transport minerals. Criteria will be developed for the site identification process, and also for considering other proposals brought forward outside the plan-making process, to ensure that:

- (i) our natural resources including water, air, soil and biodiversity are protected from harm and opportunities are taken to enhance them;
- (ii) features and landscapes of historic and cultural importance and their settings are protected from harm and opportunities are taken to enhance them;
- (iii) workings will not adversely contribute to fluvial flood risks or surface water flooding;
- (iv) proposals for mineral workings incorporate measures to conserve, enhance and protect the character of Lancashire's landscapes;
- (v) the amenity, health, economic well-being and safety of the population are protected by the introduction of high operating standards, sensitive working practices and environmental management systems that minimise harm and nuisance to the environment and local communities throughout the life of the development;
- (vi) essential infrastructure and services to the public will be protected;
- (vii) sensitive environmental restoration and aftercare of sites takes place, appropriate to the landscape character of the locality and the delivery of

national and local biodiversity action plans. Where appropriate, this will include improvements to public access to the former workings to realise their amenity value.

Concurrent mineral working will be encouraged where it will maximise the recovery of the materials worked, including secondary materials.

Waste materials will be used positively wherever appropriate and will not constitute a nuisance before a suitable use can be found.

## **Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One (LMWLP)**

### Policy NPPF 1 – Presumption in Favour of Sustainable Development

When considering development proposals the Council will take a positive approach that reflects the presumption in sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions of the area. Planning applications that accord with the policies in the Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking account of whether: Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or Specific policies in that Framework indicate that development should be restricted.

### Policy DM2                      Development Management

Development for minerals or waste management operations will be supported where it can be demonstrated to the satisfaction of the mineral and waste planning authority, by the provision of appropriate information, that all material, social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. In assessing proposals account will be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts can be controlled in accordance with current best practice and recognised standards. In accordance with Policy CS5 and CS9 of the Core Strategy developments will be supported for minerals or waste developments where it can be demonstrated to the satisfaction of the mineral and waste planning authority, by the provision of appropriate information, that the proposals will, where appropriate, make a positive contribution to the:

- Local and wider economy
- Historic environment
- Biodiversity, geo-diversity and landscape character
- Residential amenity of those living nearby

- Reduction of carbon emissions
- Reduction in the length and number of journeys made

This will be achieved through for example:

- The quality of design, layout, form, scale and appearance of buildings
- The control of emissions from the proposal including dust, noise, light and water.
- Restoration within agreed time limits, to a beneficial after use and the management of landscaping and tree planting.
- The control of the numbers, frequency, timing and routing of transport related to the development

## **Fylde Borough Local Plan**

### **Policy SP2                      Development in countryside areas**

In countryside areas, development will not be permitted except where proposals properly fall within one of the following categories:-

1. That essentially required for the purposes of agriculture, horticulture or forestry; or other uses appropriate to a rural area, including those provided for in other policies of the plan which would help to diversify the rural economy and which accord with policy SP9;
2. The rehabilitation and re-use of permanent and substantial buildings which are structurally sound, in line with policies SP5 and SP6
3. The re-use, refurbishment or redevelopment of large developed sites in line with policy SP7;
4. Minor extensions to existing residential and other buildings.
5. Development essentially needed for the continuation of an existing enterprise, facility or operation, of a type and scale which would not harm the character of the surrounding countryside.

### **Policy EP11                      Building design and landscape character**

New development in rural areas should be sited in keeping with the distinct landscape character types identified in the landscape strategy for Lancashire and the characteristic landscape features defined in policy EP10. Development must be of a high standard of design. Matters of scale, features and building materials should reflect the local vernacular style

### **Policy EP12                      Conservation of trees and woodland**

Trees, woodlands and hedgerows which individually or in groups make a significant contribution to townscape or landscape character, quality and visual amenity will be protected. Tree preservation orders will be issued in relation to trees and woodlands of townscape or landscape significance.

### **Policy EP15                      European nature conservation sites**

Development proposals which may affect a European site or a proposed European site will be subject to the most vigorous examination. Development proposals

required directly in connection with or necessary to the management of the site for nature conservation purposes will be permitted. Development proposals not directly connected with or necessary to the management of the site and which would affect the integrity of the site as a whole, will not be permitted unless the developer can demonstrate that:-

1. There is no alternative solution; and
2. There are imperative reasons of over-riding public interest for the development.

Where the site hosts a priority natural habitat type and/or a priority species, development will not be permitted unless the developer can demonstrate that it is necessary for reasons of human health or public safety or benefits of primary importance to the environment would result

#### Policy EP16                      National nature reserves

Development proposals within or likely to affect sites of special scientific interest will be subject to special scrutiny. Development proposals likely to prejudicially affect an SSSI will not be permitted unless the use of conditions or planning obligations would prevent damaging impacts on the nature conservation interest of the site, or the reasons for the development clearly outweigh the nature conservation value of the site itself. Where the site concerned is a national nature reserve (NNR) or a site identified under the nature conservation review (NCR) or geological conservation review (GCR) particular regard will be paid to the national importance of the individual site

#### Policy EP17                      Biological heritage sites

Development which is likely to impact significantly or fundamentally on the biological/geological resources of sites defined as biological heritage sites or geological heritage sites, will not be permitted. Lancashire county council and the Lancashire wildlife trust will be consulted where appropriate and account will be taken of the views obtained. Developers may be required to prepare and submit environmental assessments where appropriate, having regard to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999

#### Policy EP23                      Pollution of surface water

Development will not be permitted which would adversely affect the quality of coastal waters, rivers, canals, lakes, ponds and other bodies of water. Development which would be likely to give rise to pollution of inland surface water or coastal waters will not be permitted. Where development is permitted surface water resources will be protected by the imposition of appropriate planning conditions

#### Policy EP24                      Pollution of ground water

Development will not be permitted which would adversely affect the quality of ground water and the ability to utilise existing or potential resources within the borough. Where development is permitted ground water resources will be protected by the imposition of appropriate planning conditions

Policy EP26            Air pollution

Development will not be permitted which is likely to give rise to unacceptable levels of air pollution where this would prejudice other adjacent or nearby communities or land uses. Where polluting or potentially polluting industrial or waste disposal operations already exist, new residential, or other sensitive developments will not be permitted in nearby locations where there is a risk of the development being subjected to air pollution. Where potentially polluting development is allowed, planning permission will be granted subject to appropriate conditions designed to minimise airborne emissions, including unpleasant odours

Policy EP27            Noise pollution

Development which would unnecessarily and unacceptably result in harm by way of noise pollution will not be permitted. Where appropriate, planning permission will be granted subject to conditions to minimise or prevent noise pollution

Policy EP28            Light pollution

In relation to development proposals involving external lighting facilities, regard will be had to the issue of light pollution. Proposals should avoid or minimise harm relating to loss of local character, loss of amenity or reduction in highway safety. External lighting schemes must be well designed and the light intensity not excessive in relation to the function it performs. Light sources must be directed at the object to be illuminated thereby minimising extraneous emissions. Schemes must be well designed and the light intensity not excessive in relation to the function it performs.