



## Portfolio Holder Decisions

### **Endorsement of the Baron Neighbourhood Development Plan Examiners Report and Allocation of S106 monies to improve Pheasants Wood, Thornton**

- 1. Endorsement of the Barton Neighbourhood Plan Examiner's report** (Pages 3 - 120)  
Report of the Corporate Director Communities.
- 2. Allocation of S106 monies to improve Pheasants Wood, Thornton** (Pages 121 - 124)  
Report of the Corporate Director Environment.

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## Portfolio Holder Report

The portfolio holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date of publication
Marianne Hesketh, Corporate Director Communities	Councillor Peter Le Marinel, Planning Policy and Economic Development Portfolio Holder	7 September 2023

### Endorsement of the Barton Neighbourhood Plan Examiner's Report

**Key decision:** No

#### 1. Purpose of report

- 1.1 To consider the findings of the Examiner's Report into the Barton Neighbourhood Plan and proposed modifications.
- 1.2 To consider if the Barton Neighbourhood Plan, incorporating proposed modifications, meets the basic conditions and legal requirements set out in the Neighbourhood Planning Regulations.
- 1.3 To inform the Portfolio Holder of the next steps for the Barton Neighbourhood Plan, including agreeing that the Barton Neighbourhood Plan as modified can proceed to referendum.

#### 2. Corporate priorities

- 2.1 Collaborate with residents and local stakeholders to maximise opportunities for improving health and wellbeing across our communities.
- 2.2 Work with residents, Parish and Town Councils and businesses to plan, protect and enhance the quality of our neighbourhoods and environment and promote responsible use of Wyre's great outdoors.

#### 3. Recommendations

- 3.1 That the findings of the Barton Neighbourhood Plan Examiner's Report and proposed modifications (Appendix 1) are endorsed.

- 3.2 That the Barton Neighbourhood Plan incorporating proposed modifications (Appendix 2) meets the basic conditions and legal requirements.
- 3.3 That the Portfolio Holder agrees that the Barton Neighbourhood Plan should proceed to a local referendum and that the draft decision statement (Appendix 3) can be issued to inform interested parties that the modified Barton Neighbourhood Plan should proceed to Referendum as soon as reasonably possible with a potential Referendum date of 9 November 2023.
- 3.4 That powers be delegated to the Head of Planning and Regeneration to make minor editorial amendments and corrections to the Barton Neighbourhood Plan prior to referendum.

#### 4. Background

##### **The Neighbourhood Planning Process**

- 4.1 Neighbourhood planning is a way for communities to shape the future of the places where they live and work. The Localism Act 2011 which amended the Town and County Planning Act 1990, introduced the right for local communities to produce neighbourhood plans and the mechanisms for them to do so. The Neighbourhood Planning (General) Regulations 2012 (as amended) sets out the detailed arrangements that neighbourhood plans should follow, including the responsibilities of the parish council and the local planning authority in the neighbourhood plan process.
- 4.2 A neighbourhood plan cannot be used to prevent or stifle development. Once a neighbourhood plan is 'made' (adopted) it becomes part of the statutory development plan for that area and is used alongside local and national planning policy and guidance to determine planning applications.
- 4.3 The Neighbourhood Planning (General) Regulations 2012 (as amended) set out key stages in the preparation of such plans and the process for them becoming part of the development plan. The key stages are summarised below.
  - a) Designation of a neighbourhood area - The area covered by the neighbourhood plan needs to be agreed by the borough council.
  - b) Preparation of a draft neighbourhood plan - The 'qualifying body' then prepares the draft neighbourhood plan and evidence base.
  - c) Pre-submission publicity and consultation - The Plan is submitted for pre-submission publicity and consultation for a minimum of six weeks.
  - d) Submission of the draft plan - The 'qualifying body' formally submits the neighbourhood plan to the local planning authority. The local planning authority checks whether the plan accords with the relevant legislation, publicises the Plan for six weeks and appoints an Independent Examiner.

- e) Independent Examination - The neighbourhood plan is examined by an Independent Examiner to assess whether the Plan meets the basic conditions. The Examiner then issues a report, if the report is positive and the borough council agrees with it, the Plan is then subject to referendum.
- f) Referendum - The borough council organises a referendum, and then publishes the results.
- g) Adoption – The Plan is ‘made’ by the borough council.

**4.4** To provide effective governance arrangements in relation to the neighbourhood planning process, a report was considered by Cabinet on 7 September 2016 to introduce a scheme of delegation (Part 7 of the Council’s Constitution) in relation to the various stages of the preparation of a neighbourhood development plan and a neighbourhood development order, to ensure the local planning authority meets the deadlines set by the regulations and also allow decisions to be made in a timely manner to avoid unnecessary delay.

### **Barton Neighbourhood Plan**

**4.5** Myerscough and Bilsborrow Parish Council and Barton Parish Council submitted a joint neighbourhood area application to Wyre Council and Preston City Council on 30 March 2017. A six week public consultation on the area application was held between 11 May and 23 June 2017 as the proposed neighbourhood area covered two parishes. After consideration of the consultation responses, Wyre Council and Preston City Council both formally approved the neighbourhood area application on 8 September 2017.

**4.6** The Barton Neighbourhood Plan has been prepared by Barton Parish Council in association with Myerscough and Bilsborrow Parish Council. The latter formally delegated their right to prepare a neighbourhood plan to Barton Parish Council and its Steering Group in consultation with the local planning authorities for the neighbourhood area - the local planning authorities being Preston City Council and Wyre Council. It was also agreed between the two borough councils, that Preston City Council would be the lead local planning authority. This is owing to the majority of the neighbourhood area falling within the administrative area of Preston City Council and Barton Parish Council.

**4.7** The Barton Neighbourhood Plan has been prepared with public consultation and community engagement at the centre of the process and Barton Parish Council have undertaken a number of public consultations, including a statutory public consultation in accordance with Regulation 14 of the Neighbourhood Planning Regulations. This allowed residents and stakeholders, including Wyre Council, an opportunity to comment on the draft policies and site allocations proposed within the draft plan.

- 4.8** The Barton Neighbourhood Plan was formally submitted to Preston City Council and Wyre Council for examination on 17 November 2022. It was accompanied by supporting evidence, including a basic condition statement and consultation statement.
- 4.9** Upon receipt of the submitted Plan in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations (as amended), Wyre Council and Preston City Council publicised the Barton Neighbourhood Plan and sought comments during a six week public consultation that was held between 18 January and 1 March 2023.
- 4.10** Following the Regulation 16 consultation, an Independent Examiner, (Peter Dickson Biggers BSC (Hons) MRTPI AIHBC), was appointed by Preston City Council with the agreement of Barton Parish Council, to conduct an examination of the submitted Plan. All representations that had been received during Regulation 16 consultation were considered by the Examiner.
- 4.11** The role of the Examiner is to scrutinise the Plan and determine whether it meets the basic conditions and other legal requirements as set out in Schedule 4B of the Town and County Planning Act 1990. It is usual for an Examiner to recommend modifications to a plan in order for it to meet the basic conditions before it can progress to the referendum. The relevant basic conditions for the proposed Barton Neighbourhood Plan comprise:
- Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
  - The making of the neighbourhood plan contributes to the achievement of sustainable development;
  - The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
  - The making of the neighbourhood plan does not breach, and is otherwise compatible with, retained EU obligations; and
  - Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the plan.
- 4.12** The examination into the Plan took place through written representations without the need for any hearing sessions. Having considered all the information before him, the Examiner made some additional requests to Barton Parish Council, Preston City Council and Wyre Council to seek clarification.
- 4.13** The Examiner's Report (Appendix 1) was received on 6 June 2023 and concludes that subject to modifications, the Barton Neighbourhood Plan is in general conformity with the strategic policies of the Adopted Wyre Local Plan (2011-2031) (incorporating partial update of 2022); has regard to national guidance; would contribute to the achievement of sustainable development; and would satisfy the Basic Conditions and legal

requirements. The Examiner's Report includes recommended modifications.

- 4.14** The Examiner recommends that the Plan, once it has been modified, proceeds to local referendum and the referendum should be based on the Neighbourhood Plan area as approved by Preston and Wyre councils on 8 September 2017.
- 4.15** Following receipt of the Examiner's Report, the Neighbourhood Planning (General) Regulations (as amended) (Regulation 18(2)) state that a local planning authority must publish what action will be taken in response to the recommendations of an Examiner. This is known as a 'Decision Statement' and outlines how a Plan will be modified in response to an Examiner's Report and the reasoning for such changes.
- 4.16** The borough council can make a decision that differs from the Examiner's recommendation, but it would have to notify interested parties and invite representations if it were minded to do so. The Neighbourhood Planning Regulations (as amended) allow five weeks following receipt of an Examiner's Report for modifications to be made, or alternatively a date can be agreed between the local planning authority and qualifying body.
- 4.17** The borough council can consider, under the Neighbourhood Planning Regulations, whether to extend the Referendum area beyond that considered appropriate by the Examiner.
- 4.18** Should the borough council publish a 'Decision Statement' agreeing to the Examiner's Report, a referendum must be held within eight weeks of such decision. The council must also, prior to any referendum, prepare supporting documentation including information for voters. To ensure statutory regulations are met it would be necessary for the council to produce an Information Statement setting out details of the referendum 28 days before polling day.
- 4.19** Subject to a positive vote at a referendum (which would be more than 50% of the votes cast in favour of the Barton Neighbourhood Plan) the Plan should be 'made' (adopted) by the borough council.
- 4.20** Wyre Council must then formally adopt the Plan within eight weeks of the referendum date.

#### **Impact on EU Obligations/Strategic Environmental Impact Assessment and Sustainability**

- 4.21** There is no legal requirement for a Sustainability Appraisal to be carried out for a Neighbourhood Plan, as set out in section 19 of the Planning and Compulsory Purchase Act 2004. However, a qualifying body (in this case Barton Parish Council) must demonstrate how a neighbourhood plan would contribute to the achievement of sustainable development, as set out in the basic conditions. The draft neighbourhood plan proposals should be assessed as to whether the plan is likely to have significant

environmental effects (often referred to as a screening opinion or assessment). The legislative requirements of this process are set out in the Environmental Assessment of Plan and Programmes Regulations 2004. A screening report produced by Wyre Council and agreed by statutory consultees was published in 2021.

- 4.22** The government's definition of sustainable development for planning purposes is set out in the National Planning Policy Framework and states that 'achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways'. These are an economic objective, a social objective and an environmental objective.

## **5. Key issues and proposals**

- 5.1** The Examiner's Report (Appendix 1), concludes that subject to modifications proposed in his report, the Barton Neighbourhood Plan should proceed to referendum. Officers have considered the Examiner's report and the proposed modifications and concluded that they are necessary for the Plan to meet the Basic Conditions and all legal requirements as set out in legislation. The nature of the proposed modifications would also not alter the conclusions reached from previous Environmental Screening undertaken. Officers at Preston City Council and Barton Parish Council are also in agreement that the modifications are necessary for the Plan to proceed.
- 5.2** Barton Parish Council have prepared an updated version of the Plan, incorporating the modifications (Appendix 2). It was also agreed with Barton Parish Council that the time necessary to consider the Examiner's Report and make the necessary modifications would exceed the normal five week period owing to the amount of modifications necessary.
- 5.3** Wyre Council are required to publish a 'Decision Statement' to inform interested parties whether the Neighbourhood Plan will proceed to referendum with reasons. A draft decision statement (Appendix 3) has been prepared.
- 5.4** Once the council publishes the Decision Statement, a referendum must be held within eight weeks of such a decision. It is intended that the referendum would take place on 9 November 2023.
- 5.5** Preston City Council as the lead authority will also lead on the Referendum process. However, Wyre Council still need to ensure all information is available to voters within its borough within the Designated Neighbourhood Plan Area. To ensure statutory regulations are met it would be necessary for the borough council to produce an Information Statement setting out details of the referendum 28 days before polling day.



**5.6** Subject to a positive vote at referendum (which would be more than 50% of the votes cast in favour of the Barton Neighbourhood Plan) the Plan would be formally considered for adoption at a meeting of Full Council, this is intended to take place on 30 November 2023.

**5.7** It has been considered desirable for this matter normally delegated to the Head of Planning and Regeneration to be formally considered by the relevant Portfolio Holder owing to the unusual circumstances that the Neighbourhood Plan is not solely in the administrative area of Wyre Council.

## **6. Alternative options considered and rejected**

**6.1** There are no reasonable alternative options. The Independent Examiner has scrutinised the Plan in making an assessment as to whether it meets the Basic Conditions and legal requirements and subject to modification is of the view that the Plan is ready to proceed to Referendum. Officers have reviewed the Plan in light of the proposed modifications and have concluded that the Examiner's modifications are necessary for the Plan to meet the Basic Conditions and legal requirements. In addition, the Plan, with the Examiner's recommendations, is agreeable to Barton Parish Council to whom Myerscough and Bilsborrow Parish Council have delegated their rights.

## **7. Delegated functions**

**7.1** The matters referred to in this report are considered under the following executive function delegated to the Planning Policy and Economic Development Portfolio Holder (as set out in Part 7 of the Council's Constitution):

"To be responsible, in consultation with the appropriate Cabinet Portfolio Holder, for all planning matters relating to Neighbourhood Development Plans and Orders under The Neighbourhood Planning (General) Regulations 2012 and the Planning Acts as amended.

The exception is the adoption of a Neighbourhood Development Plan or Order, which is reserved for Full Council.

The Head of Planning and Regeneration shall be free to refer any matter or decision to the appropriate Cabinet Portfolio Holder or to full Cabinet (as appropriate) for determination. The Head of Planning and Regeneration shall ensure that care is taken to identify any case within his/her delegated authority where unusual circumstances or other reasons suggest the desirability of Councillor consideration. To assist in this process, the Cabinet Portfolio Holder will be kept up to date on forthcoming decisions on Neighbourhood Planning matters."

<b>Financial, Legal and Climate Change implications</b>	
Finance	Wyre's officer time and sundry expenditure is being met from existing budgets. Expenditure on the preparation of the Barton Neighbourhood Plan itself has been incurred by Barton Parish Council.
Legal	<p>A neighbourhood development plan has to be prepared in accordance with procedures required by Town and Country Planning Act 1990 as amended, The Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012 (as amended). The council can only 'make' a neighbourhood development plan if it meets the relevant basic conditions and legal requirements. The Examiner has recommended modifications to ensure the proposed Barton Neighbourhood Plan meets the applicable Basic Conditions and legal requirements.</p> <p>The Neighbourhood Planning (Referendums) Regulations 2012 as amended make provision for the conduct of relevant referendums.</p> <p>If 'made', the Barton Neighbourhood Plan would become part of the development plan, and, in accordance with section 38 of the 2004 Act, planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.</p>
Climate Change	The Barton Neighbourhood Development Plan has been prepared in general accordance with the strategic policies of the adopted Wyre Local Plan (2011-2031) (incorporating partial update of 2022). A sustainability appraisal of the Local Plan was undertaken, this considered the economic, social and environmental issues, including climate change.

### Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with an x.

<b>risks/implications</b>	<b>✓ / x</b>
community safety	<b>x</b>
equality and diversity	<b>x</b>
health and safety	<b>x</b>

<b>risks/implications</b>	<b>✓ / x</b>
asset management	<b>x</b>
ICT	<b>x</b>
data protection	<b>x</b>

## Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Lucy Embery	01253 887331	lucy.embery@wyre.gov.uk	9/08/2023

List of background papers:		
name of document	date	where available for inspection
Barton Neighbourhood Plan Consultation Statement by Barton Parish Council	November 2022	<a href="http://www.wyre.gov.uk/local-plan/neighbourhood-plans/3">www.wyre.gov.uk/local-plan/neighbourhood-plans/3</a>
Barton Neighbourhood Plan Basic Conditions Statement by Barton Parish Council	November 2022	

## List of appendices

- Appendix 1 – Barton Neighbourhood Plan Examiner's Report
- Appendix 2 – Barton Neighbourhood Plan incorporating modifications
- Appendix 3 – Draft 'decision statement'

# **Barton Neighbourhood Development Plan 2019-30**

## **Submission Plan**

### **Report to Preston City Council and Wyre Borough Council of the examination into the Barton Neighbourhood Development Plan**

by Independent Examiner, Peter Biggers BSc Hons MRTPI

June 2023

*Argyle Planning Consultancy LTD*

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## Summary and overall recommendation

Following my examination of the Barton Neighbourhood Plan (BNP), including a site visit to the neighbourhood area on 21 March 2022, it is my view that, subject to modifications, the BNP reflects the views of the community and will set out a clear vision and suite of policies for the neighbourhood area.

My report highlights a number of areas where I consider the wording of the Plan as submitted is not in accordance with one or more of the Basic Conditions.

A Regulation 16 representation expressed concern over Policies BNDP05 (Housing) and BNDP06 (Areas of Separation) which I have carefully considered. Whilst I do not agree the policies should be deleted, for the reasons set out in the report below, I have recommended extensive modifications to these two policies and their supporting texts.

I have also recommended other modifications that should be made to a number of policies before the Plan can proceed to referendum. For the most part, the reason for these is that the policies do not wholly meet the requirement of the National Planning Policy Framework at paragraph 16 where it states that policies should be: *“clearly written and unambiguous so it is evident how a decision maker should react to development proposals”*. The advice in the Planning Practice Guidance is also relevant to this where it states that: *“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence”*.

In addition there are quite a large number of typographical and formatting errors which need to be corrected.

All these modifications are intended to ensure that, first and foremost, the Plan can meet the Basic Conditions.

In proposing the modifications, I have tried to ensure that the integrity and value of the BNP and its vision is retained and that the intention of neighbourhood planning, where the community’s wishes should be central to the Plan, is honoured.

By its nature, the examination has to be rigorous. Any criticism is not at all to undermine the significant community effort that has gone into the Plan. Rather, the purpose of the examination is to ensure that the Neighbourhood Plan meets the Basic Conditions and is as robust as possible and that it can better play its part in planning decisions and managing change in Barton and the surrounding area in the future in an effective way.

In addition to the recommended modifications, it should also be noted that there may be a number of consequential changes, for example to referencing and numbering that will inevitably be needed as a result of making the modifications. Also the policy referencing will need to be checked as the emerging Wyre Local Plan progresses.

I have identified a number of these consequential changes, but not necessarily highlighted all

of them and these amendments need to be made in finalising the Plan for referendum.

Subject to the recommended modifications in the report being completed, I am satisfied that:

- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority;
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations;
- prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the plan.

The BNP also complies with the legal requirements set out in paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990.

With the modifications in place, the BNP will meet the Basic Conditions and can proceed to a referendum.

When that referendum takes place, I also recommend that the Barton Neighbourhood Area, which covers the administrative area of Barton Parish and part of Myerscough and Bilsborrow Parish, is taken as the area for the referendum.

Peter Biggers BSc Hons MRTPI

Independent Examiner

7 June 2023



# 1. Introduction

## Background context

- 1.1. This report provides the findings of the examination into the Barton Neighbourhood Plan (referred to as the BNP throughout this report).
- 1.2. The BNP was produced by Barton Parish Council (BPC) in association with Myerscough and Bilsborrow Parish Council who have delegated their right to prepare a neighbourhood plan to Barton Parish Council and its Steering Group in consultation with the local planning authorities for the neighbourhood area – Preston City Council (PCC) and Wyre Borough Council (WBC). The local community, interested parties and local stakeholders were also consulted as set out in Section 3 below.
- 1.3. The Neighbourhood Area is just over 5 miles north of Preston and comprises the village of Barton and the hamlet of Newsham to its south west with an extensive area of open countryside extending east across the M6 motorway.
- 1.4. Barton has developed along the A6 and is also partly constrained by the alignment of the West Coast Mainline. Consequently, the original part of the village has a very linear form although newer development has occurred in depth particularly to the east of the A6.
- 1.5. Because of these transport corridors passing through the Parish, the area is well connected and has easy access to the strategic road network (the A6 and M6) and good rail links via Preston to the West Coast Mainline.
- 1.6. Barton Neighbourhood Area equates to an area of approximately 1011 hectares and the Parish of Barton excluding the area of Myerscough and Bilsborrow Parish has a population of 1150 living in 460 households (2011).
- 1.7. This examiner's report provides a recommendation as to whether or not the BNP should go forward to a referendum. Were it to go to referendum and achieve more than 50% of votes cast in favour of it, then the BNP would be 'made' by PCC and WBC. In the event of a successful referendum result, the BNP would immediately carry full weight in the determination of planning applications in the neighbourhood area.

## Appointment of the independent examiner

- 1.8. I was appointed as an independent examiner by PCC, with the consent of BPC as the lead parish, following a competitive procurement process through the National Panel of Independent Examiners Referral Service (NPIERS), to conduct the examination and provide this report as an independent examiner. I am independent of the

qualifying body and the Local Planning Authorities and I do not have any interest in any land that may be affected by the BNP, nor do I have any professional commissions in the area currently. I hold appropriate qualifications and experience and have planning and development experience, gained over 40 years across the public and private planning sectors. I am a Member of the Royal Town Planning Institute.

## Role of the independent examiner

1.9. It is the role of the independent examiner to consider whether a neighbourhood plan meets the 'Basic Conditions'. The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (TCPA) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004 (PCPA). They are that \*:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- d) The making of the neighbourhood plan contributes to the achievement of sustainable development;
- e) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority;
- f) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations;
- g) Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the plan.

\* NB Basic Conditions b) and c), relating to listed buildings and conservation areas, are also included in the Basic Conditions but as these only concern neighbourhood development orders they are not included in this report.

1.10. Pursuant to Basic Condition g) above, Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, effective from 28 December 2018, prescribes the following additional Basic Condition for the purpose of paragraph 8(2)(g) of Schedule 4B to the TCPA 1990:

*“The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017”.*

Regulation 106(1) of Chapter 8 states that: *“a qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment*

*under Regulation 105 (that assessment is necessary where the neighbourhood plan is likely to have a significant effect on a European site or a European offshore marine site either alone or in combination with other plans or projects) or to enable it to determine whether that assessment is required”.*

- 1.11. In examining the Plan, I have also considered whether the legislative requirements are met, namely:
- The Neighbourhood Plan has been prepared and submitted for examination by a qualifying body as defined in section 61F of the TCPA as applied to neighbourhood plans by section 38A of the PCPA.
  - The Neighbourhood Plan has been prepared for an area that has been designated under section 61G of the TCPA as applied to neighbourhood plans by section 38A of the PCPA.
  - The Neighbourhood Plan meets the requirements of section 38B of the PCPA (the Plan must specify the period to which it has effect, must not include provisions relating to ‘excluded development’, and must not relate to more than one neighbourhood area) and
  - The policies relate to the development and use of land for a designated neighbourhood area in line with the requirements of the PCPA section 38A.
- 1.12. I have examined the BNP against the Basic Conditions and legislative requirements above and, as independent examiner, I must make one of the following recommendations:
- a) that the Plan should proceed to referendum, on the basis that it meets all legal requirements;
  - b) that the Plan, once modified to meet all relevant legal requirements, should proceed to referendum;
  - c) that the Plan does not proceed to referendum, on the basis that it does not meet the relevant legal requirements.
- 1.13. If recommending that the Plan should go forward to referendum, I am also then required to consider whether or not the Referendum Area should extend beyond the Barton Neighbourhood Area to which the Plan relates. I make my recommendation on the Referendum Area at the end of this report (See Section 8).
- 1.14. The role of the independent examiner is not to comment on whether the Plan is sound or how the Plan could be improved, but rather to focus on compliance with the Basic Conditions.

## 2. The Examination Process

- 2.1. It is a general rule that neighbourhood plan examinations should be held without a public hearing; that is by written representations only. However, according to the legislation, when the examiner considers it necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case, a public hearing may be held.
- 2.2. I have considered the representations received at the Regulation 16 publicity stage and I am satisfied that there is no need for a public hearing in respect of the BNP and the matters are considered below. I confirm that all Regulation 16 representations on the Plan have been taken into account in undertaking this examination. Where appropriate, I have made specific reference to the person's or organisation's comments in Section 6 of this report.
- 2.3. I undertook an unaccompanied site visit around the neighbourhood area on 21 March 2022, during which I looked at its overall nature, form, character and appearance and at those areas affected by policies in the Plan in particular.
- 2.4. Subsequent to my reading for the examination and the site visit, I asked a number of factual clarifying questions of BPC, as lead qualifying body, WBC and PCC relating to the context and intent of policies and proposals of the Plan. This exchange was carried out by email and the questions and the responses received from the Councils are set out in Appendix 1 to this report and have been uploaded to the Neighbourhood Plan webpage on the PCC website. I am grateful to the Councils for responding on these matters.
- 2.5. In undertaking this examination, I have considered each of the following documents in addition to the Submission Version of the BNP:
  - National Planning Policy Framework (July 2021)
  - National Planning Practice Guidance 2014 (as amended)
  - Town and Country Planning Act 1990 (as amended)
  - The Planning and Compulsory Purchase Act 2004 (as amended)
  - The Localism Act 2011
  - The Neighbourhood Planning Act 2017
  - The Neighbourhood Planning (General) Regulations (2012) (as amended)
  - Barton NDP Basic Conditions Statement (November 2022)
  - Barton NDP Consultation Statement and Appendices (Revised April 2023)
  - Barton NDP Strategic Environmental Assessment and Habitats Regulation Assessment Screening Determination Statements (November 2022)
  - Barton Neighbourhood Area Designation Report – (2017)
  - Representations received during the Regulation 16 publicity period post submission – (18 January to 1 March 2023)

### 3. Public Consultation

#### Background

- 3.1. An accessible and comprehensive approach to public consultation is the best way to ensure that a neighbourhood plan reflects the needs, views and priorities of the local community.
- 3.2. BPC submitted a Consultation Statement, as required by Regulation 15 of the Neighbourhood Planning (General) Regulations, to PCC on 22 November 2022.
- 3.3. Public consultation on the BNP commenced with early discussions about a neighbourhood plan in 2018. This early consultation was followed by various consultation stages, including the two formal stages required by the Regulations:
  - The pre-submission consultation under Regulation 14 for 7 weeks from 20 October 2020 to 30 November 2020.
  - The publicity stage, as required by Regulation 16, (the consultation period post submission of the Plan) from 18 January 2023 to 1 March 2023.
- 3.4. The Regulation 16 stage resulted in consultation responses from 35 respondents some raising multiple points. The representations raised are considered as necessary within my assessment of the Plan in Section 6 below.

#### Barton Neighbourhood Development Plan Consultation

- 3.5. The BNP Neighbourhood Planning Steering Group was set up in 2017 and has carried out consultation with the community and stakeholders throughout the process of plan preparation. The communication methods used included the parish newsletter, leaflet drops, posters, the Parish Council's Neighbourhood Plan website, together with the PCC and WBC websites, email drops and Facebook, as well as the offer of events and questionnaires. Hard copies of the Pre-Submission Draft Plan and Submission Plan together with supporting documents were provided locally as well as being uploaded to the websites and links provided via email.
- 3.6. Evidence gathering for the plan commenced in 2018 with a scoping questionnaire of the local community to help identify issues and concerns. 241 questionnaires were returned. These were analysed and reported on in January 2019 and used to develop issues and options and vision and objectives during 2019. A consultation on the emerging vision and objectives and options was carried out over 6 weeks in April and May 2020 but as this was during lockdown the consultation was mainly online.
- 3.7. The pre-submission draft of the Plan was signed off by the Parish Councils and as required by Regulation 14, the pre-submission consultation stage ran for 7 weeks

from 20 October 2020 to 30 November 2020.

- 3.8. The BNP was made available online on the Parish, PCC and WBC websites, and links to the Plan were provided via email to statutory consultees and local stakeholders and hard copies of the plan and supporting documents made available at a wide range of locations locally as face to face meetings were still restricted. 14 responses from residents and stakeholders were received – a relatively low number but probably indicative of the restricted nature of the consultation given ongoing pandemic restrictions.
- 3.9. Following the pre-submission stage and the analysis of results, the Plan was revised, approved for submission and submitted by the Parish Council to PCC initially in June 2022. However, concerns from PCC resulted in a revised submission plan being prepared and resubmitted on 22 November 2022.
- 3.10. The Neighbourhood Planning Regulations are part and parcel of Basic Condition a), and Regulation 15 (2) sets out clearly what the Consultation Statement should include. Although the BNP Consultation Statement, as provided to me, sets out the results of the Regulation 14 consultation and comments on the representations made and what it was proposed to do about it, the statement does not provide a full list of those consulted which is a requirement of Regulation 15. Accordingly, BPC were asked as part of the Examiner's clarifying questions (see Appendix 1) to provide a revised Consultation Statement. This has been provided and has been uploaded to the websites.
- 3.11. Having reviewed the revised Consultation Statement, as well as the appendices to the statement, I am satisfied that the revised Consultation Statement is compliant with Regulation 15.
- 3.12. One of the residents at the Regulation 16 stage expressed concern that there has been too great a reliance on digital consultation methods which has excluded the elderly and similarly that insufficient effort was made to engage the younger population in the plan. The exceptional circumstances of the pandemic and lockdowns generally made in-person consultation difficult for many neighbourhood plans over this period. However, as above, hard copies of the plan were made available for inspection and it is clear from documentation sent out that the offer was there to support parishioners unable to participate online. Although response levels were low, mainly due to the restrictions associated with the pandemic, I am satisfied that there was adequate opportunity for the community to participate and express their views.

#### **4. Preparation of the Plan and legislative requirements**

- 4.1. In terms of the procedural tests set out above my findings are:

## Qualifying body

- 4.2. Barton Parish Council (BPC), in partnership with Myerscough and Bilsborrow Parish Council as the duly elected lower-tier councils, is the qualifying body for preparation of the Plan.
- 4.3. I am satisfied that the requirements set out in the Localism Act (2011) and in section 61F(1) and (2) of the TCPA (as applied to neighbourhood plans by section 38A of the PCPA) have been met.

## Plan Area

- 4.4. An application was made by BPC on 30 March 2017 to designate the Barton Neighbourhood Area. The area applied for covered the whole administrative area of Barton Parish plus (with the agreement of Myerscough and Bilsborrow Parish Council) the area of Barton village west of the A6 to the West Coast Mainline). This neighbourhood area was approved by PCC and Wyre Council on 8 September 2017.
- 4.5. This satisfies the requirement under section 61G (1) (2) and (3) of the TCPA (as applied to neighbourhood plans by section 38A of the PCPA) and Regulations 5, 6 and 7 of the Neighbourhood Planning (General) Regulations as amended.

## Plan period

- 4.6. A neighbourhood plan must specify the period during which it is to have effect. The BNP clearly states in the introductory sections that it covers the period up to 2030 although this is not set out on the title page which would be recommended – See Recommendation 1 below.
- 4.7. Although now only a relatively short period remains, the Parishes commit to reviewing the plan in section 8 of the plan. The intended time period satisfies the requirements of section 38B of the PCPA as amended.

## Excluded development

- 4.8. The Plan does not include policies or proposals that directly relate to any of the categories of excluded development: county matters (mineral extraction and waste development), nationally significant infrastructure, or any matters set out in Section 61K of the TCPA 1990. The BNP, as proposed to be modified in Section 6 below, relates solely to the neighbourhood area and no other neighbourhood area, and there are no other neighbourhood development plans in place within the neighbourhood area. This satisfies the requirements of section 38B of the PCPA, as amended.

## Development and use of land

- 4.9. The Neighbourhood Plan should only contain policies relating to the development and use of land. Subject to any modifications proposed below in Section 6, the BNP policies would be compliant with this requirement of section 38B of the PCPA, as amended.

## Plan publication following submission

- 4.10. PCC undertook a validation check of the BNP following its eventual submission on 22 November 2022. The Council was satisfied that the Plan could proceed to be publicised under Regulation 16 and proceed to this independent examination.

## 5. The Basic Conditions

### National policy and advice

- 5.1. The main document that sets out national policy is the *National Planning Policy Framework* (the NPPF). A revised version of the NPPF was published in July 2021. Although preparatory work for the BNP commenced under the previous 2019 version of the NPPF, in preparing the BNP for submission, references to the NPPF were updated to reflect the new 2021 NPPF. I have based my consideration of the extent to which the BNP meets Basic Condition a) against NPPF 2021, along with legislation and regulations.
- 5.2. The NPPF explains that neighbourhood plans should support the delivery of strategic policies and set out non-strategic policies and plan positively to shape, direct and help to deliver sustainable development that is outside the strategic elements of the Local Plan.
- 5.3. The NPPF also makes it clear that neighbourhood plans should be aligned with the strategic needs and priorities of the wider local area. In other words, neighbourhood plans must be in general conformity with the strategic policies of the development plan. They should not promote less development than that set out in the strategic policies of the development plan or undermine those strategic policies.
- 5.4. The NPPF indicates that plans should contain policies that are clearly written and unambiguous, so that it is clear how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area.
- 5.5. National advice on planning is set out in the Planning Practice Guidance (PPG), which includes specific advice regarding neighbourhood plans. I have considered the advice of the PPG as part of assessing the Plan against Basic Condition a).



## Sustainable development

- 5.6. A qualifying body must demonstrate how a neighbourhood plan would contribute to the achievement of sustainable development. The NPPF as a whole constitutes the Government's view of what sustainable development means in practice for planning. The NPPF explains that there are three overarching objectives to sustainable development - economic, social and environmental.
- 5.7. There is no legal requirement for a formal Sustainability Appraisal (SA) to be carried out in respect of neighbourhood plans. However, SA is an established method of demonstrating how a neighbourhood plan will contribute to achieving sustainable development.
- 5.8. In this case, a very general sustainability assessment in tabular form is included in the Basic Conditions report (Table 1) which considers the plan policies against the 3 main sustainability objectives (environmental, social and economic). The table is extremely brief in its assessment but includes sufficient information to confirm, at a high level, at least, that the effect of the policies of the Plan would be generally positive in terms of sustainability. I consider the contribution of specific policies to sustainable development below in Section 6.

## General conformity with the development plan

- 5.9 The BNP has been prepared in the context of the *Central Lancashire Core Strategy (CLCS)*, *Preston Local Plan (PLP)* and the *Wyre Local Plan 2011-2031* (incorporating partial update of 2022) (WLP). The BNP must be in general conformity with the strategic policies.
- 5.10 The PPG provides the following definition of general conformity:
- “When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:
- whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with;
  - the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;
  - whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy;
  - the rationale for the approach taken in the draft neighbourhood plan or order and the evidence to justify that approach.”

- 5.11 Story homes in their Regulation 16 representation argue that the BNP should acknowledge the emerging Central Lancashire Local Plan which will replace the CLCS. However, this plan is at a very early stage being only at preferred options stage. Therefore, there is no need to specifically acknowledge it and little merit in doing so.
- 5.12 The Wyre Local Plan is also under review and PwL Planning on behalf of Seddon Homes concludes its Regulation 16 representation on the plan stating that the neighbourhood Plan is premature in the light of the full review of the WLP now underway. This is not the case. The PPG at Paragraph 009 gives very clear advice on the circumstances where a neighbourhood plan is being prepared in advance of updating a Local Plan. The important point is that the neighbourhood plan must be in general conformity with the strategic policies of the local plan adopted or in force. This section of the PPG advice demonstrates that the Government is very clear that neighbourhood plans should not be delayed simply because a new local plan is underway. There may be implications for the Barton Neighbourhood Plan in the future once the full review of the Wyre Local Plan is adopted which may have to be addressed through a review of the BNP, but it is certainly not premature for the BNP to proceed in the meantime.
- 5.13 I consider the extent to which the policies and proposals of the BNP are in general conformity with the strategic policies of the CLCS, PLP and WLP in detail in Section 6 below.

## European Union (EU) obligations

- 5.14 A neighbourhood plan must be compatible with EU obligations, as incorporated into UK law, in order to be legally compliant. Notwithstanding the United Kingdom's departure from the EU, these obligations continue to apply unless and until repealed or replaced in an Act of Parliament.

## Strategic Environmental Assessment and Habitat Regulations Assessment

- 5.15 Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment has a bearing on neighbourhood plans. This Directive is often referred to as the Strategic Environmental Assessment (SEA) Directive. Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively) aim to protect and improve Europe's most important habitats and species and can have a bearing on neighbourhood plans.
- 5.16 Regulation 15 of the Neighbourhood Planning Regulations, as amended in 2015, requires either that a SEA is submitted with a neighbourhood plan proposal or a determination obtained from the responsible authority (PCC and WBC) that the Plan

is not likely to have 'significant effects.'

- 5.17 A screening opinion and determination report was prepared by PCC in consultation with the statutory bodies in 2022. The conclusion was that full SEA was not required because the BNP did not allocate land for development. The larger development sites in the neighbourhood area had already been considered and assessed through the PLP and WLP SEA processes and any additional development permissible under the policies of the BNP itself would be likely to be small scale. Also because of the plan's environmental focus seeking to avoid or minimise impacts there was unlikely to be any significant adverse effects. Moreover, it is likely that any impacts from the small scale and local development that might take place directly through the BNP would be offset by the positive benefits of the policies within the Neighbourhood Plan seeking to achieve more sustainable development.
- 5.18 Regarding Habitats Regulations Assessment (HRA), the test in the additional Basic Condition under Regulation 32 now essentially mirrors that in respect of SEA. It requires an Appropriate Assessment to be carried out where a plan is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) or a determination obtained from the responsible authority (PCC) that the plan is not likely to have a 'significant effect'. A screening opinion was similarly carried out by PCC and WBC in 2022 and a determination prepared.
- 5.19 An HRA Screening Opinion was carried out which confirmed no European sites are located within the Neighbourhood Area and there are none within a 20 KM radius of the neighbourhood area. The conclusion of the Council's determination was that the BNP policies were generally beneficial and there were none falling into categories likely to have adverse effects and could therefore be screened out. As there were no allocated sites in the plan area, not already considered in other plans, and no European sites within or close to the parish, the BNP policies and proposals, either alone or in combination with other plans or projects, were unlikely to have a significant effect on any European sites. Consequently, the plan is not considered to require Appropriate Assessment under Article 6 or 7 of the Habitats Directive.
- 5.20 Both the determinations regarding SEA and HRA have been confirmed by Natural England, the Environment Agency and Historic England as statutory consultees. I have no reason to reach a different view to the statutory consultees.

### **European Convention on Human Rights (ECHR)**

- 5.21 The Human Rights Act 1998 encapsulates the Convention and its articles into UK law.
- 5.22 An Equalities and Human Rights Impact Assessment has not been specifically carried out for the BNP. Instead, the Basic Conditions Statement simply carries out a brief review of the plan against the 3 main relevant Articles of the Convention.
- 5.23 In respect of Article 1 of the first protocol - the right of everyone to the peaceful enjoyment of possessions - although the BNP includes policies that would restrict

development rights, this does not have a greater impact than the general restrictions on development rights provided for in national law. The restriction of development rights inherent in the UK's statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

- 5.24 In respect of Article 6 of the Convention's Rights and Freedoms - the right to a fair hearing in determination of an individual's rights and obligations - the process for preparing the BNP is fully compatible with this Article, allowing for consultation on its proposals at various stages, and incorporating this independent examination process.
- 5.25 In respect of Article 14 of the Convention's Rights and Freedoms - the enjoyment of rights and freedoms without discrimination on any ground - the policies and proposals of the BNP have been developed in consultation with the community and wider stakeholders to produce as inclusive a document as possible.
- 5.26 I conclude that, given the nature of the plan policies and proposals, it is unlikely there would be any detrimental impact on the 'protected characteristics' set out in the Equality Act and, generally, the Plan would bring positive benefits. Whilst the Plan does not directly address needs in respect of particular protected characteristics within the plan area, the BNP is not prejudicial to any group in its policies.
- 5.27 No concerns or objections on the grounds of human rights or equalities have been raised during the consultation stages of the Plan. I am satisfied on the basis of the above that, across the Plan as a whole, no sectors of the community are likely to be discriminated against. The policies together would generally have public benefits and encourage the social sustainability of the neighbourhood.
- 5.28 I am satisfied therefore that the Plan does not breach, and is otherwise compatible with, the ECHR.
- 5.29 I am not aware of any other European Directives which apply to this particular neighbourhood plan and no representations at pre- or post-submission stage have drawn any others to my attention. Taking all of the above into account, I am satisfied that the BNP is compatible with EU obligations and therefore with Basic Conditions f) and g).

## **6 The Neighbourhood Plan – Assessment**

- 6.1 The Neighbourhood Plan is considered against the Basic Conditions in this section, following the structure and headings in the Plan. Given the findings in Section 5 above that the Plan as a whole is compliant with Basic Conditions f) (EU obligations) and g) (Other prescribed conditions including that under Regulation 32), this section largely focusses on Basic Conditions a) (Having regard to national policy), d) (Contributing to the achievement of sustainable development) and e) (General

conformity with strategic policies of the development plan).

- 6.2 Where modifications are recommended, they are clearly marked as such and set out in bold print.

## The general form of the Plan

- 6.3 The structure of the BNP is generally logical with early sections setting the context in respect of the background to the neighbourhood plan and the key issues facing the area, before setting out the vision and objectives and the policy sections.
- 6.4 The Plan distinguishes between the policies themselves and their justification by boxing and shading the policies. Each policy is accompanied by supporting text setting out the context, justification and intent. Some of this is weak - a point I will return to in the policy sections below and will need to be strengthened.
- 6.5 The NPPF at paragraph 16 requires the Plan to be “*clearly written and unambiguous so it is evident how a decision maker should react to development proposals*” and to “*serve a clear purpose avoiding unnecessary duplication of policies that apply to a particular area*”. This is reflected in the Planning Practice Guidance which states that “*A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence*”.
- 6.6 While this is directly related to policy the general intent is that the whole plan should be clear and unambiguous and in a number of respects there are matters that need to be resolved to ensure the general form of the BNP assists in making the policies and whole plan as clear as possible.
- 6.7 - Firstly, the Neighbourhood Plan is referred to differently throughout the plan – on the title page as Barton Village Neighbourhood Plan, as Barton Neighbourhood Plan and as Barton Neighbourhood Development Plan. Technically all neighbourhood plans are Neighbourhood Development Plans but the reference to Barton Village in the title does not reflect the fact that there is a large rural area beyond the village that is included in the Neighbourhood Area. The Parish were asked about this in the Examiner’s clarifying questions and have confirmed that it wishes the Plan to be referred to as the Barton Neighbourhood Plan. There is no objection to this but it needs to be consistent throughout and all policy references would also need to be changed to BNP.
- Secondly, the period of the plan should be clearly expressed on the front cover.
- Thirdly, the paragraphs should be numbered throughout to allow easy referencing of sections.

- Fourthly, the section on page 16, where it is located, disrupts a clear flow to the plan. It relates to key issues and is both wrongly titled (as it is not related to the Planning Policy Context) and would more logically lead into the section on vision and objectives.

- Finally, in order to provide a clear and unambiguous plan this also requires the mapping to be clear. In the printed and digital versions the plans need to be enlarged to be full page plans extending the full extent of the page so that they and their keys are as clear as possible.

<b>Recommendation 1</b>	
<b>1A</b>	<b>Standardise the references to the Neighbourhood Plan throughout the document. If this is to be the <i>Barton Neighbourhood Plan (BNP)</i> as the Parish Council suggest then the policy references also need to be changed to BNP01, BNP02, etc.</b>
<b>1B</b>	<b>Add the period covered by the plan 2019-2030 to the title page.</b>
<b>1C</b>	<b>Number all text paragraphs in the plan with the section number first then the text paragraph e.g 1.1, 1.2 etc.</b>
<b>1D</b>	<b>Relocate the Key Issues Section (page 16) without its title block to follow at the end of the Community Consultation Section and before the section Vision and Objectives.</b>  <b>Re-number accordingly.</b>
<b>1E</b>	<b>Enlarge the mapping used within the plan so that it occupies a whole page and is as large as possible within the constraints of the A4 format.</b>

## **Section 1 - Foreword**

6.8 This section provides a factual introduction to the Neighbourhood Plan, and for the most part there is no need for any changes other than a number of typographical changes set out in Appendix 2 to this report and updating to reflect the stage reached in the production of the plan. There is however a factual correction to make at paragraph 5 on Page 3 where the text talks about the status of the neighbourhood plan. The text says the plan is a material consideration. This is inaccurate and the text needs to make clear that, following the referendum, the plan becomes part of the development plan.

<b>Recommendation 2</b>	
<b>2A</b>	<b>In Paragraph 5 of the Foreword delete the second sentence and replace with: “<i>The Neighbourhood Plan once ratified at a local referendum</i>”</b>

	<i>becomes a part of the Development Plan and will be used by Preston City Council and Wyre Council when determining planning applications within the neighbourhood area.”</i>
<b>2B</b>	<b>Update para 2 Page 4 to reflect the next stage of the process when the plan is being modified for referendum.</b>

## Section 2 - Background

- 6.9 Section 2 of the BNP sets out the origins of the neighbourhood plan and the background to the neighbourhood area today. This is a largely factual section but there is a clarification required in the second paragraph to properly describe the neighbourhood area as including all of Barton Parish and that part of Myerscough and Bilsborrow Parish west of the A6 and east of the West Coast Mainline.

<b>Recommendation 3</b>	
<b>3A</b>	<b>Insert in Line 1 of Paragraph 2 on Page 5 after the word ‘whole’ the following:</b>  <b>“...of Barton Parish and the section of Myerscough and Bilsborrow Parish west of the A6 and east of the West Coast Mainline to be designated...”.</b>

## Section 3 – The Neighbourhood Plan Process and Preparation

- 6.10 Section 3 of the Plan sets out the process involved in preparing the plan and other than some typographical corrections set out in Appendix 2 and the need for the section to be updated to reflect the modified plan going forward to referendum there is no need to modify the section to meet the Basic Conditions.

## Section 4 - Community Consultation

- 6.11 The fourth section of the plan sets out the community consultation that took place during its preparation.
- 6.12 The section is somewhat repetitive of the Consultation Statement but does not involve any conflict with the Basic Conditions and I make no formal recommendation to modify the section other than typographical corrections in Appendix 2.
- 6.13 It should be noted however that, as per Recommendation 1, I am recommending that the section on key issues on Page 16 is relocated to the end of section 4.

## Section 5 - Vision and Objectives

- 6.14 Being able to demonstrate the ‘thread’ from issues to vision and objectives and from

objectives to policies is an important part of evidencing the Neighbourhood Plan as required in the PPG. This is why I am recommending the relocation of the key issues section.

- 6.15 The vision looks to ensure that the identity of Barton as a safe and welcoming community and inclusive village is retained. It aims to support limited sustainable development particularly in response to residents' needs for quality and choice of affordable homes.
- 6.16 The Plan has regard to the PPG advice that it *“provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next 10, 15, 20 years in ways that meet identified local need and make sense for local people”*.
- 6.17 The vision and objectives also encapsulate and generally reflect the spatial vision and objectives set out in the PLP at Sections 2.3 and 2.4 and the WLP at Sections 3.2 and 3.4. The impact of pursuing the vision and objectives of the Neighbourhood Plan would contribute to the achievement of sustainable development in the neighbourhood area.
- 6.18 Lancashire County Council in its Regulation 16 representations comments that the objectives section should recognise that school place provision is a key element of sustainable communities and housing development should mitigate its impact on education provision. Whilst the point is understood, the vision and objectives have been endorsed by the community and it is not possible to add additional objectives without going back to let the community have further input. The matter is considered further in the context of the Housing Policy BNDP05 below.
- 6.19 No changes to the vision and objectives are necessary to meet the Basic Conditions.

## **Section 6 – Planning Policy Context**

- 6.20 Section 6 of the Plan introduces the national and local planning policy context within which the neighbourhood plan policies sit and is entirely factual. There is reference on page 15 to the availability of a Neighbourhood Planning Policy Background and Evidence Base Review on BPC's website. However as this does not seem to be available the Parish Council were asked as part of the Examiner's clarifying questions (see Appendix 1) to clarify on this point. The document has now been provided to me and an updated version of it uploaded to the Parish and PCC websites.
- 6.21 In the interests of a clear and unambiguous plan it would be more appropriate to relocate Figure 2 - the Local Plan Allocation Map - into section 6. However, as this is not directly necessary to meet the Basic Conditions, I make no formal recommendation in this respect.



## Section 7 – Barton NDP Policies

6.22 Section 7 sets out the policies of the neighbourhood plan.

### Policy BNDP01 – Green Infrastructure

- 6.23 The aspiration of Policy BNDP01 of the Neighbourhood Plan in seeking to maintain and enhance green infrastructure has regard to the NPPF at section 15, particularly paragraphs 175 which encourages plans to take a strategic approach to maintain and enhancing networks of habitats and green infrastructure.
- 6.24 The strategic context in respect of protecting the natural environment is set out in Policy EN2 of the PLP and Policy CDMP4 of the WLP which seek to protect, maintain and enhance the District’s green infrastructure and its functionality and interconnectivity. Whilst there is some overlap between the Local Plan Policies and Policy BNDP01, the Policy does add local context and does not merely replicate the Local Plan policies. Policy BNDP01 is arguably therefore complementary to the PLP and WLP policies and in general conformity and Basic Condition e) is met.
- 6.25 Given that the objectives of the Policy are to maintain and enhance green infrastructure Policy BNDP01 will have a positive effect in achieving sustainable development and in particular environmental sustainability.
- 6.26 Lancashire County Council in its Reg 16 representation however raises the point that Policy BNDP01 should refer to ‘Green’ and ‘Blue’ infrastructure – ‘Blue’ being the water based elements of the network. In as much as water courses and features are already referred to in the Policy, I consider the wording is clear. Moreover, the official definition of Green Infrastructure in the NPPF although referring to ‘Blue’ assets does so using ‘Green Infrastructure’ as the umbrella term. I therefore make no formal recommendation to modify the Policy. However if PCC decide to do so they can.
- 6.27 Wyre Council in its Regulation 16 representation similarly seeks further clarification of the definitions and terminology used in the Policy and advises that Figure 3 should be comprehensive in the GI that is shown there. I agree that Figure 3 should show all of the existing network if major elements of the network are missing but, in terms of the wording in the Policy itself, I consider there is no lack of clarity. It would be helpful however to include the formal definition of GI from the NPPF in the Glossary of Terms in the BNP on pages 44/45.

<b>Recommendation 4</b>	
<b>4A</b>	<b>Ensure figure 3 is comprehensive in showing the main elements of the Green Infrastructure network in both Council areas.</b>
<b>4B</b>	<b>Include in the Glossary of Terms on page 44-45 the NPPF 2021 definition of Green Infrastructure.</b>

## Policy BNDP02 - Local Green Spaces

- 6.28 The Neighbourhood Plan at Policy BNDP02 takes up the opportunity offered in the NPPF to identify and designate Local Green Space (LGS) in accordance with NPPF paragraphs 101-103. Such spaces can only be designated at the time the neighbourhood plan is being prepared and development within them will be treated in the same way as development within the Green Belt i.e. only permitted where very special circumstances apply.
- 6.29. The sites considered and proposed to be designated as LGS are described in Figure 4 (together with an assessment in terms of the tests set out in Paragraph 102 of the NPPF) and mapped in Figures 5 and 6. The NPPF tests are:
- Is the green space in reasonably close proximity to the community it serves?
  - Is the green space demonstrably special to the local community and of local significance?
  - Is the green space local in character and not an extensive tract of land?
- 6.30 For the most part, having reviewed the LGS in Barton, I generally agree that they all meet the first and last tests. However, Sport England has raised concerns in its Reg 16 representations that sites involving playing fields and recreation facilities should not be included as LGS as this would pre-empt any proposals to develop the facilities and indeed would prevent redevelopment of the sites to facilitate provision elsewhere. In Sport England's view this would mean that sites 1, 2, 5 and 7 should be removed.
- 6.31 I share Sport England's view in respect of site 1 – Village Hall in that this site contains only formal recreation facilities and not what is typically Local Green Space. Moreover these facilities would already be protected by other policy in the PLP in the event of their redevelopment. In respect of site 2 – St Lawrences School Field however, the site has a major amenity role as green space in the Main Street through Barton and there is a strong case, notwithstanding that it forms part of the school playing field, that it should be kept open. A similar argument relates to site 7 – King George Playing Field which is part of the open green setting between Barton and Newsham and, notwithstanding its use as playing fields, it should remain open. It would be for the Education Authority or Parish Council respectively on sites 2 and 7 to make the case that very special circumstances existed if development was necessary on the LGS to enhance these facilities. In respect of site 5 – St Mary and St Andrew's School playing field however there is less of a case that the site needs to be designated as an LGS. It is of course important to the school community but it is not generally accessible to the wider community as recreation space nor is it critical in general amenity terms as it is set to the rear of the school and not part of the streetscene through Newsham. Moreover the site boundary currently includes the school buildings themselves which is unacceptable. I am therefore not persuaded that it warrants preservation as a Local Green Space in the same way as site 2.

- 6.32 The challenge to the proposed LGS flags the point that the assessment in Figure 4 is not as strong as it should be, particularly in respect of the ‘Demonstrably Special to the Community’ test and these entries should be strengthened as per the assessment above.
- 6.33 A resident in their Regulation 16 representation expresses concern that not all possible LGS have been picked up particularly in new developments and at village entrances. However at this stage there is not the opportunity to add new LGS without going back through consultation. My recommendation is that, if there are prospective LGS to add, this is picked up in the first review of the neighbourhood plan.

<b>Recommendation 5</b>	
<b>5A</b>	<b>Delete proposed designated LGS 1 and 5 from Figures 4, 5 and 6, from the listing in Policy BNDP02, renumber remaining LGS and make consequential changes to supporting text.</b>
<b>5B</b>	<b>Strengthen the ‘Demonstrably Special’ column in Figure 4 to refer in the case of site 2 to its amenity role as green space on the main street in Barton; to the historic value of site 4 as churchyard; to the importance of site 6 as open green space between Barton and Newsham; and to the importance of site 7 in terms of the open space between the two settlements .</b>

- 6.34 Other than the changes to the LGS designations however there is no need for modification to the Policy and, with these recommended modifications to the proposed designations, the plan will be in accordance with Basic Condition a). Neither the CLCS nor the PLP and WLP contain policies directly relevant to LGS. However, Policy BNDP02 is in general conformity with the overall objectives of these plans. The Policy is likely to make a strongly positive contribution to achieving sustainability. Accordingly, the designations and policy as modified would also meet Basic Conditions d) & e).

### Policy BNDP03 – Active Travel

- 6.35 Policy BNDP03 seeks to ensure that new development proposals incorporate measures to promote sustainable and active travel. In as much as key objectives of section 8 of the NPPF on promoting healthy and safe communities and section 9 promoting sustainable transport are about maximising pedestrian permeability, Policy BNDP03 has regard to the NPPF. However, as with other policies, the Policy in one minor respect is not wholly compliant with the need for policies to be clear and unambiguous.
- 6.36 Paragraph 1 of the Policy in its last 2 lines is unclear as to what the intention is. This lack of clarity in policy wording provides imprecise guidance for developers and is

likely to be used to justify non-compliance. The Parish Council were asked to confirm what the intention is as part of the examiner’s clarifying questions (See Appendix 1 below). BPC has confirmed that the text for clarity should read:

***“By incorporating measures that improve facilities and infrastructure such as bus stops, signage and cycle storage for all users.”***

This is an acceptable clarification and does not materially alter the intention of the policy and I recommend it is added to the policy.

- 6.37 The only other clarifying amendment required is in respect of the supporting text on page 27. The penultimate paragraph there gives the impression that the neighbourhood plan can further the suggested improvements listed there in relation to bus services when in fact it cannot. The BNP can only deal with matters relating to the development and use of land. The paragraph needs to make clear that the BNP cannot deliver these improvements and that the Parish Council will pursue them as separate projects.
- 6.38 Wyre Council in its Regulation 16 representations refers to Figure 7 the Barton Connectivity Plan and points out that although public footpaths are visible on the base map within the Wyre Council area the proposed improvements to the network in the section of Barton within Wyre’s area are not shown and nor are crossing points of the A6. In part this is due to the limited extent of the neighbourhood area within Wyre Council’s area and also the small scale of the mapping. It might be resolved by adding an enlarged insert of the main area of Barton extending from Station Lane Newsham north to White horse Lane or similar which would allow greater detail to be shown.

<b>Recommendation 6</b>	
<b>6A</b>	<b>Amend lines 3 and 4 of paragraph 1 to Policy BNDP03 to read :</b>  <b><i>By incorporating measures that improve facilities and infrastructure such as bus stops, signage and cycle storage for all users.”</i></b>
<b>6B</b>	<b>Relocate the penultimate paragraph on page 27 to become the last paragraph and add a new sentence to the end to read:</b>  <b><i>“These matters relating to bus services are not something which can be taken forward as part of the formal Neighbourhood Plan but the Parish Council will pursue these as separate projects.”</i></b>
<b>6C</b>	<b>Add an enlarged inset alongside Figure 7 – Barton Connectivity showing the main area of the village between Station Lane - Newsham north to White Horse Lane which should include any connectivity improvements in the Wyre Council area of Barton and any crossing point improvements on the A6.</b>

6.39 With these clarifications made Basic Condition a) would be met. The Policy would be in general conformity with Policy 3 of the Central Lancashire Core Strategy setting out the strategic approach to sustainable travel and to Policy ST3 of the PLP which seeks to ensure that safe and convenient access is afforded to everyone. It also conforms with Policy CDMP6 of the WLP which seeks to enhance accessibility and transport linkage. These policies are all quite detailed in their own right but I am satisfied that Policy BNDP03 adds to the strategic policies by being locally specific. By securing active travel via more sustainable modes of transport for new development the Policy would contribute to the achievement of sustainable development. Basic Conditions d) and e) are therefore also met.

## Policy BNDP04 – Drainage and Water Management

- 6.40 Policy BNDP04 is a very detailed policy seeking to ensure development in the parish adopts a sustainable approach to surface water drainage.
- 6.41 Section 14 of the NPPF seeks to meet the challenge of Climate Change including making the transition to a low carbon future and protecting from flood risk. It sets out in detail the approach to minimising flood risk and there is therefore no need for the BNP to repeat it. Surface water flooding as a result of inappropriate design of surface water drainage can however aggravate flooding problems and Policy BNDP04 responds to this risk. It therefore has regard to national policy.
- 6.42 CLCS Policy 29 sets out the strategic requirements in respect of water management in development but the PLP does not contain any specific policy in respect of surface water drainage and management. WLP Policy CDMP 2 on Flood Risk and Surface Water Management does set out in detail the requirements in respect of drainage and although it overlaps with Policy BNDP04 this strategic policy covers only a small part of the Neighbourhood Area. The additional, locally specific principles for the plan area contained in Policy BNDP04 are therefore justified and complement CLCS Policy 29. Moreover, the outcome of applying the Policy will deliver more sustainable development.
- 6.43 Whilst the principle of the Policy meets the Basic Conditions, in respect of Policy BNDP04 the requirement of the NPPF and PPG for policies to be clear and unambiguous is not wholly met. In a very detailed policy such as this there are inevitably a number of these areas.
- 6.44 First in respect of the first paragraph it is not clear what is meant by 'suitable mitigation' and not clear why the Policy is expressed in the negative which is not generally good practice. Lancashire County Council as Local Lead Flood Authority (LLFA) make the point in their Regulation 16 representation that there is also a factual correction to make in that the policy reference to the PPG is now incorrect. Following the 2022 amendments to the PPG it is now paragraph 056. If the paragraph references are to be retained then a phrase should be added to refer to any future revisions of the PPG. It would alternatively be possible not to refer to

specific paragraph numbers of documents at all. A similar point arises in respect of paragraph a) and the reference to the PPG. Also the NPPF reference should include paragraph 167.

- 6.45 Secondly, both LCC as LLFA and Wyre Council (WC) in their Regulation 16 representations raise concerns that Policy BNDP04 in parts c) and d) goes beyond what is currently required in national policy in respect of sustainable drainage. WC makes the point that on the smallest developments e.g 1 or 2 houses the construction management plan referred to (which is assumed to mean a construction drainage management plan) may not always be justified and this should only be a requirement of major developments and minors where there is a specific surface water drainage issue. WC proposes alternative wording which appropriately resolves this issue and I recommend it below. The LLFA point can be covered by a minor rewording to part d).
- 6.46 Thirdly, Regulation 16 representations from Lancashire County Council as LLFA also express concern regarding how the plan approaches greenfield run-off in part e) of the Policy. The statement in brackets regarding using the total site area to calculate the greenfield runoff rates is inaccurate and could potentially increase flood risk from new development sites. The LLFA recommends removing the bracketed section altogether to prevent confusion and poor drainage design.
- 6.47 Finally, there is an issue with the layout of the end of the policy which is unclear and needs to be resolved. The last sentence of part i) leading into parts j) and k) bears no relation to the rest of part i) and should be a separate section. Moreover part l), relating to public rights of way affected by poor drainage and the need to resolve this through development, does not make sense where it is currently located and should be relocated to follow part i) as new part j).

<b>Recommendation 7</b>	
<b>7A</b>	<b>Reword introductory paragraph to policy BNDP04 to read:</b>  <i>“Development proposals will be expected to make suitable provision for surface water drainage and water management which does not exacerbate surface water flooding beyond the site and takes all opportunities to provide a betterment. Developers should.....stipulated in paragraph 056 of the PPG or any future revisions to it. In determining proposals the following will be assessed: ”</i>
<b>7B</b>	<b>Delete the paragraph reference ‘080’ in line 6 of part a) of policy BNDP04 and replace with “056”. Add to the end of the paragraph the words: “or future versions of these documents.”</b>
<b>7C</b>	<b>Insert a full stop after the word ‘strategy’ in line 5 of part c) to Policy BNDP04 and delete the words ‘and construction management plan’.</b>

	<p><b>Insert new sentence to read:</b></p> <p><b><i>“A construction drainage management plan will also be required to be submitted for all major developments and for minor developments where surface water flooding is an issue.”</i></b></p>
<b>7D</b>	<p><b>In part d) of Policy BNDP04 revise the last sentence to read:</b></p> <p><b><i>“Opportunities for the inclusion of .... in the design of Sustainable Drainage Systems should be explored”.</i></b></p>
<b>7E</b>	<p><b>In part e) of Policy BNDP04 delete bracketed section in lines 2-4.</b></p>
<b>7F</b>	<p><b>Delete the last sentence of part i) to Policy BNDP04 and relocate current part l) as new part j).</b></p>
<b>7G</b>	<p><b>Prepare new part k) to read:</b></p> <p><b><i>“k) In addition to the above requirements of development proposals Barton Parish Council will:</i></b></p> <p><b><i>i) Work proactively with Lancashire.....public drainage infrastructure.</i></b></p> <p><b><i>ii) Actively engage with Preston..... weight in decision making”.</i></b></p>

6.48 Although these modifications involve considerable textual change to Policy BNDP04 I am satisfied that the essential purpose and objective of the Policy remains the same and as modified it will meet the basic conditions.

## Policy BNDP05 – New Housing in Barton

6.49 The neighbourhood plan at Policy BNDP05 sets out the circumstances in which housing additional to the major allocated sites will be supported within the settlement boundaries of Barton.

6.50 Policy BNDP05 has regard to the NPPF at section 5, particularly paragraph 69 encouraging the use of small and medium sized sites and section 11 of the NPPF encouraging the effective use of land. There are no specific policies in either the PLP or WLP relating to the development of small sites although clearly both Councils support the contribution non-allocated windfall sites will make to the delivery of housing within settlement boundaries and in that regard Policy BNDP05 is in general conformity with strategic policy.

6.51 However, a representation from PWA Planning on behalf of Seddon Homes Ltd at the Regulation 16 stage has objected that this policy is not appropriate as it would completely inhibit sustainable growth of other communities on the boundary of the neighbourhood area notably Bilborrow. In failing to allocate land and stipulating small homes the plan will fail to generate change in the community.

- 6.52 It was clear from the site visit that this is not the case. Significant allocations particularly in Wyre Council's area of the village are both recently completed and still being built out and include considerable numbers of family homes. Moreover, both PCC and WC can demonstrate significantly in excess of a 5 year housing supply in both Council areas. As such the BNP is under no obligation to allocate additional housing land either in respect of Barton or in support of Bilsborrow. It is clear from other Regulation 16 representations that the resident community in the neighbourhood area does not wish to see further large scale housing beyond the existing allocations of both Local Plans (i.e. that necessary to meet the housing requirement) and is concerned about the impact of such housing on the provision of appropriate physical and social infrastructure and the disruption large scale development brings during construction. It is in that context that the BNP seeks only to support, by definition, smaller housing developments within the settlement boundaries. The very strong feelings of the residents in this respect could be reflected in a slight adjustment to clause e) of the Policy. This clause currently relates to the location of the sites to allow access to services and facilities but the concerns of the residents are that support for additional housing sites should be contingent on physical and social infrastructure capacity being in place. An addition to this clause would meet these concerns.
- 6.53 As with a number of other policies in the BNP several modifications are necessary to meet the NPPF and PPG requirement for policies to be clear and unambiguous and to give clear guidance to developers.
- First it is not clear what is meant by the last sentence of the first paragraph to the policy. BPC were asked in the examiner's clarifying questions to explain what was meant (see Appendix 1 below) but the response is not sufficiently clear either. To resolve this a clarification is necessary to refer specifically to the development boundaries drawn in both the Preston City Local Plan and Wyre Local Plan and the last sentence simply deleted.
  - Secondly, it is not clear in the second paragraph of the Policy which are the criteria that development will be assessed against because of the way the Policy is constructed. It should state that assessment will be against "all of the following criteria a) to l)".
  - Thirdly, the Policy at clause g) refers to affordable housing having 'equal measures for footprint, parking and garden space'. It would not be clear to developers what is the requirement of them in this respect. BPC were asked in one of the examiner's clarifying questions about this (see Appendix 1) and has confirmed that the text was intended to ensure that affordable housing was built to the same standards in respect of floor area, parking and garden space.
  - Fourthly, Wyre Council in its Reg 16 representation points out that the BREEAM standards do not relate to general housing, only multi-residential buildings and non-residential buildings and request amended wording to clause k) of Policy BNDP05.



However, at the time the previous Code for Sustainable Homes was scrapped and replaced by the National Housing Technical Standards the Government made it clear that neighbourhood plans should not contain additional policy requirements on this matter. Accordingly, the clause should not be retained and I will recommend its deletion.

- Fifthly, the policy on page 33 sets out the circumstances where residential development will be allowed outside the development boundary. At present this implies that only rural exception housing will be permitted outside the boundary when in fact this is contrary to both the NPPF at paragraph 79 and the Local Plans both of which allow development in other circumstances eg rural workers' dwellings etc. This has to be reflected in the clause.

- Finally, clause j) and the final paragraph of the policy regarding minor housing development appears to needlessly duplicate Policy BNDP04 on drainage and Water Management. There is some additional guidance in respect of minor development in the final paragraph of the Policy but clause j) would appear to be superfluous.

- 6.54 Sport England in its Regulation 16 representation makes the point that new housing development in particular should reflect the agency's Active Design Guidance to ensure there are opportunities for people to lead healthy lifestyles and create healthy communities. This is a reasonable addition reflecting national policy objectives in the NPPF and should be made.
- 6.55 The National Farmers Union in its Regulation 16 representation makes the point that the policy should ensure appropriate storm water drainage through SuDS should be required to avoid water draining onto farmland resulting in crop damage. However, as Policy BNDP04 deals extensively with drainage and SuDS repeating this in Policy BNDP05 is unnecessary.
- 6.56 In addition to changes to the policy itself, attention needs to be given to the supporting text. The PPG requires neighbourhood plan policies to be supported by an appropriate level of evidence. At present the supporting text on pages 34-35 concentrates on setting out the situation with regard to housing supply. There is hardly any justification whatsoever for the content of the Policy. The coverage in respect of the housing supply position needs updated particularly in respect of the Wyre Local Plan (wording for which has been supplied by Wyre Council in response to the examiner's clarifying questions at Appendix 1). Also, as supply issues are not really relevant to Policy BNDP05, it would be better if the general supply position was relocated to come before the Policy in its own section perhaps entitled 'The provision of housing in Barton'. This could end with an explanation that because housing provision is broadly adequate, given the local plan allocations, the neighbourhood plan will support only smaller windfall sites within the settlement boundary and Policy BNDP05 sets out the basis for this support. The background justification following the policy needs to be developed to justify the policy content

and Wyre Council has asked for the details at Appendix 1 of the BNP re housing sites to be updated. BPC were asked as part of the examiner's clarifying questions to supply a revised background justification to the housing policy. This has been supplied and I am satisfied that the background now properly supports the policy and provides the evidence and justification for the policy as required by the PPG. The revised text is at Appendix 3 below.

<b>Recommendation 8</b>	
<b>8A</b>	<p><b>Add after the word 'within' in line 2 of paragraph 1 to Policy BNDP05 the following:</b></p> <p><i>"...the development boundaries for the village defined in the Preston Local Plan and Wyre Local Plan. (See Figure 2)."</i></p> <p><b>Delete the words 'existing residential sites' and the second sentence in Paragraph 1.</b></p>
<b>8B</b>	<p><b>Reword the last sentence of paragraph 2 to Policy BNDP05 to read:</b></p> <p><i>"Proposals will be assessed against all of the following criteria a) to l)"</i></p> <p><b>(Note - This will now be criteria a) to k) as a result of these modifications deleting 2 of the criteria and adding only one back – see below)</b></p>
<b>8C</b>	<p><b>Reword clause e) of Policy BNDP05 to read:</b></p> <p><i>"New dwellings should be supported by capacity in physical and social infrastructure and appropriately located to allow access to local facilities and services."</i></p>
<b>8D</b>	<p><b>Amend line 2 of clause g) to Policy BNDP05 after the word 'development' to read:</b></p> <p><b>"...and should have equal space standards, parking and garden space to that provided in market housing.</b></p>
<b>8E</b>	<p><b>Delete clause j) relating to drainage which is covered extensively by Policy BNDP04.</b></p>
<b>8F</b>	<p><b>Delete clause k) of Policy BNDP05 as the imposition of additional standards is not supported in neighbourhood plans.</b></p>
<b>8G</b>	<p><b>Insert new clause to read:</b></p> <p><i>"Opportunities are created, by applying the principles of Sport England's Active Design Guidance (or any successor document), in new housing, to</i></p>

	<i>enable healthy lifestyles and communities”.</i>
8G	In the Paragraph of Policy BNDP05 titled New Housing Outside Settlement Boundary add after the word ‘housing’ in line 2 the words “ <i>or otherwise....”</i> .
8H	<p>Relocate the text from pages 34 and 35 which relates generally to housing supply to precede policy BNDP05 in a new section entitled “<i>The Provision of Housing in Barton</i>”</p> <p>Delete Para 3-6 on Page 34 (which deal with Wyre housing position) and replace with the following:</p> <p><i>“Wyre Borough Council submitted its Local Plan Partial Update to Government for Examination in April 2022. The Examination hearing sessions closed on 28 September and following a six week public consultation on the main modifications the Inspector’s final report was received in late 2022. The Partial Update was adopted by the Full Council in January 2023.</i></p> <p><i>The current policies in the Wyre Local Plan (2011 – 2031) that have been superseded by the adopted Wyre Local Plan (2011-2031) (incorporating partial update of 2022) and that are relevant to Barton Parish include: SP1 Development Strategy; SP4 Countryside Areas; HP1 Housing Land Supply; HP3 Affordable Housing, HP4 Rural Exceptions. All other policies and site allocations remain unchanged.</i></p> <p><i>The Inspector considered all the evidence presented to the examination and in respect of housing supply concluded that to ensure the Plan is positively prepared and consistent with national policy, a backdated requirement of 479 dwellings per annum should be factored into the housing requirement calculations between 2011 and 2018/19 and the standard method figure of 296 dwellings per annum employed from 2019/20 onwards.</i></p> <p><i>The five year housing land supply calculation has been modified to reflect this recommendation and establishes an updated deliverable housing land supply position of 10.63 years at base date 31 March 2022.</i></p> <p>Reword final paragraph on Page 35 when relocated to read:</p> <p><i>“Consequently , the Council considers that the most appropriate figure to use in assessing housing land supply is the local housing need figure of 279 dwellings per annum and not the Core Strategy Policy 4(a) figure.</i></p> <p><i>The housing allocations in Barton (make an appropriate contribution to meeting the identified housing needs in both Council areas (Preston City and Wyre) and as such the BNP does not propose any housing site allocations. Instead, through Policy BNDP05, it will support the</i></p>

	<b><i>development of small sites within the settlement boundaries which are close to and can be served by infrastructure and facilities.”</i></b>
<b>8J</b>	<b>Insert a new Background / Justification following Policy BNDP05 incorporating the content of page 36:  See Appendix 3</b>
<b>8K</b>	<b>Provide updated housing site details in Appendix 1</b>

6.57 With these modifications Basic Conditions a) and e) would be met and as focusing of housing development on smaller sites within the settlement well served by infrastructure and facilities is likely to contribute to achieving more sustainable development, Basic Condition d) would also be met.

### Policy BNDP06 – Areas of Separation

- 6.58 Policy BNDP06 seeks to ensure that the open undeveloped areas that separate Barton from Bilsborrow to the north and Broughton to the south are retained. The NPPF at section 12 seeking to achieve well-designed places makes it clear at paragraph 130d) that it is important to establish and maintain a clear sense of place. Barton’s sense of place is as a rural settlement which has grown up around its position along a major transport corridor resulting in a long linear settlement. The danger of that is that it has been and is still susceptible to pressure to extend further along that corridor. This, in the opinion of BPC and the community, has reached the point where any further development would result in the coalescence of Barton and Bilsborrow to the north and Barton and Broughton to the south. It was clear to me on my site inspections in the area north and south of Barton that the undeveloped breaks between the village and Bilsborrow to the north and Broughton to the south were important in establishing the separate character and identity of Barton as an independent rural settlement and that Barton’s sense of place would not be well served by allowing coalescence. In that respect the policy has regard to the NPPF.
- 6.59 Policy EN1 of the PLP seeks to restrict development in open countryside other than in the specific circumstances allowed for within national policy. It goes further in Policy EN4 in specific areas under pressure around Preston to reinforce this by identifying Areas of Separation. However, the PLP does not identify such areas in respect of Barton.
- 6.60 PWP Planning on behalf of Seddon Homes Ltd in their Reg 16 representation object to Policy BNDP06 amongst other things on the grounds that it deals with a strategic matter and conflicts with and undermines the strategic policies of the PLP. They also argue that it is unnecessary as it duplicates the control afforded by the development limits and PLP Policy EN1 and if areas are to be drawn they should not be so tightly drawn on the boundaries of the villages.

- 6.61 Dealing with the first point re whether this is a strategic matter, I accept that the response from PCC in Appendix 1 indicates that the Council considers it is strategic. However, for two reasons I am not persuaded that, in this case, the policy is genuinely strategic or that it undermines the strategic policies of the PLP. First, it is not dealing with the genuinely strategic matter of the Preston urban edge and the areas of separation between Broughton and Preston and Grimsargh and Preston which presumably are most under pressure. Moreover, the locational strategy for the area as set out in the CLCS Policy 1 is clearly to establish a hierarchy of settlements within the Central Lancashire area based on size, accessibility, and range of services available. Villages appear at the bottom of this hierarchy as they are often small, are not situated in the most sustainable locations and cannot offer a wide range of services to residents. Beyond these settlements the strategic policy approach is again clear as set out in PLP Policy EN1 which expressly states that outside development limits the countryside and settlement settings will be protected. The more specific strategy for individual settlements like Barton in Policy AD1b) is for small scale development **within** boundaries. The strategic intention of both the CLCS and the PLP is therefore clearly to restrict development to within smaller villages maintaining their identities. The areas of separation identified do not directly impact on Wyre Council's area but in any event the strategic context set out in the Wyre Local Plan at Policies SP1 setting out the development strategy and SP4 regarding development outside the settlements are similar to Preston's.
- 6.62 In this policy context the decision that the BNP should maintain Areas of Separation between individual settlements complements the strategic policy intentions and does not undermine the strategic policies in the Local Plans. This is further reinforced by the fact that the proposal in BNDP06 is not for large swathes of land. The areas have been significantly reduced since the earlier versions of the plan and are now local in scale and contained. I am satisfied that Policy BNDP06 is in general conformity with the Local Plans.
- 6.63 Regarding the second point, I accept that the development limits set in the Local Plans, already restrict development to that within the settlement other than in respect of rural exception sites and other categories of development acceptable in the countryside as set out in Policy EN1. However, the purpose of Policy BNDP06 approaches the matter of development outside the boundaries in terms of ensuring any development in these Areas of Separation would not adversely impact on the character of the open landscape between Barton and its neighbouring settlements to north and south. The policy is not worded as an outright stop on development but requires any development permitted to avoid an increase in coalescence. It is therefore complementary to Policy EN1 and is not simply repetitious.
- 6.64 Although Seddon Homes Ltd ask for the areas of separation, if they are retained, not to be tightly drawn it was clear from my site inspection this is already the case. In the north there is a triangle of undeveloped land immediately north of the village hall bounded by the west coast mainline and the A6 which is not included. This is a contained area with some development on the west side of the A6 opposite and has

in the past been proposed and supported for the development of employment units although the application was subsequently withdrawn. To the south of Barton the area of separation excludes an area south of Station Lane and west of the A6, backing onto the playing fields, for development. I did raise the question with BPC regarding the area to the east of the A6 south of Barton as to why this had not been included in the area of separation. However, it was considered that the physical and topographical constraints of Barton Brook and Black Fir Wood mean that any linear extension south along the east side of the A6 at this point would be problematic and development would be unlikely.

- 6.65 Considered as a whole I am satisfied that the principle of policy BNDP06 is acceptable. There are just two further matters to deal with. Firstly, the second paragraph to the policy at present is not clear and unambiguous. It is not clear whether it relates to any development outside settlement boundaries or just in the Areas of Separation. I assume it is intended to be the latter but if not then it should also refer to Wyre Local Plan Policies. In any event if it is intended to just refer to the Areas of Separation the wording needs to make this clear. Secondly, it needs to be clear from the supporting text why the Areas of Separation are established and the open character it seeks to protect to prevent settlement coalescence. I am not entirely satisfied that this is clear from the text on page 37 and this should be developed and expanded. Specifically, the rationale for the northern and southern areas needs to be made clearer. Using the response from the Parish Council to the examiner’s question on this subject – see Appendix 1 - I recommend that the text is modified and expanded as below.
- 6.66 United Utilities in its regulation 16 representation argues that the Area of Separation policy should allow for the possibility of development within it relating to the Barton Wastewater Treatment Facility (WWTF). However, whilst the original proposed Area of Separation included the WWTF this is no longer the case and the Area of Separation in the submission version of the BNP is restricted to the east of the West Coast Mainline and therefore does not affect the WWTF. No modification to the policy is required.

<b>Recommendation 9</b>	
<b>9A</b>	<p><b>Ensure that the second paragraph of Policy BNDP06 is clear. Assuming it relates only to the Areas of Separation, insert after the word ‘boundary’ in line 1 the words:</b></p> <p><i>“and within an Area of Separation will also need .....”</i></p>
<b>9B</b>	<p><b>Delete paragraphs 2 and 3 of the Background Justification to Policy BNDP06 on Page 37 and replace with new and revised supporting text after the first paragraph to read :</b></p> <p><i>“The nature of Barton as a linear village means that the pressures for</i></p>

***development are largely to the north and to the south. The Parish Council and the community are concerned that these pressures if continued will result in further change to Barton's character and erosion of its sense of place and inevitably, if unchecked, result in the coalescence of 3 villages and the loss of countryside setting between each of them.***

***Whilst the BNP Steering Group are well aware of the existing Preston Local Plan Policy EN1 controlling development in the countryside it is considered that a complementary policy is required relative to Barton which will work with Policy EN1 to specifically safeguard against coalescence between Barton and Broughton to the south and Barton and Bilsborrow to the north.***

***The policy applies to a northern and southern Area of Separation. The original proposed Areas have been subject to several changes over the course of preparing the Plan.***

**Replace the text relating to the Northern and Southern areas with the following:**

**“Northern Area**

***At the pre-submission draft stage of the plan the Northern Area of Separation extended from the M6 in the east across to the A6. However, as a result of consultation and the fact that the area between the M6 and the West Coast mainline was considered to be largely landlocked it was considered appropriate to reduce the area further, focussing on the land from the A6 east to the line of the West Coast Mainline as the area where development would most likely result in coalescence with Bilsborrow and a consequent erosion of the character of Barton as an independent settlement in its countryside setting.”***

**Southern Area**

***At the Pre-Submission Draft stage of the Plan the southern Area of Separation extended across the southern boundary of the neighbourhood area east and west of the A6 and as far east as the M6. As a result of consultation it was considered appropriate to further reduce the southern area given that a large section east of the A6 was occupied by Barton Hall. The protection afforded by the Area of Separation could limit the potential for Barton Hall's expansion as an existing employment site and prevent it from growing and developing as a local business which would be contrary to the objectives of the neighbourhood plan. As the topography and physical features of Barton Brook and Black Fir Wood constrain the land immediately east of the A6 it was decided to limit the Area of Separation to the west side of the A6 where again development***

<b><i>was more likely to result in further coalescence with Broughton.”</i></b>
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6.67 With these modifications and for the reasons above the Policy would meet Basic Conditions a) and e) and, inasmuch as maintaining local distinctiveness and a sense of place are important attributes of a sustainable settlement, the policy contributes to sustainability and Basic Condition d) is also met.

## Policy BNDP07 – Supporting Businesses

6.68 Policy BNDP07 seeks to support the development and expansion of existing businesses subject to criteria and has regard to section 6 of the NPPF seeking to build a strong competitive economy and encouraging sustainable economic growth. The policy sets clear criteria to assess proposals against, which is in line with paragraph 82 of the NPPF.

6.69 The policy is in general conformity with Policy 13 of the CLCS on employment which encourages appropriate growth of rural businesses. Although the Preston Local Plan does not have a specific policy promoting the rural economy it adopts strategic objective 13 from the CLCS “*To sustain and encourage appropriate growth for rural businesses, taking into account the characteristics of the urban fringe and wider countryside*” which Policy BNDP07 is in conformity with. It is also in conformity with the general policy AD1b) of the PLP supporting small scale development within existing villages where criteria are met.

With regard to Wyre Local Plan, Policy EP8 which looks to support and diversify the rural economy is also furthered by Policy BNDP07 although the opportunities where the policy will apply within the Wyre Council area are geographically limited.

6.70 The policy, in encouraging local employment opportunities that allow people to live and work locally, is likely to contribute to sustainable living. The policy in principle therefore meets Basic Conditions a), d) and e).

6.71 As with a number of the policies however in the BNP there are 5 areas where the Policy and its supporting text do not represent clear and unambiguous direction.

- First, the policy only relates to existing businesses and not to new investment. This leaves a developer looking to develop accommodation for a new business unclear as to whether the policy will apply. This point was taken up with BPC in the examiner’s clarifying questions at Appendix 1 and it is clear from the Parish Council’s response that the intention was that the policy should also cover new business investment. Accordingly, this needs to be reflected.

- Secondly, the structure of the policy is not entirely clear in that paragraph 1 does not relate to the criteria which follow. It needs to be made clear that the development must conform to national and local policy and the criteria which follow.



- Thirdly, the policy at b) by introducing the word ‘unreasonable’ results in uncertainty. It is enough to simply say the development should not have a detrimental impact on the amenity of neighbouring uses.
- Fourthly, as with other policies the supporting text needs to be pointed up to make clear the purpose of the policy.
- Finally, the sub heading ‘Non-NDP Policies’ in the background justification simply adds confusion. What follows is not a policy and if the proposal was clarified further it could remain at the end of the supporting text with no subheading. As it stands it leaves the reader unclear about the intention.

6.72 The National Farmers Union in its Regulation 16 representation makes the point that BNDP07 should also specifically support business investment in agricultural enterprise, diversification and renewables. The policy in the general way it is worded would support business investment in these areas anyway and I do not consider the omission of a specific reference raises any issues in respect of Basic Conditions. However, given that the neighbourhood area is within an agricultural area where farming business is important, the Councils may decide an addition to the first part of the policy could be made as requested.

6.73 United Utilities in its Regulation 16 representation makes a similar point that the policy should allow for water infrastructure developments where they are needed to respond to future growth and environmental needs. However, Policy BNDP07 is not really dealing with infrastructure as such but, if it was a case of a development at the WWTF, as this would be treated as an existing business, development there would also be supported, subject to the criteria being met. I am not therefore persuaded any further modification to the Policy is required.

<b>Recommendation 10</b>	
<b>10A</b>	<b>Add after the word ‘businesses’ in line 1 of Policy BNDP07 the words: “and new business development”</b>
<b>10B</b>	<b>Add after the word ‘policies’ in line 3 of Policy BNDP07 the words: “and specifically:”</b>
<b>10C</b>	<b>Reword criterion b) to read: “Does not have a detrimental impact.....uses”</b>
<b>10D</b>	<b>Add at the end of the paragraph of the supporting text starting ‘Supporting the future...’ the following sentence:  “Policy BNDP07 sets out the basis on which development will be acceptable and in particular the need for workable access arrangements, that the relationship to neighbouring uses has been carefully considered and that the scale and design reflects the</b>

	<i>surrounding context.”</i>
10E	<p>Delete the heading ‘Non-NDP Policies’ and the sentence following and replace with the following text:</p> <p><b><i>“To assist in supporting new and existing businesses in the neighbourhood area Barton Parish Council proposes to set up a register of businesses within a Barton Community Hub to allow greater visibility to business and the local economy and provide networking potential in the neighbourhood area”.</i></b></p>

6.74 As modified above the Policy would meet the Basic Conditions.

## Section 8 – Monitoring and Review.

6.75 Section 8 of the plan sets out BPC’s intentions in respect to monitoring the BNP and its review. Although this is a largely factual statement there is one area that requires amendment to ensure the text is accurate.

6.76 The section’s reference to updating the neighbourhood plan gives the impression that it is a simple matter of deciding to update. This is somewhat misleading as reviews, depending on the circumstances can be quite complicated and follow different procedural routes. The text should therefore refer to the fact that there are procedures relating to review that will need to be followed.

6.77 Making this modification will ensure this section of the Plan meets Basic Condition a).

<b>Recommendation 11</b>	
11A	<p>Add new sentence at the end of Section 8’s text to read:</p> <p><b><i>“In carrying out any review of the neighbourhood plan Barton Parish Council will follow the regulations and advice relating to the review of neighbourhood plans applicable at the time”.</i></b></p>

## 7 Other Matters

### Other Housing Proposals Put Forward in Regulation 16 Representations

7.1 A representation from PWA Planning on behalf of Seddon Homes Ltd at the Regulation 16 stage raised concerns over Policies BNDP05 and BNDP06 as discussed above. Specifically, the objection was that the policies as drafted would preclude Seddon Homes bringing forward an additional site for development which

lies immediately south of Bilsborrow at the northern end of the neighbourhood area. They propose that the site could accommodate around 100 homes and open space and would be a logical and sustainable location for housing and it makes sense for it to come forward. Seddon Homes argue that in order to deliver affordable housing for Barton Parish larger sites than would be deliverable under Policy BNDP05 are required to enable cross subsidy.

- 7.2 However, there are a number of reasons why the site's development would be inappropriate at this time.
- 7.3 Firstly, as confirmed by PCC and WBC in their answers to clarifying questions in Appendix 1 there is no housing shortfall in the neighbourhood area and indeed housing delivery is occurring at a rate substantially above target in both Preston and Wyre Council areas. There is therefore no need for this scale of site to be released at this time.
- 7.4 Secondly, even if there was no longer a 5 year housing supply in the area, this site would fail the tests for development set out in Policy EN1 of the PLP and specifically Policy HS5 (Rural Exceptions Housing) as there is no suggestion by Seddon Homes that the development would fulfil the exceptions policy criteria.
- 7.5 Finally, even if it was the ultimate intention of Seddon Homes to see this site brought forward through the BNP exclusively for affordable housing as an exceptions site it would be procedurally impossible at this stage to recommend the allocation of additional sites. To do so would require the current BNP to be withdrawn and revised proposals, (as well as probably a Strategic Environmental Assessment Report and Appropriate Assessment given the scale of site), being taken back through pre-submission consultation. As there is no other reason to warrant this course of action it would be entirely unjustified.
- 7.6 I have recommended above a number of modifications to both Policies BNDP05 and BNDP06 and their supporting texts to ensure there is no issue with respect to the Basic Conditions and no other changes in response to Seddon Homes' representations regarding this site are necessary.
- 7.7 Story Homes in their Regulation 16 representation also promote development north of Jepps Lane (a site which has already been refused permission and dismissed on appeal). However, Story Homes do not actively seek the allocation of the land instead pointing out that development there could help to deliver many of the policy objectives of the BNP. Their points are noted but it will be for the Local Planning Authority to consider any future proposal in the context of the BNP and PLP.

## United Utilities – Ground Water Protection

- 7.8 United Utilities in its Regulation 16 representations suggest that as the Barton area is in Groundwater Protection Zone 2 and 3 that an additional Policy BNDP08 should

be added stating:

*“Development proposals must accord with the latest national guidance on Groundwater Protection. Where necessary, applicants will be required to undertake a risk assessment (quantitative and qualitative) of the impact on the groundwater environment and public water supply. Development will only be acceptable where it is demonstrated to the Local Planning Authority that there will be no unacceptable impact on the groundwater environment and public water supply”.*

- 7.9 I acknowledge that there is not a groundwater protection policy in either the CLCS or the PLP and to that extent the BNP would not be duplicating policy coverage already in existing plans. However, as above there is a procedural difficulty in introducing a new policy into the BNP at this stage. To do so would require the plan to go back to the pre-submission stage to repeat the main consultation stage, at least in respect of this policy.
- 7.10 To some extent at least the topic is covered by national planning policy in the NPPF particularly at paragraph 174. I have considered whether an additional clause could be added to Policy BNDP04 but as this primarily deals with drainage and water management it is not the right context for a ground water protection policy.
- 7.11 In conclusion my recommendation would be for BPC to pick up this matter in a first review of the neighbourhood plan if by that point there is still no groundwater protection policy at a strategic level and evidence at that stage warrants it.

## Ministry of Defence – BAE Warton Safeguarding.

- 7.12 The MOD in its representation is keen to ensure that the BNP sets out that there is a requirement to consult in respect of development in the safeguarding zone for BAE Warton to ensure operations are not compromised. Whilst this is noted this will already be a development management requirement of the Local Planning Authorities involved and it does not need to be specifically referenced in the BNP. There is therefore no need to modify the plan.

## Typographical and Formatting Corrections

- 7.13 There are a significant number of typographical/grammatical errors in the Plan which ought to be corrected. In addition to proposing modifications to ensure the Plan meets the Basic Conditions the only other area of amendment that is open to me, as the examiner, is to correct such errors. I have identified these in Appendix 2, and, in modifying the Plan as set out above and finalising it for the referendum, these typographical amendments should be made.

<b>Recommendation 12</b>	
<b>12A</b>	<b>Make typographical and grammatical corrections as set out in Appendix 2 at the end of this report.</b>

## 8. Referendum

- 8.1 Subject to the recommended modifications set out above being completed, it is appropriate that the Barton Neighbourhood Development Plan should proceed to a referendum.
- 8.2 I am required to consider whether the Referendum Area should be synonymous with the Neighbourhood Area or extended beyond it.
- 8.3 The Neighbourhood Area covers the administrative area of Barton Parish Council and part of the adjacent Myerscough and Bilsborrow Parish. Although there is an amount of development allocated in the WLP for the western edge of Barton between the A6 and the West Coast Mainline within Myerscough and Bilsborrow Parish, the BNP policies and proposals themselves will not affect the rest of that Parish (beyond the Neighbourhood Area) to any significant degree. I therefore do not consider that extension of the referendum area beyond the Neighbourhood Area would be warranted.
- 8.4 Accordingly, I consider that it is unnecessary to recommend any other Referendum Area than the Neighbourhood Area and no representations have been submitted seeking an alternative approach.

<b>Recommendation 13</b>	
<b>13A</b>	<b>I recommend to Preston City Council in association with Wyre Council that the Barton Neighbourhood Plan, modified as specified above, should proceed to a referendum based on the Barton Neighbourhood Area as approved by Preston City Council and Wyre Council on 8 September 2017.</b>

Peter D Biggers BSc Hons MRTPI - Independent Examiner – 7 June 2023

## **Appendix 1 - Examiner's Clarifying Questions and Information Requests put to Barton Parish Council and Preston City Council and Wyre Borough Council**

### **Questions and Information Requests to Parish Council (March 2023)**

#### **Question PC1:**

The Consultation Statement is required under the Neighbourhood Planning Regulations at Regulation 15 to include a list of consultees to whom the Regulation 14 draft plan has been sent. In the version of the Consultation Statement sent to me and available online such a listing is not present and therefore Regulation 15 is not wholly met. Please can you provide a replacement Consultation Statement that includes a full list of all the bodies consulted other than households and businesses in the neighbourhood area. This should be sent to me and uploaded to the Councils' websites once it has been prepared and the current consultation statement removed.

#### **BPC Response**

*Consultation Statement amended and dated April 2023. (Revised statement has been added to the Council website).*

#### **Question PC2**

Re Local Green Space – I was not clear why the informal sports pitches in LGS 1 were not included in the LGS and only the formal sports facilities of tennis courts and bowling green were included. Please explain the rationale.

#### **BPC Response**

*There are football nets on the land to the east of the village hall, but these have only ever been used on an informal basis. When they were included as part of the Reg 14 consultation, comments were received from the farm (owners of the land) located to the south east of the village hall whom did not want the land to formally allocated. For this reason, the area was taken out and just the bowling green and tennis courts remain.*

#### **Question PC3**

In BNDP03 – Part 1 lines 3 and 4 - Should it read “improve facilities” or “improve and facilitate”? Current wording is not clear – appears to be a typo.

#### **BPC Response**

*Wording should state – “By incorporating measures that **improve facilities and infrastructure such as bus stops, signage and cycle storage for all users**”*

#### **Question PC4**

In BNDP05 First paragraph - Please clarify what is meant by the last sentence.

#### **BPC Response**

*Refer to Fig 2 page 7, Wyre has 3 housing allocations shaded in yellow, a green square which is open countryside and the other pockets which are shown as white are all located within the settlement boundary for Wyre and can therefore come forward for housing*

**Wyre Council** note in response to this question that it is for the Parish to confirm. However, having read the Examiner's questions (and the Parish's response) we would not support wording saying "all land within the section of the NDP in Wyre" as the southern field in Wyre Borough is open countryside (as designated under Wyre Local Plan - Policy SP4 Countryside Area), it is not allocated for housing or in the settlement boundary. (Wyre Council go on to suggest amended wording which has been reflected in Section 6 above.)

Plus in section g) – is "have equal measures for footprint" intended to mean "make equal provision for"?

### **BPC Response**

*Remove the words 'measures for'*

### **Question PC5**

The last paragraph on Page 35 needs to stipulate the figure being referred to.

Also the Parish is invited to submit a new justification for Policy BNDP05. At present the supporting text just relates to the quantity of housing it does not justify the content of Policy BNDP05.

### **BPC Response**

*PCC to check the figure 'local housing need figure'. The PC have struggled to get a specific number for Barton. It would be useful to have some comments from ARC4 who have carried out the Housing Need and Demand Assessment 2022. It would appear that there is demand for 9 affordable units refer to C17 table below. The PC presumes this is an annual figure?*

*The NP recognises the need for future land for housing and that any growth should be sustainable in a manner that complements Barton. Too much development pressure will put pressure on existing services and infrastructure.*

*Further detail regarding policy justification is provided in Appendix 3 below*

### **Question PC6**

Regarding BNDP06 – again the supporting text needs more justification as to what these areas achieve and why protection is important. This is important in part if the representation from Seddon Homes re the northern area of separation is to be rebutted.

Regarding the Northern Area it was not clear on site why the area of separation did not start from where the WCML crosses the A6. Please explain.

Regarding the comment on Page 37 about the southern area of separation, it is not clear why the section to the east of the A6 was removed or what the relevance of Barton Hall is in this respect. On site it appeared as though the area east of the A6 could be as important to include in the area of separation as that to the west. Please explain.

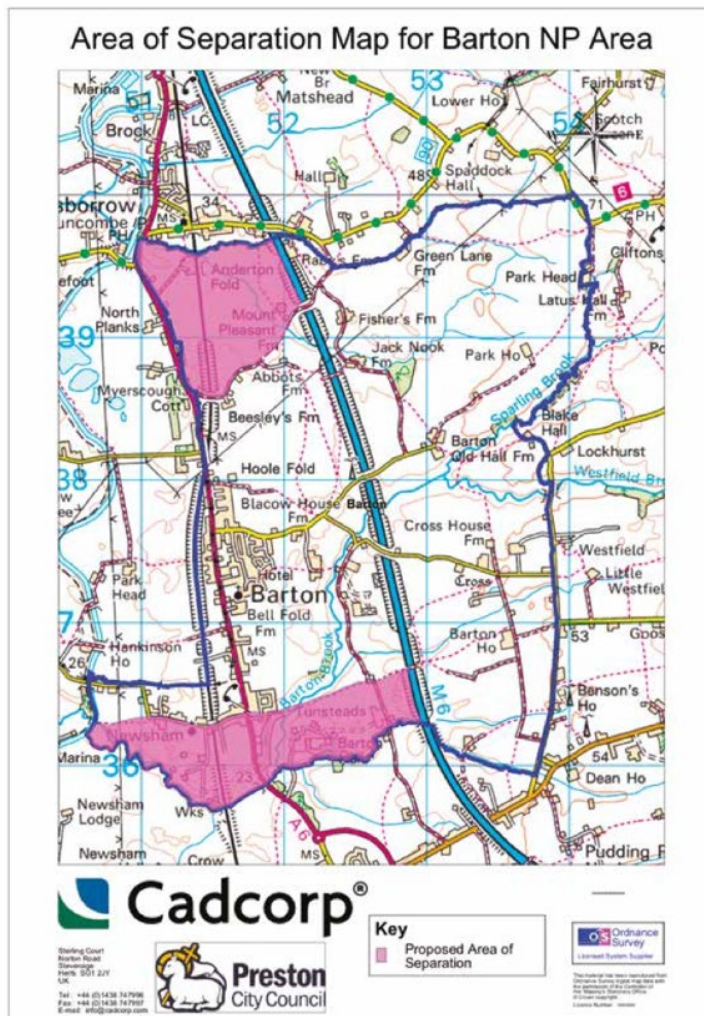
### **BPC Response**

***The importance of Areas of Separation for the NP:***

- Separation from the linear settlement of Barton before getting to Bilsborrow to the north and when travelling from the south leaving Broughton
- Felt an important local need to maintain some levels of rural character
- If allowed, considered that development to the northern and southern boundaries will be to the detriment of the rural character of Barton

### Areas of Separation suggested as part of Reg 14

Figure 8. Area of Separation Plan



Following comments received as part of the Reg 14 consultation the areas were reduced in size:

#### North – to Bilsborrow

-large areas considered to be 'land locked' by the motorway and the railway line as per google image (supplied)

- the area of land to the north of the railway bridge was not included as there was a planning application which was being considered at the time planning ref 06/2019/1339



*which was withdrawn but the Parish Council was happy to support*

*- edge of the settlement with Wyre and cross boundary issues (see earlier comments from Wyre on the refused application 06/2020/1087*

*-contrary to policy SP1 of Wyre's LP and note that Bilsborrow is classed as a 'main rural settlement'*

*-limited suite of services to support such a large development*

*-settlement boundary of Wyre is clearly defined, and there is a strong distinction between settlement and the wider countryside*

*-consider it important that the rural character is maintained and the loss of this site to major development will reduce the separation between Bilsborrow and Barton to the detriment of the rural character*

### **South**

- The original area was much larger crossing both the east and west of the A6*
- Following comments from Barton Hall which is summary stated that; Barton Hall is an existing employment site and there are proposals to redevelop it for the same use. The site's inclusion within the boundary of an Area of Separation would limit the potential for its expansion as an existing employment site and prevent it from growing and developing as a local business, which be contrary to Objective 4 of the Plan.*

### **Question PC7**

Is BNDP07 intended to also refer to new business investment? Otherwise how would this be assessed?

### **BPC Response**

*Yes, add in the word 'new'*

### **Question PC8**

There is reference in the NDP to the existence of a *Planning Policy Background and Evidence Base Review* document. Does this exist and if so can the examiner be provided with a copy?

### **BPC Response**

*BPC Will supply this (Now received and uploaded to the PCC website)*

### **Question PC9**

In view of the Reg 16 representations and in the interests of fairness in the process I will accept a response from the Parish to the detailed representations made by PWA Planning on behalf of Seddon Homes and to the more significant representations made by Wyre Council some of which are picked up in the above questions.

## **BPC Response (Paragraph references relate to Seddon Homes Representation)**

1.4 – Site is not considered to be a ‘logical location for new housing’. Please refer to the officer report and refusal in 06/2020/1087. Barton has already met its affordable housing requirements and it is not considered that the 30 affordable homes which were proposed were required.

1.7 – There is already an abundance of open space.

1.8 – Break down of the completed affordable homes in Barton (PCC to provide).

1.11 – There is no requirement for NP’s to allocate any sites whether this is housing or commercial. Policy 05 does make provision and supports housing within the NP area which is within the defined development boundary. The site proposed by Seddon is not. The policy states that ‘new housing outside of development boundary will only be permitted for small scale affordable rural exception housing.’ The proposed 100 homes is not considered to be small scale, indeed it would be classed as major new housing development.

1.12 – Whilst the site is located within PCC, given the close relationship to Bilsborrow, detailed comments were made from Wyre BC to app 06/2020/1087 which can be supplied. WBC objected to the application on the basis that Bilsborrow is classified as a ‘main rural settlement’, has a limited suite of services to support such a large number of new homes and provides an established break in development from the village to the wider area.

1.18 – It is not considered the site is a ‘logical’ location as discussed above.

1.19 – Whilst Wyre are carrying out a call for sites (in the review of the Local Plan) it remains the case that Bilsborrow is a ‘main rural settlement’ where limited development is proposed with a focus on the larger towns and settlements within Wyre.

1.24 – The site is not within Wyre and it is not considered that it would be premature for the NP to progress. The NP has been in production since 2019 and has been through several rounds of consultation.

Subsequent to the preparation of these questions an additional question was put to the Parish Council in respect of the plan title.

### **Question PC10**

Could the Parish Council tell me how they would like the plan referred to given the variety and range of titles used “ Barton Village Neighbourhood Plan / Barton Neighbourhood Development plan / Barton Neighbourhood Plan etc.

### **BPC Response**

*BPC would prefer the plan title to be the Barton Neighbourhood Plan.*

## Questions to Wyre Borough Council

### Question WBC1:

What is the current updated position regarding the Local Plan Partial Review spelt out on Page 34 and in the Reg 16 representations?

*Since the production of the BNP Submission Version Regulation 15 November 2022 the Wyre Local Plan (2011-2031) (incorporating partial update of 2022) (WLPPU31) was adopted on 26 January 2023 and forms part of the development plan for Wyre. The proposed wording in the second, third and fourth paragraphs on Page 34 of the BDNP therefore need to be updated to reflect this. We would also confirm that the Wyre council's five year land supply wording on Page 34 also needs to be updated to reflect the latest position. We would suggest the following wording is included to read:*

*In April 2022 the council submitted the Partial Review of the Wyre Local Plan (2011-2031) to the Planning Inspectorate. One of the objectives of the review was to meet the full Objectively Assessed Housing Needs (OAHN) of the borough.*

*The Inspector considered all the evidence presented to the examination and in respect of housing supply concluded that to ensure the Plan is positively prepared and consistent with national policy, a backdated requirement of 479 dwellings per annum should be factored into the housing requirement calculations between 2011 and 2018/19 and the standard method figure of 296 dwellings per annum employed from 2019/20 onwards.*

*The five year housing land supply calculation has been modified to reflect this recommendation and establishes an updated deliverable housing land supply position of 10.63 years at base date 31 March 2022.*

## Questions for Both Local Planning Authorities

### Question WBC/PCC1

Do the two local planning authorities share Seddon Homes view that Areas of Separation should be a strategic matter and not for NDPs **or** do you consider that, as Barton was not identified in the local plans as a settlement where Areas of Separation might have a role to play, it was reasonable for Barton NDP to identify AoS as a matter of local concern?

### PCC Response:

*At Regulation 14 consultation PCC made the following comments to the Parish:*

<i>Policy 07</i>	<i>BDNP</i>	<i>'Area of Separation – this policy which is outside defined 'area of separation' defined in Preston Local Plan. It's hard to justify and give weight to any greater protection than policy EN1.' [Preston Local Plan 2012-26 Policy EN1 - Development in the Open Countryside].</i>
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*The Parish's response to comments made by PCC at Regulation 14 consultation is as follows:*

*'Areas have been reduced in size, considered to be important to those living in the Parish to further safeguard against development pressures from the north and south of the NDP boundaries.'*

*Since the Regulation 14 consultation, AoS is not a topic the council has had discussions about with the Parish. The council acknowledged this is a topic we should have raised again in our Regulation 16 response. The Councils feel it would be more appropriate to deal with changes to the adopted AoS as a strategic matter, through the local plan process. As Preston are currently reviewing the local plan, we commissioned Land Use Consultants (LUC) to undertake an assessment of AoS, the findings of which were published in December alongside the Preferred Options Part 1 Consultation. The Councils propose to use LUC work as an evidence base for considering any changes to the current approach and areas identified in the extant plan, and feel this is for the Council to consider, rather than the NDPs.*

*The LUC Open Land Designations Study 2022 evidence base is linked below:*

- [Open Land Designations Study Landscape Assessment – December 2022](#)
- [Appendix A – Landscape Value Assessment](#)
- [Appendix B - Settlement Setting Assessment](#)
- [Appendix C - Areas of Separation Assessment](#)

*The Parish may not have referred to this piece of work as due to its recent completion and publication meaning it was unlikely to have been available at the time they prepared the NDP.*

## **WBC Response**

*Wyre Council responded that it has advised Preston City Council that we believe this is a matter for Preston to answer rather than for Wyre as none of the Areas of Separation shown in the BDNP affect the land within Wyre Council's remit. Wyre designated its areas of separation through its Local Plan process.*

Note – As I continue the examination I may have additional questions of clarification and these will be forwarded on.

P. D. Biggers

Independent Examiner

March 2023

<b>Appendix 2 - Recommendation 12 - Typographical &amp; Factual Corrections</b>		
<b>Page</b>	<b>Location</b>	<b>Correction</b>
3 and 4	Foreword Title	Correct the spelling of 'Foreward' to " <i>Foreword</i> ".
3	Para 1 Line 1	In the context of what follows in the first sentence the word 'parish' should be replaced with the word "village". Reason – factual correction.
4	Para 1 Lines 1-2  Para 2 line 3	Replace the word 'of' at the end of line 1 with the word "for". Change the abbreviation 'NP' to " <i>neighbourhood area</i> ". Reason - for factual clarity.  Delete the apostrophe in the word 'Council's' Reason - to make grammatical sense.
5	Para 2 Line 5 Para 3 Line 1 Para 5 Line 1	Delete the apostrophe in the word 'Council's'. Reason - to make grammatical sense Insert superscript figure 1 after the word 'households' to cross reference to the source footnote. Delete the word 'Parish' and replace with the words "Neighbourhood Area"
10	Barton Climate Change  Para 1 Line 2 Para 1 line 3 Para 3 Last line  Para 4 Line 1	Delete the apostrophe in the word 'Council's'. Add the word "is" after the word 'Wyre'. Replace last line to read "to use nationally recognised housing quality standards through Policy BNDP05". Remove the apostrophe in the word 'Council's' and remove the letter 's' from the word 'updates'.  Reason for all – to make grammatical sense.
12	Para 1 Line 1 and Para 2 Line 1	Replace the word 'scoping' with the word ' <i>screening</i> '. Reason -factual correction.
12	Last para	Delete the bracketed section. Reason – for clarity
13	2 <sup>nd</sup> Bullet Point Line 3  3 <sup>rd</sup> Bullet Point Line 1	Correct the word 'chnage' to read " <i>change</i> ". Reason – incorrect spelling used.  Delete the word 'though' and replace with the word "through". Reason – to correct the spelling.
14	Title Block	Delete the words '5. Vision and Objectives' and replace with the words " <i>6. Planning Policy Context</i> ". Reason – wrong heading used for text below.
17-40	All title blocks	Delete the word 'draft' from the title block. Reason - These policies are no longer draft they are the policies of the plan.

18	Policy BNDP01	Correct policy reference to “BNDP01”. Reason – Incorrect reference number given.
19	Para 1 Line 4	Correct reference to ‘Figure 2’ – should be “Figure 3”. Reason – Incorrect reference number given.
27	Para 2 Line 2	Delete the letter ‘s’ from the word ‘cycles’ at the end of the line . Reason – to make grammatical sense..
29	Policy BNDP04 b) Line 4  Policy BNDP04 d), e) and f) Line 1	Replace the word ‘placing’ with the word “place”. – Reason - to make grammatical sense.  Insert a capital letter at the start of the clause. Reason – for consistency with rest of policy.
32	Policy BNDP05 clauses a) to l)  Clause g) Line 1  Clause h) Line 1	Need for consistency in starting the clause with a capital letter and ending it with a semi colon except for a full stop after clause l)  The correct phrase is “pepper-potted”  Delete the word ‘for’ after the word ‘encourage’  Reasons for consistency and to make grammatical sense
34	Para 1 Line 2 Para 2 Line 1  Para 7 Line 1 Para 7 Line 3	Insert the words “from Wyre” after the word ‘policies’. Replace the words ‘submission document’ with the words “BNP” Delete the word ‘and’ after the words ‘Barton HS1’ Delete the words ‘refer to list’ and brackets . Replace with the words “are set out” Reason – for clarity, spelling and grammatical sense.
38	Figure 8 – Areas of Separation Plan	Amend key block as the notations are the wrong way round.  Reason – for clarity
44	Glossary – Development Plan Line 2 and 3	Replace the reference to ‘Wyre Local Plan’ with: “Wyre Local Plan (2011-31) (incorporating partial update of 2022)” Replace the word ‘it’ in Line 3 with the word “these”. Reason – factual correction and to make grammatical sense.
45	Glossary Local Lead Flood Authority Line 1	Add letter ‘s’ after the words ‘prepare’ and ‘maintain’ Reason - to make grammatical sense.
45	Glossary – Local Planning Authority Line 3	Delete last sentence and replace with: For Barton this is Preston City Council and Wyre Borough Council. Reason – incorrect names inserted.
45	Glossary – Neighbourhood Development Plan Line 1	Delete the word ‘local’.  Reason – to avoid confusion as a neighbourhood plan is different to a local plan.
46	Glossary – Sustainability appraisal Line 1	Replace the word ‘environment’ with the word “ <i>environmental</i> ”. Reason - to make grammatical sense.

46	Glossary Urban Creep line 1	Insert a space between the words 'of' and 'roads' at the end of the line. Reason to make grammatical sense.
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## Appendix 3 Replacement Supporting Text to Policy BNDP05 on Page 36

### Background / Justification

Paragraph 126 of the NPPF is clear in the Government's aim to create 'high quality, beautiful and sustainable buildings and spaces'. This is echoed in local plan policies at PCC Local Plan (EN9 Design of New Development) and Central Lancashire Core Strategy (Design Guide SPD and policy 17 Design of New Buildings). The relevant policies in the Wyre Local Plan being CDMP3 Design. Whilst this suite of policies supports and champions good design, it was important for the BNP to contain policy direction of its own, especially the importance of designing new homes that respect its rural character.

Early consultation on the BNP raised concerns over the volume and speed of traffic through the village. This informed one of the key objectives of the BNP with the enhancement of transport links with safe traffic management and connectivity through the village. As the village is linear in nature, the parish needs safe and accessible pedestrian links through and out of the new housing developments. See linking Policy BNP 03 Active Travel.

Barton is a rural village and whilst the majority of housing is concentrated on and off the A6, there is a strong connection to the surrounding open countryside. The NP designated area lies within National Character Areas (NCA) 32 and 33. NCA 32 marks the Lancashire and Amounderness Plain which stretches east to Morcombe Bay. This area consists of low lying landscape types, lowland farming and productive coastal plains in contrast to NCA 33 Bowland Fringe and Pendle Hill. Glimpses of the Bowland Fells can be viewed from the NP area from locations such as Jepps Lane, and serves as a reminder of the wider rural landscape and the importance this has to Barton.

An appropriate level of new housing in the form of smaller windfall sites is important for the village. This needs to be balanced with the resources to public providers of infrastructure which are already under pressure and it is important that the most effective use is made of those resources available. For example, earlier consultation responses identified a lack of a convenience store as being a weakness and access to medical facilities.

Paragraph 45 of *National Planning Practice Guidance* allows neighbourhood plans the scope to consider what infrastructure needs to be provided in their neighbourhood area. This element of Policy BNP 05 seeks to ensure that where additional infrastructure is needed to enable sustainable development to take place in Barton, it is identified and incorporated in proposals. To meet current and future emerging demands, the Parish Council, working with PCC and WBC and other partners, are keen to ensure that there is a strategic approach to commissioning new services and facilities for Barton. Reference will be made to PCC and WBC Infrastructure Delivery Schedules as appropriate.

New housing developments should offer a range of housing sizes, types, and tenures to meet identified local needs, including provision for vulnerable communities such as older people and people with disabilities. Developers should engage with PCC and WBC at an early stage to establish the most up to date evidence base documents regarding Housing Need and to address what is required in developing future applications.

Barton recognises the importance of not only creating a mix of type of properties but also tenures with a proportion of affordable housing where required. It is key that affordable units are located



evenly around a site (ie. not all clustered together) and should not be distinguishable from any of the market houses in terms of materials or architectural style.

There is a greater proportion of larger 3 and 4 + bedroom homes in the village, but there is a recognised older population who wish to have the option of staying within the village and being able to downsize. This was recognised in the early work on the NDP in the form of a detailed questionnaire in 2019 which reported that there should be a choice for existing residents to downsize and stay in the village.

Barton is a rural settlement, and its sense of place and character is influenced by its surrounding open countryside. Whilst the BNP recognises the need for effective use of land, it is important that the surrounding context is reflected in the design of new dwellings. For this reason it is important for the village that no development exceeds 2.5 storeys. It is considered that anything greater than this will be much too urban and would not be sensitive to and respect the rural character.

Home Quality Mark (HQM) helps house builders to demonstrate the high quality of their homes and to differentiate them in the marketplace. At the same time, it gives householders the confidence that the new homes they are choosing to buy, or rent are well designed and built, and cost effective to run. HQM are based on the latest scientific research into issues such as energy and water efficiency, effective insulation, noise reduction, lighting and air quality and the wellbeing of occupants, along with wider environmental issues such as climate change and carbon reduction.

It is important for the village that the any new housing development is sustainable and is built to the highest possible standards and it is considered that the HQM would be beneficial to future housing schemes in the village.

Sport England's Active Design focuses on increasing physical activity throughout the built and natural environment supporting physical activity and enabling people to build long term active habits and behaviours. The Design focuses on 10 key principles, and these link to local and national planning policies and are referred to in Policy BNP05.

One of the key objectives of the BNP is the promotion of health and well being within the village by encouraging greater health care provision and outdoor exercise, including sports facilities and activities for all ages. Other objectives such as enhancement of transport links and promotion of open spaces play a key role in achieving this part of the housing policy requirement. See linking policies BNP 01, 02 and 03 which all seek to improve and enhance safe connecting routes within the village.

extent they align with sustainable development objectives. The Barton Neighbourhood Plan has been prepared in accordance with the strategic policies of Preston City Council and Wyre Council's respective Adopted Local Plans. 'The Plan' will not allocate any land beyond that allocated to date in both Preston and Wyre's Adopted respective Local Plans. It could however result in some climate benefits in that it identifies and seeks to protect local green spaces beyond any green spaces identified within Preston and Wyre's Local Plans. The BNP also seeks to encourage the use of non-car related modes of transport as encouraged generally in Preston and Wyre's Local Plans. However it includes an Active Travel Policy including a Barton Connectivity Plan with the aim of improving linkages such as bridleways in the area and new creating a new footpath/cycleway on the eastern side of the A6. For local green space and active travel objectives, plus the collaborative working approach it is given a positive score.

# Barton Neighbourhood Plan

Plan Period 2019 - 2030

Summer 2023

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## APPENDICES

- Appendix 1 – Housing Applications Table
- Appendix 2 - Barton Glossary of Terms

# 1. FOREWORD

**1.1 The rural village of Barton is located along the strategically important A6 highway and is uniquely shared between the administrative boundaries of Preston and Wyre. The history of the parish can be traced back to 1066 when it was first described as four plough- lands. Numerous references exist over time for this predominately agricultural area north of Preston. One such reference was the inclusion of the hamlet of Newsham to the parish in 1894 and this geographically represents the modern-day parish of Barton.**

1.2 The principal road through Barton is the A6 which is the primary transport link for many from Preston to Lancaster. This route through the village gives Barton a linear flow with a series of tributary routes diverging to the east and west, creating connections with other local rural villages.

1.3 Barton is a warm, friendly and safe community of approximately 1,200 residents. The village has a very dynamic and engaging demographic, supporting a number of community centric activities throughout the year. There are two churches in Barton which are affiliated to Barton St Lawrence and St Mary and St Andrew Newhouse primary schools which represent the heartbeat of the community. There is a diverse number of award-winning businesses in the village ranging from fine dining and superior accommodation to legal services, agriculture and high end home furnishings. This diversity reflects the character of the village.

1.4 Barton has been subject to significant growth in the last 5 years and the Parish Council alongside the community are looking to work with Preston City Council and Wyre Borough Council (Wyre BC) to achieve a sustainable future for the village through the Barton Neighbourhood Plan (BNP). The Localism Act has provided the opportunity for local people to have more say in developing a shared vision for their neighbourhood, choosing where new homes, shops, offices and other development should be built, identifying and protecting important local green spaces and influencing what new buildings should look like.

1.5 The Act defines a Neighbourhood Plan as:  
“A plan which sets out policies in relation to the development and use of land in the whole or any part of a particular neighbourhood plan area specified in the plan”.

# 1. FOREWORD

1.6 The initial draft version of our NP has undergone a formal 6-week consultation. The BNP has undergone modification to reflect the responses received during the 6-week consultation and at examination. The Neighbourhood Plan once ratified at a local referendum becomes a part of the Development Plan and will be used by Preston City Council and Wyre BC when determining planning applications within the neighbourhood area.

1.7 The BNP will provide the opportunity for us to shape the future for the residents of the neighbourhood area to 2030 and beyond as not only does it help us have a say in where future development should take place, it also sets out how the Parish Council working with other statutory bodies, will undertake investment in and improvement of infrastructure and local facilities through community projects, Parish Precept, the Community Infrastructure Levy funding & other grants.

1.8 The BNP will offer our community a powerful new opportunity to produce a sustainable plan for our village and we hope that you will support us in developing a shared vision for the future growth and development of Barton.

With best wishes

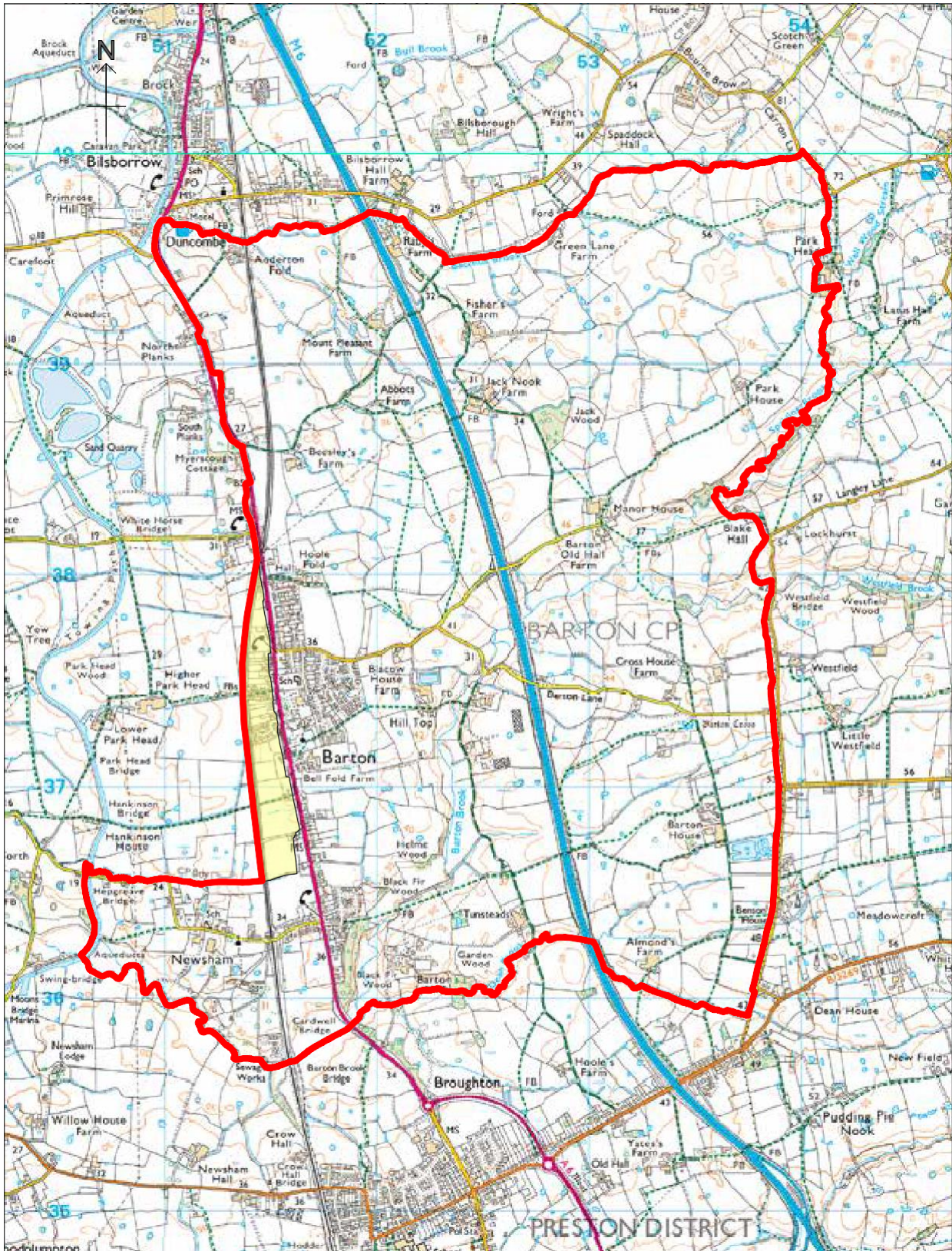
John F Parker  
Chair, on behalf of the Barton Neighbourhood Plan Steering Group June 2022

## 2. BACKGROUND

- 2.1 The Localism Act 2011 introduced significant reforms to the planning system in England. These reforms gave local communities more say in shaping future development in their area. The most significant reform gave local Parish Councils the power to prepare a Neighbourhood Plan (NP) for their area. Barton Parish Council (the whole of the Parish contained within Preston City Council) and Myerscough & Bilsborrow Parish (part of Wyre BC) decided it was essential to use this new power.
- 2.2 Jointly, the Parish Councils, as a qualifying body, applied for the whole of Barton Parish and the section of Myerscough and Bilsborrow Parish, west of the A6 and east of the West Coast Mainline, to be designated as the neighbourhood planning area (Figure 1). Myerscough & Bilsborrow Parish Council delegated its neighbourhood planning function to Barton Parish Council to prepare the NP. Preston City Council and Wyre BC consulted on the application for 6 weeks and the Councils approved the area as a neighbourhood planning area on the 8th September 2017. This designation allows the local community to come together, through the preparation of this NP to set out how the future development of the area up to 2030 should be shaped.
- 2.3 Barton Parish has a population of approximately 1,150 with 460 households (Figure 1) (Barton figures only and not Wyre) and is a linear village which runs along the A6, approximately 6 miles north of Preston. It falls under the electoral ward of Preston Rural North. The small part of the area which falls within Wyre BC is to the western edge of the boundary, between the A6 and the west coast railway line.
- 2.4 The village is centred around the A6 which passes through the village close to the western edge of the boundary. Beyond the main built-up area of the village is open countryside, with the M6 cutting through the parish. To the east is the parish of Goosnargh, to the south is Broughton and an element of Whittingham with Woodplumpton to the west.
- 2.5 The Neighbourhood planning area has seen a large increase in new homes over the last five years with approximately 335 new dwellings approved, with several applications still under consideration. This figure is across both Preston City Council and Wyre BC from 2015 (refer to housing applications in appendix 2).

<sup>1</sup> Source ONS 2011

# Barton Neighbourhood Plan Boundary



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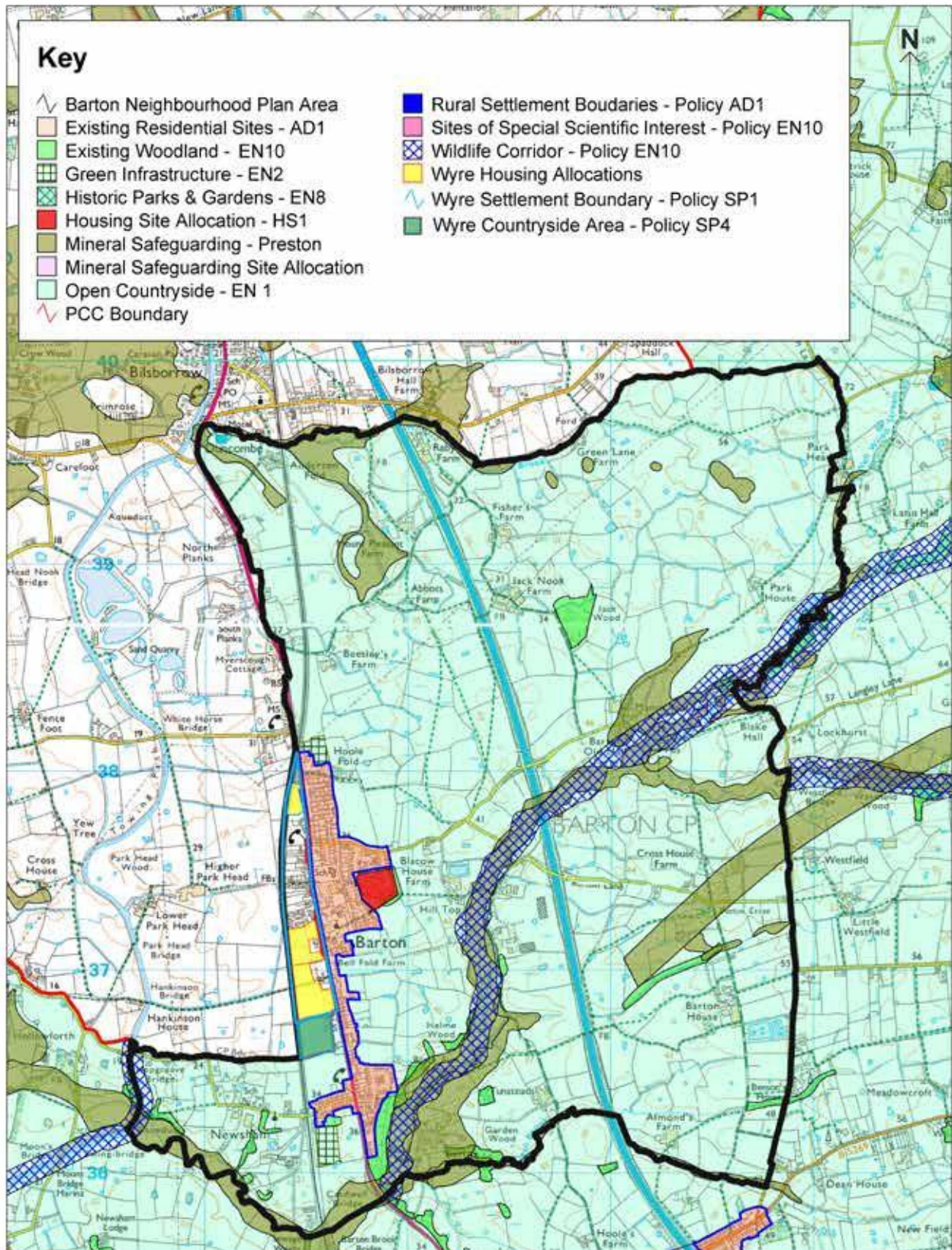
**Preston**  
 City Council

Town Hall  
 Lancaster Road  
 Preston PR1 2RL

Figure 1: The designated BNP boundary (the yellow shaded area represents that part of the NP boundary which falls within Wyre BC)



# Local Plan Allocations within BNP Area



Town Hall  
**Preston** Lancaster Road  
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# 3. THE NEIGHBOURHOOD PLAN PROCESS AND PREPARATION

**3.1 NP are part of the statutory development planning system. Introduced in 2011, NP give local communities, through their Parish Councils, the right to prepare a plan for their neighbourhood.**

3.2 The significance of this is that when the BNP is finally 'made', it will become part of the development plan for the area. This means planning applications in the Parishes (Barton and Myerscough and Billsborrow), unless there are other material considerations, will be determined in accordance with the NP, Wyre Local Plan, Preston Local Plan and other Development Plan Documents.

## **The Neighbourhood Plan Process**

3.3 The BNP was prepared following a procedure set down by government in The Neighbourhood Planning (General) Regulations 2012, as amended. The neighbourhood plan preparation process includes a number of stages. Regulation 14(a) states that a qualifying body must, "publicise in a manner that is likely to bring it to the attention of people who live, work, or carry out business in the neighbourhood area". The Regulation 14 consultation was carried out in 2020 over a six week period.

3.4 The Parish Council submitted Regulation 15 to Preston City Council (PCC) in November 2022. PCC ran a further 6 week public consultation period from January - March 2023. Jointly PCC and the Parish Council appointed an independent examiner who was presented with comments from the Regulation 16 consultation and all other submission documents.

3.5 At the examination the examiner will assess whether the plan meets the basic conditions of paragraph 8 (2) of Schedule 4B of Town and Country Planning Act 1990. This is something all neighbourhood plans must comply with if they are to be formally made part of the development plan. The basic conditions are met if:

# 3. THE NEIGHBOURHOOD PLAN PROCESS AND PREPARATION

- a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order;
- c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order;
- d) the making of the neighbourhood plan contributes to the achievement of sustainable development;
- e) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority;
- f) the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and
- g) prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the plan.

3.6 If the examiner decides that the BNP is compliant then it will be subject to a local referendum. The referendum will give all registered voters in the Parish the opportunity to vote and decide if the BNP should in future be used to help determine planning applications. The final decision, therefore, rests with the people of Barton and will be by a straightforward majority of those voting in the referendum.



# 3. THE NEIGHBOURHOOD PLAN PROCESS AND PREPARATION

## BARTON CLIMATE CHANGE

- 3.7 This NP is set in the context of the ‘Climate Emergency’ declared by both Preston and Wyre Councils. Preston City Council pledged that its own activities would be net zero by 2030 and Wyre is pledging to reduce its own emissions by at least 78% by 2035.**
- 3.8 The NP seeks to reflect the new climate commitments and aims to have climate change as a central theme running through the plan.
- 3.9 The NP seeks to promote connectivity of the new and existing green spaces (green infrastructure) and water spaces (blue infrastructure) in BNP01, identifying and protecting Local Green Spaces in BNP02, promote active travel and offer safe alternative modes of transport ultimately reducing the need to travel, promoting social cohesion, health and wellbeing in policy BNP03, tighter requirements in line with the NPPF on effective surface water drainage measures including SUDS in BNP 04 and new housing to use nationally recognised housing quality standards through policy BNP05.
- 3.10 As Preston and Wyre Councils review and update policies in response to the Climate Emergency, so this NP will be reviewed.

# 4. COMMUNITY CONSULTATION

## 4.1 Early work on the NP has been moved forward by a Steering Group, which was established in 2017. The group signed up to a Terms of Reference and have an elected chair and vice chair.

- 4.2 The main public engagement on the NP began in August 2018 with a scoping questionnaire document which was sent out to residents and workers in the Parish to gather views and options from local people. Responses needed to be received back by 30th September 2018. An excellent response rate was achieved, with 241 completed questionnaires submitted by people who resided or worked in the village.
- 4.3 Some of the main findings from the questionnaire were:
- when asked to identify Barton’s assets as a village, the open nature of the village, availability of greenspace and access to the countryside were all highlighted.
  - Barton was identified as a friendly and safe environment by many of the respondents.
  - In terms of areas of concern, over 80% of respondents thought the volume of traffic in Barton was a particular issue and two thirds were concerned about the speed of traffic.
  - Two thirds of respondents agreed or strongly agreed that speeding traffic was unacceptable on the A6, Station Lane and Jepps Lane.
  - Three quarters of respondents also identified the lack of a convenience store as one of the village’s weaknesses
- 4.4 Informal public consultation on an emerging policies plan was carried out in April 2020 amid the national covid lock down restrictions.
- 4.5 Regulation 14 consultation was carried out for a 6 week period September – November 2020.
- 4.6 The Parish Council website plays a vital role in sharing information to residents, businesses and other organisations within the plan area. An updated parish website was created and all documents related to the NP are available at [www.barton-pc.org.uk](http://www.barton-pc.org.uk) as well as regular updates on the Facebook page.

Date Activity	
August 2018	Scoping Questionnaire document sent to all parishioners
April 2020 - May 2020	Informal Public consultation on ‘emerging policies’ plan
Sep 2020 - November 2020	6 week consultation on Reg 14

# 4. COMMUNITY CONSULTATION

## Strategic Environmental Assessment

4.7 A Strategic Environmental Assessment (SEA) Screening Report was carried out in September 2020. This was consulted upon for a period of 5 weeks. The aim of the consultation process was to involve and engage with statutory consultees and other relevant bodies on the scope of the appraisal. In particular, it sought to:

Ensure the Screening is both comprehensive and sufficiently robust to support the NDP during the later stages of full public consultation

Seek advice on the completeness of the plan review and baseline data and gain further information where appropriate;

Seek advice on the suitability of key sustainability issues;

Seek advice on the suitability of the sustainability objectives.

4.8 Comments on this Screening Report were invited from the three consultation bodies as required by the SEA regulations:

The three consultation bodies are as follows

- Natural England
- Historic England
- Environment Agency

The outcome of the process is that a full Strategic Environmental Assessment is not required.

## 4. COMMUNITY CONSULTATION

**4.9 A number of key issues came out of our survey in 2018. These were reinforced within the emerging policies draft in April 2020 and this subsequent final version.**

### Environmental Protection & conservation of green spaces

- Better access to green space
- Enhanced utility services (flood management & drainage – top water/foul)

### Infrastructure

- A comprehensive traffic management strategy (traffic calming measures/ cycle paths/ safe crossings)
- Enhanced community facilities (Sports/Leisure/Medical/Retail)
- Enhanced public transport infrastructure
- Fibre optic broadband

### Development & Planning

- Conservation of the current housing stock character within Barton village
- Visual impact & design
- Sustainable development (high % of self-build options on allocated land)
- Affordable homes for local residents
- Provision for sheltered accommodation
- Heritage and Conservation

### Commercial

- Better opportunities for local businesses to grow and develop

# 5. VISION AND OBJECTIVES

***‘Our vision is for Barton to be a safe and welcoming community that retains its identity as a village and is inclusive for all. We will achieve this by welcoming limited sustainable development that meets the needs identified by our residents, for quality and diverse affordable homes.’***

## 5.1 Objectives

- Maintaining a friendly environment representing the character of the village.
- Creating a development plan which is sympathetic to the character of the village including appropriate infrastructure provision, respecting the needs and wishes of all residents and having climate change at the heart of all future decision making.
- Enhancement of transport links with safe traffic management and connectivity through the village, including a series of Public Rights of Way (PROWs) routes for walking and cycling.
- The promotion of Health and Wellbeing within the village by encouraging greater health care provision and outdoor exercise, including sports facilities and activities for all ages.
- The creation of a Barton information hub, allowing residents the visibility to easily access information. Where to go for help and an awareness of what is available
- Enhancing our valued community assets, such as the Village Hall, Places of Worship, King George V playing fields along with other open green spaces.
- Promotion of open green spaces and ecology within the village by encouraging and preserving a rich and diverse variety of wildlife, trees and flowers.
- Support & promotion of local businesses and community groups to achieve their full potential.



# 6. PLANNING POLICY CONTEXT

## National and Strategic Planning Policy

**6.1 NPs must have regard to national policies and advice and be in general conformity with the strategic policies of the development plan for the area. In this case the following Development Plan Documents are relevant:**

- Preston Local Plan (2012 – 2026)
- Central Lancashire Core Strategy (July 2012)
- Wyre Local Plan partial review 2011 - 2031 (incorporating partial update of 2022)

6.2 It is therefore important that BNP policies reflect this higher-level planning policy framework.

6.3 National planning policy is set out in the revised National Planning Policy Framework (NPPF) 2021. The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development.

6.4 The NPPF sets out the scope of policies that can be used in NPs. These can be “more detailed policies for specific areas, neighbourhoods or types of development” (paragraph 28), this can include “allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies.” More specifically for neighbourhood plans the NPPF states at paragraphs 29 and 30:

“Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies.

Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.”

## 6. PLANNING POLICY CONTEXT



- 6.5 The BNP has also been prepared by taking into account guidance in the National Planning Practice Guide (<https://www.gov.uk/government/collections/planning-practice-guidance>).
- 6.6 A full assessment of the planning policies that have been taken into account and have informed the preparation of the BNP are to be found in the Neighbourhood Planning Policy Background and Evidence Base Review which is available on the Parish Council website at: [www.barton-pc.org.uk](http://www.barton-pc.org.uk)



# 7. BNP POLICIES



7.1 The following section of the BNP sets out the planning policies to be used alongside those in the Preston Local Plan and Wyre Local Plan. This is the real heart of the plan. Each policy is set out under the corresponding BNP objective and is accompanied by supporting evidence in a “Background/Justification” section.

Policy	Description	Page
BNP01	Green Infrastructure	18
BNP02	Local Green Spaces	21
BNP03	Active Travel	26
BNP04	Drainage and Water Management	29
BNP05	New Housing	32
BNP06	Areas of Separation	37
BNP07	Supporting Businesses	39



# 7. BNP POLICIES

## **POLICY BNP01– GREEN INFRASTRUCTURE**

1. The network of paths, fields, watercourses and water features, woodland, grassland and other green infrastructure features within the parish should be maintained and enhanced for their recreational and ecological value (Refer to figure 3 showing existing GI).
2. Development proposals should seek to:
  - a) maintain this green infrastructure network and, where possible, should enhance the green infrastructure network by creating new connections and links in the network;
  - b) improving the quality and connectivity of existing green infrastructure;
  - c) introduce features that enhance the existing green infrastructure network.
3. Development that would disrupt or sever this network will not be permitted unless suitable compensatory provision can be provided to establish a new network connection within the immediate vicinity of the site.

# 7. BNP POLICIES

## Background / Justification

**7.2 Green infrastructure (GI) is the network of multi-functional green spaces and water features that delivers a wide range of environmental and quality of life benefits for residents and visitors. The extent of such networks can be seen on figure 3.**

NPPF paragraph 179 states:

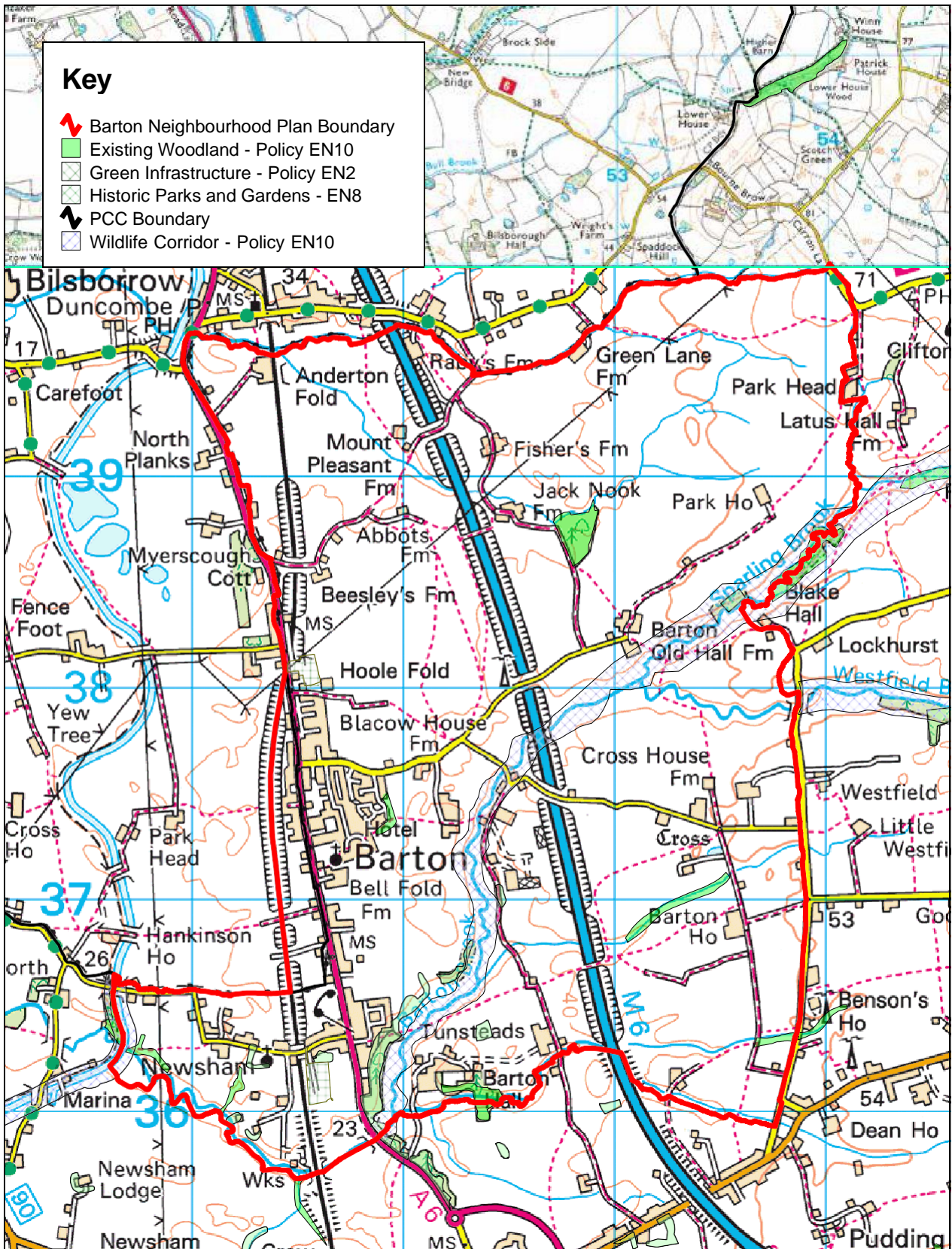
“To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

7.3 The key attribute of GI is its continuity and connectivity, linking various GI assets to create a network of natural areas that support biodiversity and enable species to move within and between habitats.

7.4 Policy BNP01 encourages a comprehensive and integrated way of planning for GI when considering site design and future management. This includes identifying and retaining existing on-site green infrastructure and the functions it performs; restoring degraded and neglected on and related off-site GI; and incorporating new GI or creating new links to the existing GI network.

# Green Infrastructure Map of BNP Area



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Lancaster Road  
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Figure 3: Green Infrastructure

# 7. BNP POLICIES

## **POLICY BNP02– LOCAL GREEN SPACES**

The following open spaces shown on figures 5 and 6 below will be protected as local green spaces.

1. St. Lawrences School Field, Jepps Avenue.
2. Forest Grove and Jepps Avenue green space and wildlife corridor.
3. St. Lawrence’s Church Cemetery and regimental graves
4. St. Marys Church and Cemetery, Station Lane
5. King George Playing Field, Station Lane

# 7. BNP POLICIES

## Background / Justification

### 7.5 The NPPF allows communities to protect significant local green spaces.

7.6 Paragraph 101 of the National Planning Policy Framework (NPPF) sets out that local communities can use the Local Green Space (LGS) designation “to identify and protect green areas of particular importance to them”. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.

7.7 Paragraph 102 sets the criteria for designation of Local Green Spaces; such designation should only be used where the green space is:

- a) in reasonably close proximity to the community it serves;
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- c) local in character and is not an extensive tract of land.

7.8 The spaces identified in policy BNP02 have been assessed against the criteria in National Planning Policy Framework (table figure 4 and associated maps). In total, 5 potential Local Green Spaces were assessed against the NPPF criteria for the designation as LGS.



# 7. BNP POLICIES

**Figure 4: Local Green Space assessment table**

Name of site & Ref	Distance from local community (size in ha)	Demonstrably special to a local community?	Local in Character and not an extensive tract of land?
1. St. Lawrences School Field, Jepps Avenue	In Village	Preservation of existing school playing field and amenity value as a local green space on the main road through the village.	Not extensive, a contained piece of open space enjoyed by children at school.
2. Forest Grove and Jepps Avenue green space and wildlife corridor	In Village	This space combines the local green spaces in recent developments and links with a wildlife corridor. Includes the new play area on Forest Grove.	This space already exists as green space in recent housing developments, this nomination links the existing spaces with a narrow wildlife corridor.
3. St. Lawrence's Church Cemetery and regimental graves	In Village	Existing village green space and infrastructure at threat from adjacent developments to the Boars Head public house and car park. Preservation of land as a valuable historic churchyard.	Contained piece of land which adds to the character and historic past of Barton.
4. St. Marys Church and Cemetery, Station Lane	In Village	Preservation of land surrounding St. Mary's church and cemetery and open green space between Barton and Newsham.	Contained piece of land.
5. King George Playing Field, Station Lane	In Village	Existing playground and sports facilities and the importance this provides as open green space between the settlements of Barton and Newsham.	Playground and sports facilities already exist although the sports pitch would benefit from some improvement.

# Local Green Space - Barton North



**Key**

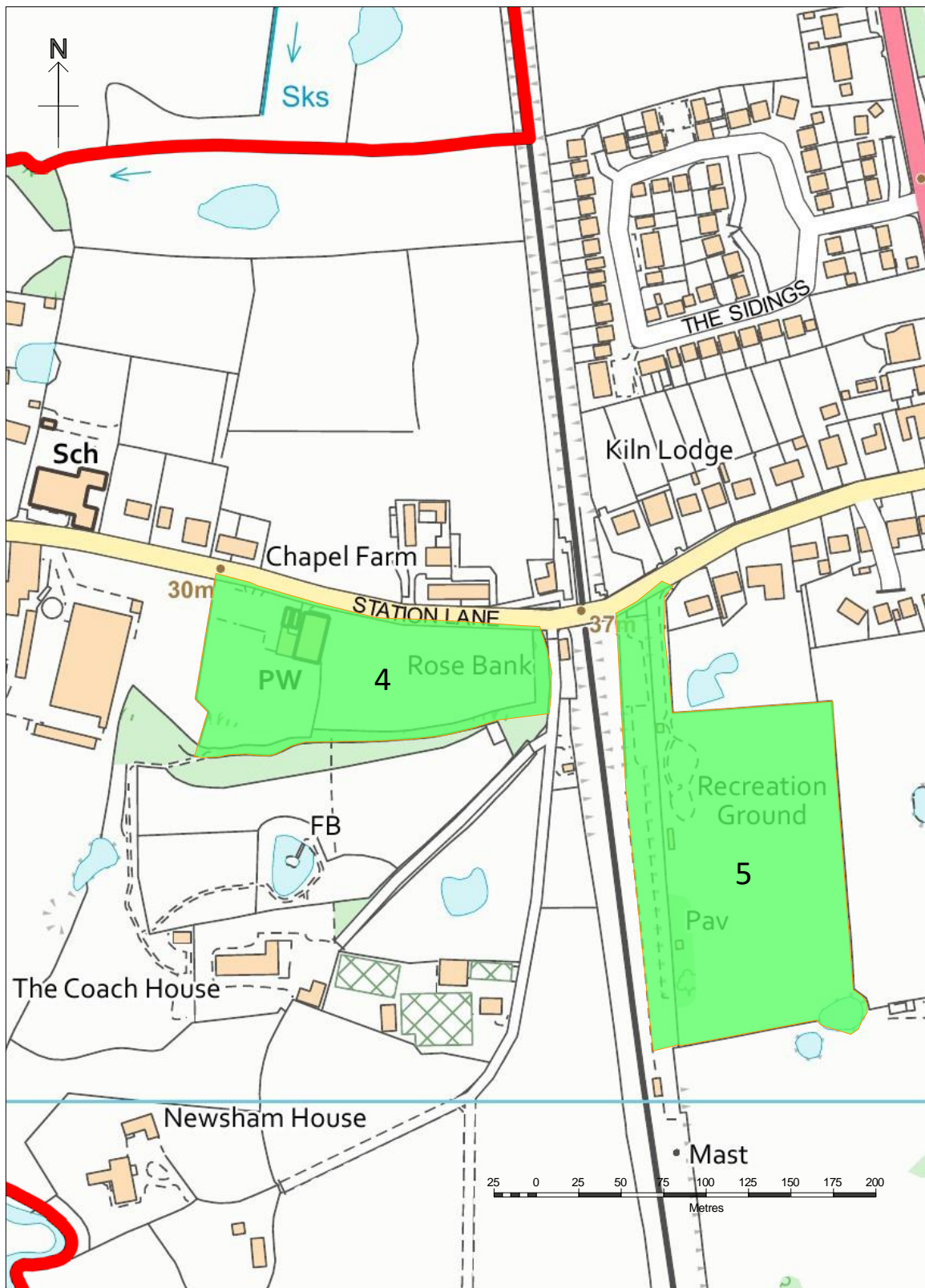
1. St. Lawrence's School Field, Jepps Avenue
2. Forest Grove and Jepps Avenue green space and wildlife corridor
3. St. Lawrence's Church Cemetery and regimental graves



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**Figure 5: Local Green Spaces North MapPage 90**

# Local Green Space - Barton South



- Key
- 4. St. Marys Church and Cemetery, Station Lane
  - 5. King George Playing Field, Station Lane



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Figure 6 – Local Green Spaces South Map Page 91

# 7. BNP POLICIES

## POLICY BNP03 – ACTIVE TRAVEL

1. New development should seek to reduce reliance on the private car and increase opportunities for active travel (use of public transport, walking and cycling) by incorporating measures that improve facilities and infrastructure such as bus stops, signage and cycle storage for all users.
2. Proposals will be assessed in terms of the following:
  - Measures that seek to reduce the need to travel;
  - Measures that maximise and enhance the use of non-car and public transport use;
  - Suitable inclusion of off-street car and other vehicle parking
3. The Parish Council will work with Preston City Council, Wyre Borough Council, Lancashire County Council, and other bodies as appropriate to deliver the following projects through the use of Planning Agreements (Section 106) and Community Infrastructure Levy (CIL) or successor mechanisms such as Local Infrastructure Tariff (LIT) gained through the permitting of development within the Neighbourhood Plan Area:
  - a) Improvements and new connections to existing Public Rights of Way (PROW) and bridleways will be supported as identified on figure 7.
  - b) Safe crossing points, refuge islands or Toucan crossings along the A6

The Parish Council will work with LCC Highways in making use of opportunities to support the provision of improvements to public transport, walking and cycling within the village.

# 7. BNP POLICIES

## Background / Justification

**7.9 To promote active, healthy lifestyles, a safer environment and reduce congestion and vehicle emissions, thereby improving air quality and reducing climate change impacts, Policy BNP03 seeks to reduce private vehicle use.**

7.10 As part of the questionnaire in 2018, people were asked about the rights of way in and around Barton. Many respondents said they would be much more likely to cycle if the cycle lanes through Barton were improved, especially if there was a dedicated cycle track away from the traffic.

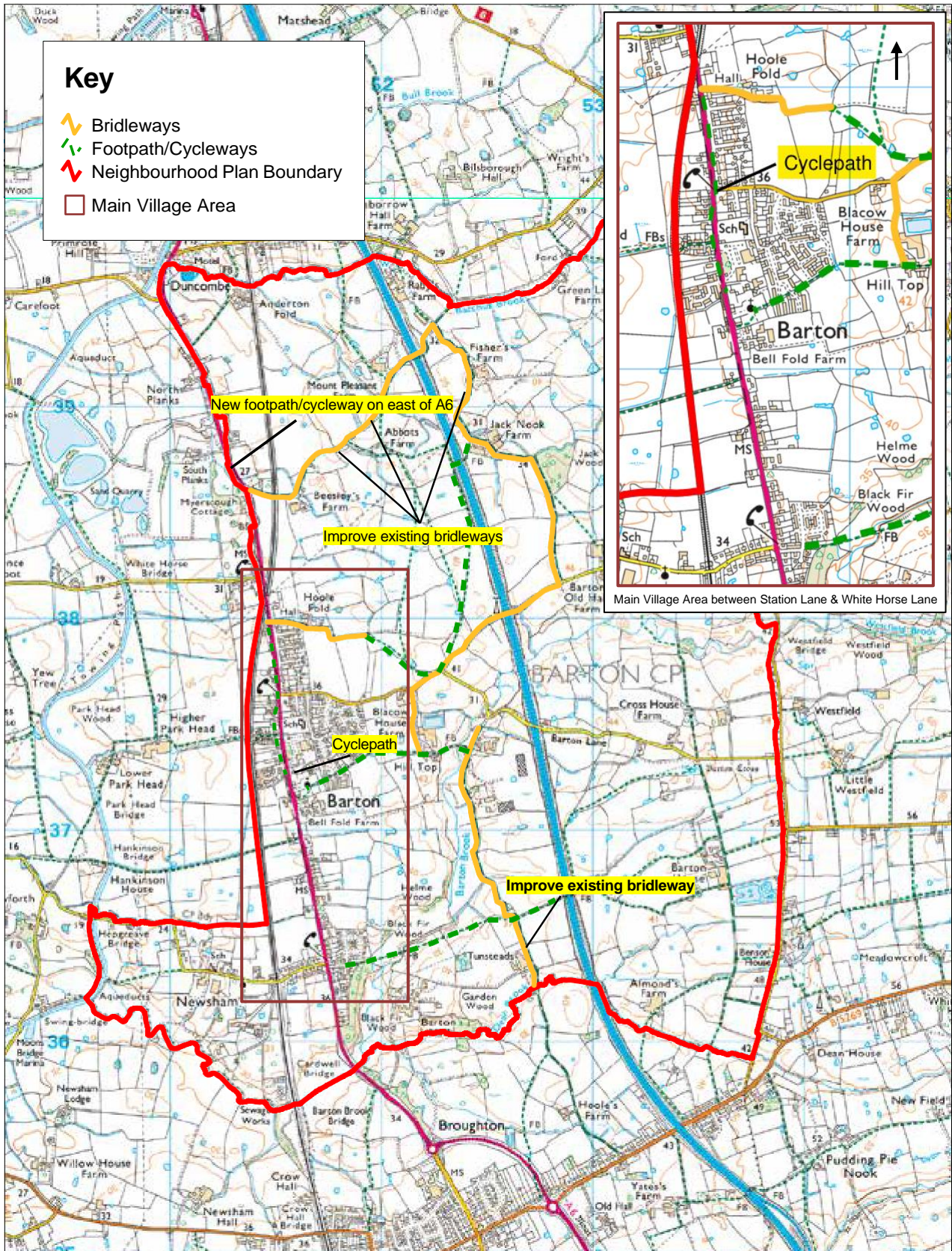
7.11 Better facilities for walking, cycling and improved public transport, allied to shared transport, can reduce the number of private car journeys both within and out of Barton.

7.12 Two thirds of respondents thought that Barton needs additional crossings and refuge islands in the village.

7.13 Many also said they would consider using public transport if there was a better bus service. Suggested improvements included: cheaper fares; buses running on time; services that ran earlier in the morning and later at night; and a quicker service to Preston Station with fewer stops. These matters relating to bus services are not something which can be taken forward as part of the formal Neighbourhood Plan but the Parish Council will pursue these as separate projects



# Barton Connectivity Plan



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Road  
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## 7. BNP POLICIES

### **POLICY BNP04 – DRAINAGE AND WATER MANAGEMENT**

Development proposals will be expected to make suitable provision for surface water drainage and water management which does not exacerbate surface water flooding beyond the site and takes all opportunities to provide a betterment. Developers should adhere to the hierarchy of drainage options stipulated in paragraph 056 of the PPG or any future revisions to it. In determining proposals the following will be assessed:

- a) Development proposals will be required to provide effective surface water drainage measures to protect existing and future residential areas from flooding. New development should be designed to maximise the retention of surface water on the development site and to minimise runoff. Sustainable drainage systems (SuDS) should be implemented in accordance with DEFRA Technical Standards for Sustainable Drainage Systems, paragraph 056 of the Planning Practice Guidance (PPG) and paragraph 169 of the NPPF or future versions of these documents.
- b) New developments should ensure that existing features of value in relation to drainage such hedgerows, trees and verges are retained and where possible enhanced further with Blue – Green Infrastructure which would help to promote SUDs into high quality place making which will have amenity, biodiversity and water quality benefits as well as managing surface water quantity.
- c) Flood risk should be managed during construction, and drainage should be installed at the earliest possible opportunity. Construction can expose loose materials and drainage networks downstream can be vulnerable to pollution and blockage from such materials. Applicants will be required to submit a drainage strategy. A construction drainage management plan will also be required to be submitted for all major developments and for minor developments where surface water flooding is an issue. Further guidance on pollution prevention during construction phase can be found in Chapter 31 of the CIRIA SuDS Manual C753.
- d) All surface water sustainable drainage systems should be designed to SuDS adoptable standards in accordance with The SuDS Manual and the Sewerage Sector Design and Construction Guidance. On major development sites, applicants will be required to incorporate multi-functional sustainable drainage systems that meet the “four pillars” of sustainable drainage, as set out in The SuDS Manual and Building for a Healthy Life.

## 7. BNP POLICIES

- Opportunities for the inclusion of treatment trains, biodiversity net gain and blue-green infrastructure in the design of Sustainable Drainage Systems (SuDS) should be explored.
- e) All new developments to achieve greenfield runoff values in accordance with DEFRA Technical Standards for Sustainable Drainage systems;
  - f) New development should avoid and minimise culverting watercourses wherever possible and should seek to promote daylighting of culverts where possible, as well as the requirement to seek permission to alter or carry out works to a watercourse or water body from the relevant body (LCC LLFA for ordinary watercourses, Environment Agency for main rivers, Canal and Rivers Trust for any canals).
  - g) All sources of flood risk must be considered by applicants with the sequential and exceptions tests applied as necessary.
  - h) The detailed design of a site must be resilient to flood risk through, for example, finished floor and ground levels and careful consideration of flow paths from existing drainage systems and future exceedance paths;
  - i) All new residential developments must achieve, as a minimum, the optional requirement for water efficiency set through Building Regulations Requirement G2: Water Efficiency or any future updates.
  - j) Sections of the public rights of way (the use of which is deterred by poor drainage) should be identified within development proposals and work should be undertaken with landowners to agree and implement solutions to overcome these barriers to their full use and enjoyment by the local community.
  - k) In addition to the above requirements of development proposals Barton Parish Council will:
    - i) Work proactively with Lancashire County Council and statutory undertakers to achieve action where drainage problems are the consequence of damage to public drainage infrastructure.
    - ii) Actively engage with Preston City Council and Wyre Borough Council consulting on planning applications to ensure the local impacts of surface water flooding are given significant weight in decision making.

<https://www.unitedutilities.com/builders-developers/larger-developments/wastewater/sustainable-drainage-systems/>



# 7. BNP POLICIES

## Background / Justification

**7.14 Surface water flooding is influenced by features in the landscape, particularly buildings and roads and occurs when intense rainfall overwhelms the drainage systems and there is emerging evidence that the frequency and extent of surface water flooding has increased in recent years.**

7.15 Whilst the majority of BNP area appears to cope with normal levels of rainfall, there are times during extended periods of heavy rain when large areas of standing water appear and can be problematic. There are numerous locations along the roads of Barton that are affected by flooding when surface water flows from the surrounding areas.

7.16 In planning terms, the relevant Local Plan policies Preston Local Plan (2012 – 2026), Central Lancashire Core Strategy (2010-2026), Wyre Local Plan (2011-2031) already contain a suite of policies addressing issues such as flood risk, flood risk assessments, surface water run-off and culverting of water courses in relation to new development. As such, Barton’s flood risk issues in this area is largely adequately addressed and there is nothing that this plan can do to strengthen these existing provisions. On the subject of sustainable urban drainage systems (SUDS) however, the plan recognises a legitimate opportunity to add to current policy provision which has been consulted over with Lancashire Local Lead Flood Authority (LLFA) and United Utilities on the latest national policies, technical guidance and best practice.

# 7. BNP POLICIES

## The Provision of Housing in Barton

**7.17 As the BNP boundary takes in part of Wyre BC, then the housing position and relevant planning policies from Wyre must be considered alongside those of Preston City Council.**

### Wyre BC - housing position and current allocations

- 7.18 This BNP document is supported by a full policy assessment document which is available on the parish council website. The report shows that within Wyre BC there are 3 housing allocations which fall within the NDP area; SA1/23 (approval for 74 dwellings) SA1/24 (land to rear of Shepherds Farm 34 dwellings) and SA1/25 (up to 39 dwellings which has previously been withdrawn).
- 7.19 Wyre BC has recently submitted a Local Plan Partial Review to Government for Examination. The review has amended six policies and deleted one policy from the Wyre Local Plan (2011 – 2031). The examination hearing closed in September.
- 7.20 Wyre BC submitted its Local Plan Partial Update to Government for Examination in April 2022. The Examination hearing sessions closed on 28 September and following a six week public consultation on the main modifications the Inspector’s final report was received in late 2022. The Partial Update was adopted by the Full Council in January 2023.
- 7.21 The current policies in the Wyre Local Plan (2011 – 2031) that have been superseded by the adopted Wyre Local Plan (2011-2031) (incorporating partial update of 2022) and that are relevant to Barton Parish include: SP1 Development Strategy; SP4 Countryside Areas; HP1 Housing Land Supply; HP3 Affordable Housing, HP4 Rural Exceptions. All other policies and site allocations remain unchanged.
- 7.22 The Inspector considered all the evidence presented to the examination and in respect of housing supply concluded that to ensure the Plan is positively prepared and consistent with national policy, a backdated requirement of 479 dwellings per annum should be factored into the housing requirement calculations between 2011 and 2018/19 and the standard method figure of 296 dwellings per annum employed from 2019/20 onwards.
- 7.23 The five year housing land supply calculation has been modified to reflect this recommendation and establishes an updated deliverable housing land supply position of 10.63 years at base date 31 March 2022.

### Preston City Council - housing position and current allocations

## 7. BNP POLICIES

- 7.24 As allocated in Preston's Local Plan, there was one housing site within Barton HS1, off Forest Grove which has since been built out with 62 units. The other sites which have come forward within the NP are set out in appendix 1.
- 7.25 Policy 4 of the Core Strategy seeks to deliver a total of 22,158 new dwellings across the three Central Lancashire districts during the plan period of 2010-2026, which sets a requirement of 507 dwellings per annum for Preston. Up to January 2020 the Council used the Core Strategy housing requirement to assess its housing land supply. However, following continued monitoring of the situation in the period of time following publication of the revised Framework in 2018, 2019 and 2021 the Council stopped using the figure in Policy 4(a) of the Core Strategy in January 2020, as it was considered the introduction and application of the standard methodology represented a significant change in circumstances in Preston, rendering the housing requirement figure in Policy 4, as well as the evidence base which underpinned it, out of date.
- 7.26 At March 2022 the local housing need figure calculated using the standard methodology is 279 dwellings per annum. Against this figure, at March 2022 the Council can demonstrate a 14.6 year supply of deliverable housing land.
- 7.27 The Council's reliance on the standard methodology has been contested by appellants at a number of public inquiries during 2021, and on 3 February 2022 the Planning Inspectorate issued its decisions relating to six appeal sites adjacent to the village of Goosnargh, one appeal site close to Longridge and one appeal site adjacent to the village of Barton. On the specific issue of housing land supply and the calculation of it, the appeal decisions relating to sites at Goosnargh and Longridge are of particular relevance.
- 7.28 In determining the appeals the Inspector observed that:
- (i) The evidence which supported the housing requirement in Policy 4 was based on housing and demographic trends from the period 1998 – 2003 and the methodology for calculating housing need has changed materially since this time.
  - (ii) The practical implementation of the standard methodology in Preston almost halves the housing requirement for Preston when compared to that contained in Policy 4.
- 7.29 As a result the Inspector determined that a significant change in circumstances has occurred and this renders Policy 4 out of date, and that this conclusion is supported by the Framework and Planning Practice Guidance when read as a whole.

## 7. BNP POLICIES



- 7.30 Consequently, the Council considers that the most appropriate figure to use in assessing housing land supply is the local housing need figure of 279 dwellings per annum and not the Core Strategy Policy 4(a) figure.
- 7.31 The housing allocations in Barton (make an appropriate contribution to meeting the identified housing needs in both Council areas (Preston City and Wyre) and as such the BNP does not propose any housing site allocations. Instead, through Policy BNP05, it will support the development of small sites within the settlement boundaries which are close to and can be served by infrastructure and facilities.

## 7. BNP POLICIES

### **POLICY BNP05 – NEW HOUSING IN BARTON**

Within Barton new housing development will be supported when it is within the development boundaries for the village defined in the Preston Local Plan and Wyre Local Plan. (See Figure 2).

Most importantly all new housing development should help to contribute to an improved quality of place and community for Barton with the provision of good connectivity to the wider village and green spaces which help link development together. Proposals will be assessed against all of the following criteria a) to k):

- a) Are of good quality design supported by a robust design and access statement justifying amongst other things; layout, appearance, scale, density and most importantly how they respond to the existing rural character and built form;
- b) Safe and suitable access for all road users, with clear links to the wider highway network;
- c) Do not have an adverse impact on the Neighbourhood Development Area rural landscape;
- d) Do not have an adverse impact on existing and future residential amenity;
- e) New dwellings should be supported by capacity in physical and social infrastructure and appropriately located to allow access to local facilities and services;
- f) Should be a mixture of type and tenure catering for all members of the community;
- g) Any new on site affordable units should be ‘pepper-potted’ around the development and should have equal space standards, parking and garden space to that provided in market housing;
- h) Encourage 1 and 2 bedroom properties for the elderly to be able to downsize whilst staying within the village;

# 7. BNP POLICIES

- i) Not exceed 2.5 storeys in height;
- j) Opportunities are created, by applying the principles of Sport England's Active Design Guidance (or any successor document), in new housing, to enable healthy lifestyles and communities;
- k) Housebuilders are encouraged to register for assessment under the Home Quality Mark.

## **Infill developments in existing gardens**

New dwellings should not lead to the inappropriate development of residential gardens that would cause harm to the village by reason of over-development, significant loss of useable garden spaces for both existing and proposed new properties, and loss of off-street car parking;

## **New housing outside development boundary**

Outside of the development boundary new housing development will only be permitted for small scale affordable rural exception housing or otherwise in accordance with relevant local and national planning policies.

## **Minor Applications for Housing Development**

All applications (including outline) for minor housing development (including infill) must be supported by drainage proposals which investigate the hierarchy for surface water management including infiltration tests. The need to maximise dwelling units on small sites will not be an acceptable reason for not including infiltration systems for the management of surface water on minor applications. Minor housing applications will be required to incorporate permeable surfaces, water butts and rain gardens for the management of surface water.

Refer to Paragraph 130, f) of the NPPF  
<https://www.passivhaustrust.org.uk/>  
<https://www.bregroup.com>

# 7. BNP POLICIES

## Background / Justification

- 7.32 Paragraph 126 of the NPPF is clear in the Government’s aim to create ‘high quality, beautiful and sustainable buildings and spaces’. This is echoed in local plan policies at PCC Local Plan (EN9 Design of New Development) and Central Lancashire Core Strategy (Design Guide SPD and policy 17 Design of New Buildings). The relevant policies in the Wyre Local Plan being CDMP3 Design. Whilst this suite of policies supports and champions good design, it was important for the BNP to contain policy direction of its own, especially the importance of designing new homes that respect its rural character.
- 7.33 Early consultation on the BNP raised concerns over the volume and speed of traffic through the village. This informed one of the key objectives of the BNP with the enhancement of transport links with safe traffic management and connectivity through the village. As the village is linear in nature, the parish needs safe and accessible pedestrian links through and out of the new housing developments. See linking Policy BNPO3 Active Travel.
- 7.34 Barton is a rural village and whilst the majority of housing is concentrated on and off the A6, there is a strong connection to the surrounding open countryside. The NP designated area lies within National Character Areas (NCA) 32 and 33. NCA 32 marks the Lancashire and Amounderness Plain which stretches east to Morcombe Bay. This area consists of low lying landscape types, lowland farming and productive coastal plains in contrast to NCA 33 Bowland Fringe and Pendle Hill. Glimpses of the Bowland Fells can be viewed from the NP area from locations such as Jepps Lane, and serves as a reminder of the wider rural landscape and the importance this has to Barton.
- 7.35 An appropriate level of new housing in the form of smaller windfall sites is important for the village. This needs to be balanced with the resources to public providers of infrastructure which are already under pressure and it is important that the most effective use is made of those resources available. For example, earlier consultation responses identified a lack of a convenience store as being a weakness and access to medical facilities.
- 7.36 Paragraph 45 of National Planning Practice Guidance allows neighbourhood plans the scope to consider what infrastructure needs to be provided in their neighbourhood area. This element of Policy BNPO5 seeks to ensure that where additional infrastructure is needed to enable sustainable development to take place in Barton, it is identified and incorporated in proposals. To meet current and future emerging demands, the Parish Council, working with PCC and WBC and other partners, are keen to ensure that there is a strategic approach to commissioning new services and facilities for Barton. Reference will be made to PCC and WBC Infrastructure Delivery Schedules as appropriate.
- 7.37 New housing developments should offer a range of housing sizes, types, and tenures to meet identified local needs, including provision for vulnerable communities such as older people and people with disabilities.

## 7. BNP POLICIES

Developers should engage with PCC and WBC at an early stage to establish the most up to date evidence base documents regarding Housing Need and to address what is required in developing future applications.

- 7.38 Barton recognises the importance of not only creating a mix of type of properties but also tenures with a proportion of affordable housing where required. It is key that affordable units are located evenly around a site (i.e. not all clustered together) and should not be distinguishable from any of the market houses in terms of materials or architectural style.
- 7.39 There is a greater proportion of larger 3 and 4 + bedroom homes in the village, but there is a recognised older population who wish to have the option of staying within the village and being able to downsize. This was recognised in the early work on the NP in the form of a detailed questionnaire in 2019 which reported that there should be a choice for existing residents to downsize and stay in the village.
- 7.40 Barton is a rural settlement, and its sense of place and character is influenced by its surrounding open countryside. Whilst the BNP recognises the need for effective use of land, it is important that the surrounding context is reflected in the design of new dwellings. For this reason it is important for the village that no development exceeds 2.5 storeys. It is considered that anything greater than this will be much too urban and would not be sensitive to and respect the rural character.
- 7.41 Home Quality Mark (HQM) helps house builders to demonstrate the high quality of their homes and to differentiate them in the marketplace. At the same time, it gives householders the confidence that the new homes they are choosing to buy, or rent are well designed and built, and cost effective to run. HQM are based on the latest scientific research into issues such as energy and water efficiency, effective insulation, noise reduction, lighting and air quality and the wellbeing of occupants, along with wider environmental issues such as climate change and carbon reduction.
- 7.42 It is important for the village that the any new housing development is sustainable and is built to the highest possible standards and it is considered that the HQM would be beneficial to future housing schemes in the village.
- 7.43 Sport England's Active Design focuses on increasing physical activity throughout the built and natural environment supporting physical activity and enabling people to build long term active habits and behaviours. The Design focuses on 10 key principles, and these link to local and national planning policies and are referred to in Policy BNP05.
- 7.44 One of the key objectives of the BNP is the promotion of health and well being within the village by encouraging greater health care provision and outdoor exercise, including sports facilities and activities for all ages. Other objectives such as enhancement of transport links and promotion of open spaces play a key role in achieving this part of the housing policy requirement. See linking policies BNP 01, 02 and 03 which all seek to improve and enhance safe connecting routes within the village.



# 7. BNP POLICIES

## **POLICY BNP06 – AREAS OF SEPARATION**

Development will not be permitted within the Areas of Separation as defined on Figure 8, if individually or cumulatively it would result in increasing the coalescence between Barton and Bilsborrow to the north and Barton and Broughton to the south of the BNP area.

All forms of development outside the main settlement boundary and within an Area of Separation will also need to meet policy EN1 of the Preston Local Plan or whatever policy supersedes it together with the NPPF policy on development within the Open Countryside.

## **Background / Justification**

- 7.45 The village is very linear in its character following the A6 with development concentrating more to the east of the village, being constrained to the west by the West Coast main railway line. To the north of the village is Bilsborrow, a separate village which falls under the Wyre Council. To the south is the village of Broughton which shares a closer relationship with the edge of the main built-up area of Preston.**
- 7.46 The nature of Barton as a linear village means that the pressures for development are largely to the north and to the south. The Parish Council and the community are concerned that these pressures if continued will result in further change to Barton's character and erosion of its sense of place and inevitably, if unchecked, result in the coalescence of 3 villages and the loss of countryside setting between each of them.
- 7.47 Whilst the BNP Steering Group are well aware of the existing Preston Local Plan Policy EN1 controlling development in the countryside it is considered that a complementary policy is required relative to Barton which will work with Policy EN1 to specifically safeguard against coalescence between Barton and Broughton to the south and Barton and Bilsborrow to the north.
- 7.48 The policy applies to a northern and southern Area of Separation. The original proposed Areas have been subject to several changes over the course of preparing the Plan.

# 7. BNP POLICIES



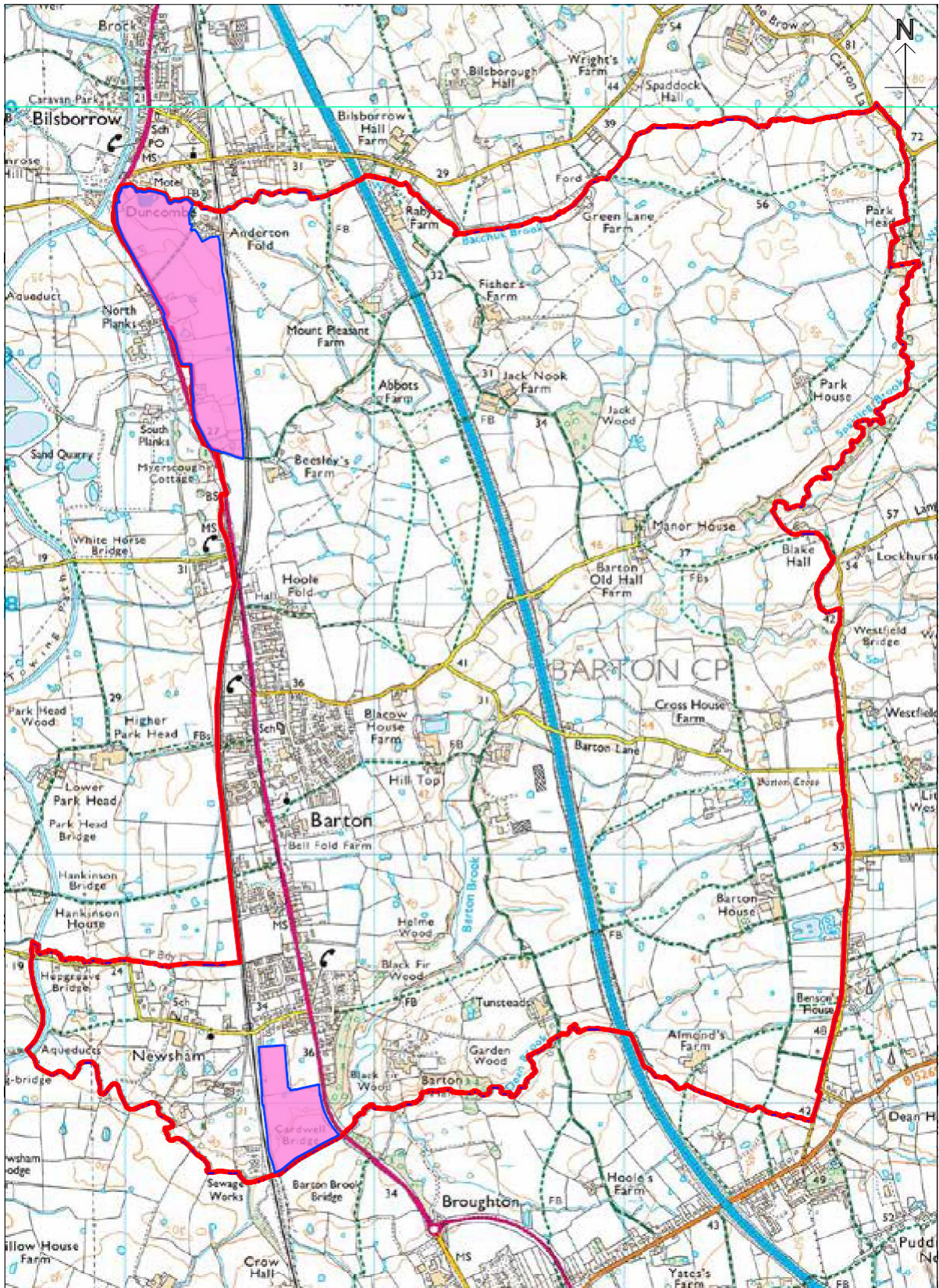
## 7.49 Northern Area

At the pre-submission draft stage of the plan the Northern Area of Separation extended from the M6 in the east across to the A6. However, as a result of consultation and the fact that the area between the M6 and the West Coast mainline was considered to be largely landlocked it was considered appropriate to reduce the area further, focussing on the land from the A6 east to the line of the West Coast Mainline as the area where development would most likely result in coalescence with Bilsborrow and a consequent erosion of the character of Barton as an independent settlement in its countryside setting.

## 7.50 Southern Area

At the Pre-Submission Draft stage of the Plan the southern Area of Separation extended across the southern boundary of the neighbourhood area east and west of the A6 and as far east as the M6. As a result of consultation, it was considered appropriate to further reduce the southern area given that a large section east of the A6 was occupied by Barton Hall. The protection afforded by the Area of Separation could limit the potential for Barton Hall's expansion as an existing employment site and prevent it from growing and developing as a local business which would be contrary to the objectives of the neighbourhood plan. As the topography and physical features of Barton Brook and Black Fir Wood constrain the land immediately east of the A6 it was decided to limit the Area of Separation to the west side of the A6 where again development was more likely to result in further coalescence with Broughton.

# Areas of Separation for BNP Area



- Area of Separation
- BNP Area



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Figure 8. Area of Separation Plan Page 107

# 7. BNP POLICIES

## **POLICY BNP07– SUPPORTING BUSINESSES**

1. The expansion of existing businesses and new business development within the BNP area will be supported where the proposal conforms with national guidance and local policies and specifically:
  - a) Includes satisfactory means of access to the site and adequate parking including cycle storage and low vehicle emission charging points
  - b) Does not have a detrimental impact on the amenities of neighbouring uses
  - c) The development is appropriate in terms of size, scale, design and character, to its locality

# 7. BNP POLICIES

## Background / Justification

**7.51 The objective of this policy is to provide guidance and support to allow business within the village to grow in a structured manner which reflects the needs of both business and residents.**

7.52 Barton is well known for being home to a number of small and medium successful businesses, many of which are family owned and run. Some of the existing businesses include (this list is not exhaustive)

Gavin Jones Limited	The A6 Jaguar Garage
Barton Manor Hotel	Barton Bangla restaurant
JJ Sandhams Cheese	Barton Chinese Takeaway
The Kopper Kettle	Barton Car Sales & A6 Garage
Tangled Hair Room	Brooks Gelato
Simply Puds	Bentham Developments Ltd
The Pickled Goose Restaurant	Garden Centre Plants

7.53 Supporting the future of these businesses is important for the sustainability of the neighbourhood plan area as well as attracting new businesses. Policy BNP07 sets out the basis on which development will be acceptable and in particular the need for workable access arrangements, that the relationship to neighbouring uses has been carefully considered and that the scale and design reflects the surrounding context.

7.54 To assist in supporting new and existing businesses in the neighbourhood area Barton Parish Council proposes to set up a register of businesses within a Barton Community Hub to allow greater visibility to business and the local economy and provide networking potential in the neighbourhood area.

## 8. MONITORING & REVIEW

8.1 Barton Parish Council will regularly monitor progress in implementing the BNP. When new issues are identified, policies are found to be out of date or in need of change (for example due to changing national or strategic planning policy), the Parish Council, in consultation with Preston City Council and Wyre Borough Council, may decide to update part or all of the plan. In carrying out any review of the neighbourhood plan Barton Parish Council will follow the regulations and advice relating to the review of neighbourhood plans applicable at the time.



# APPENDICES

## Appendix 1 – Recent planning approvals within the BNP boundary

Planning Ref	Address	Units	Decision
06/2020/0485	Inglemere, Station Lane,	5	Full application, Approval - 28/07/2020
06/2022/0332	Land opposite The Old School House, Garstang Road	1	Reserved matters application - Approved - 26/07/2022
06/2021/0503	Boggart House Farm, Station Lane,	1	Full application, Refused - 24/06/2021
06/2021/0542	Land to the rear of the (former) Boars Head Inn, Garstang Road	5	Full application - Approved - 21/10/2021
06/2021/0587	Garden Centre Plants Ltd , Barton Lane	4	Permission in Principle - Refused - 08/06/2021
06/2021/1074	Reserved matters consent application for the erection of 55no. dwellings with associated works pursuant to planning permission 06/2018/0238 (appearance, layout, scale and landscaping applied for)	55	Reserved matters application - Approved - 09/12/2021
06/2022/0363	Boggart House Farm, Station Lane, Preston, PR3 5DY	2	Full application - Approved - 14/06/2022
06/2022/0644	Land at Cardwell Farm, Garstang Road, Preston	"Full App: 47 Outline App: 104"	HYBRID: Full & Outline - Decision Awaited
06/2020/0614	Land at Cardwells Farm, Garstang Road- resubmission	151	Refused
06/2020/0167	Land off Garstang Rd Wainhomes	68 Affordable	Approved 21/2/2020
06/2020/0397	Land adjacent, Kiln Lodge , Station Lane	1	Approved 24/9/2020
06/2020/0367	639 Garstang Road, Preston, (Kopper Kettle)	5	Outline approved 9/6/20
06/2020/0140	Former Boars Head Inn, 724 Garstang Road	2	Conversion of former public house including demolition of existing extension to form 2 new dwellings Approved 16/6/20
06/2019/1407	Former Boars Head Inn, 724 Garstang Road.	8	Planning in Principle Approved 16/6/20
06/2019/0866	Jepps Lane (Story Homes)	125	Refused 6/3/20
06/2019/1305	Brookside Cottage, Barton Lane	1	Approved 14/01/2020
06/2019/1244	Land off Garstang Road, Garstang Road, Bilsborrow (Seddon Homes)	105	Refused 7/2/20
06/2019/0782	Brookview House, Barton Lane	1	Approved 15/8/19

# APPENDICES

Planning Ref	Address	Units	Decision
06/2019/0752	Land at Cardwell Farm, Garstang Road	151	Refused 6/3/20
06/2019/0595	Burrow House, Barton Hall , Garstang Road	5	Approved 5/9/19
06/2019/0274	Land at Station Lane, Preston	1	Refused 29/10/19
06/2019/0203	Land off Garstang Road and south of Station Lane, Barton	45	Reserved Matters Refused 10/9/19
06/2019/0090 (Outline)	Land opposite The Old School House	1	Approved 16/4/19
06/2019/0075	Barton Old Hall Farm , Jepps Lane,	1	Approved 19/3/19
06/2019/0057 Change of use	The Old School, 730 Garstang Road,	1	Approved 18/4/19
06/2018/1360	Brookside Cottage , Barton Lane	1	Approved 12/2/19
06/2018/0954	Anderton Fold Farm, 980 Garstang Road,	2	Approved 15/1/19
06/2018/0588	Brookview House , Barton Lane,	1	Approved 23/8/18
06/2018/0242	Land off Garstang Road, Preston (Wainhomes)	45	Outline 21/12/18
19/01020/REM MAJ & 21/00554/FUL	Land off Garstang Road, Barton, PR3 5DQ,	74 (Wyre)	Approved 20/01/20 & 10/02/22. Development commenced.
06/2018/0238	Cardwells Farm, Garstang Road,	55	Outline approval 18/9/18
06/2018/0224	Land at Garstang Road,	2	Approved 1/5/18
06/2016/0626	Inglemere, Station Lane,	5	Approved
15/00072/FUL	The Linnets, Garstang Road	29 (Wyre)	Approved and Completed
06/2015/0306	Land at Garstang Road, (The Sidings Wainhomes)	72	Allowed on appeal 11/8/16
18/00746/REM MAJ	Land to the Rear Of Shepherds Farm 771 Garstang Road Barton	34 (Wyre)	Approved 21.11.18. Technical commencement made.
06/2013/0837 RM 06/2012/0823 Outline	Land off Forest Grove	65	Approved Appeal allowed 13/8/13
18/00926/FUL and 19/00770/FUL	Shepherds Farm, 771 Garstang Road, Bilsborrow	1	Approved 14/11/18 and 17/09/19. Sub division of single dwelling to 2 dwellings (net gain of 1 dwelling). 19/00770/FUL Completed in 2020.



# BARTON GLOSSARY OF TERMS

**Adoption** – The final confirmation of a development plan by a local planning authority.

**Conformity** - There is a requirement for neighbourhood plans to have appropriate regard to national policy and to be in conformity with local policy

**Development Plan** - Includes the adopted Preston Local Plan (2012 – 2026), Central Lancashire Core Strategy (July 2012) Wyre Local Plan (2011 - 31) (incorporating partial update of 2022) and any future adopted Local Plan which may replace these, and Neighbourhood Development Plans which are used to determine planning applications.

**Evidence base** - The background information that any Development Plan Document is based on and is made up of studies on specific issues, such as housing need for example.

**Green Infrastructure** - A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.

**Green-space** - Those parts of an area which are occupied by natural open space, parkland, woodland, sports fields, gardens, allotments and the like.

**Independent Examination** - An assessment of a proposed Neighbourhood Plan carried out by an independent person to consider whether a Neighbourhood Development Plan conforms with the relevant legal requirements.

**Infill Development** – small scale development filling a gap within an otherwise built up frontage.

**Infrastructure** – Basic services necessary for development to take place, for example, roads, electricity, sewerage, water, education and health facilities

**Legislation** - The Acts of Parliament, regulations and statutory instruments which provides the legal framework within which public law is administered

**Local Plan** – the Plan for future development of the local area, drawn up by the local planning authority. This forms part of the Development Plan..

# BARTON GLOSSARY OF TERMS

**Localism** - Shifting power away from central government controls to the local level. Making services more locally accountable, devolving more power to local communities, individuals and councils.

**Local Lead Flood Authority** - Prepares and maintains a strategy for local flood risk management in their areas, coordinating views and activity with other local bodies and communities through public consultation and scrutiny, and delivery planning. Lancashire County Council is the LLFA for the area.

**Local Planning Authority** - Local government body responsible for formulating planning policies and controlling development; a district council, metropolitan council, county council, a unitary authority or national park authority. For Barton this is Preston City Council and Wyre Borough Council.

**Made** – terminology used in neighbourhood planning to indicate a Plan has been adopted.

**National Planning Policy Framework** – sets out the Government’s planning policies for England and how these are expected to be applied. The current version of the NPPF was published in February 2021.

**Neighbourhood Development Plan** – A plan prepared by a Town or Parish Council (or Forum) for a particular Neighbourhood Area, which includes land use topics. Once made this forms part of the Development Plan.

**Previously Developed Land** - Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

**Public Open Space** - Open space to which the public has free access and which fulfils, or can fulfil, a recreational or non-recreational role (for example, amenity, ecological, educational, social or cultural uses).

# BARTON GLOSSARY OF TERMS

**Public Right of Way** – Paths on which the public has a legally protected right to pass and re-pass.

**Section 106 Agreement** – Planning obligation under Section 106 of the Town & Country Planning Act 1990, secured by a local planning authority through negotiations with a developer to offset the public cost of permitting a development proposal

**Stakeholder** – People who have an interest in an organisation or process including residents, business owners and national organisations and government departments

**Sustainable Communities** – Places where people want to live and work, now and in the future.

**Sustainable Development** – An approach to development that aims to allow economic growth without damaging the environment or natural resources. Development that meets the needs of the present without compromising the ability of future generations to meet their own needs..

**Sustainability Appraisal** – An appraisal of the economic, environmental and social effects of a Plan to allow decisions to be made that accord with sustainable development.

**Urban Creep** - The increasing density of development, due to the development of roads, buildings, paving over garden areas and other permeable areas which increases the impermeability of developed areas and causes rates and volumes of run off to rise.





## **Regulation 18 (2) Decision Statement – Barton Neighbourhood Plan (BNP) 2019-2030**

### **1. Summary**

1.1 In line with Regulation 18(2) of the Neighbourhood Planning (General) Regulations 2012 (as amended), Wyre Borough Council ('the Council') have produced this 'Decision Statement' in relation to the Barton Neighbourhood Plan ('the BNP') submitted to them by Barton Parish Council (the qualifying body).

1.2 Following an independent examination undertaken by written representations, the modifications recommended by the Examiner have been carried out by Barton Parish Council.

1.3 Wyre Borough Council now confirms that the BNP will proceed to a Neighbourhood Planning Referendum.

1.4 In accordance with the examiner's recommendation, the Barton Neighbourhood Plan **will** proceed to a public referendum scheduled for 9 November 2023, based on the Neighbourhood Area as approved by Wyre Borough Council on 8 September 2017.

1.5 If 'made', the BNP will become part of the development plan for land use and development proposals within the Neighbourhood Plan Area until 2030

1.6 This Decision Statement, along with the independent examiners report, including modification's and the plan documents will be available on Wyre Borough Council's website at [www.wyre.gov.uk/local-plan/neighbourhood-plans/1](http://www.wyre.gov.uk/local-plan/neighbourhood-plans/1). They can also be viewed by prior arrangement at Wyre Council's main offices, at the Civic Centre, Breck Road, Poulton-le-Fylde, FY6 7PU during normal working hours.

### **2. Background**

2.1 The power to designate an area as a neighbourhood area is exercisable by two or more local planning authorities if the area falls within the areas of those authorities.

2.2 On the 30 March 2017 Barton Parish Council submitted an application to the Council for the designation of the Parish as a Neighbourhood Area. This area relates to the whole of Barton Parish Council's administrative area which falls solely within

Preston City Council's administrative area, and a small part of the Myerscough and Bilsborrow Parish Council's administrative area which lies within Wyre Borough Council's administrative area. Myerscough and Bilsborrow Parish Council delegated their right to prepare a neighbourhood plan for this area to Barton Parish Council and its Steering Group in consultation with the local planning authorities for the neighbourhood area. As the greater proportion of the area is within Preston City Council's administrative area. Preston City Council is the lead local planning authority for the Barton Neighbourhood Plan.

2.3 A 6 week neighbourhood plan area consultation was held between 11 May until 23 June 2017. After consideration of the consultation both Preston City Council and Wyre Borough Council formally approved the application and designated the Neighbourhood Area on 8 September 2017.

2.4 Following the neighbourhood area designation and initial engagement, Barton Parish Council carried out a statutory consultation (Regulation 14) and subsequently submitted the draft BNP and supporting documents to the Council on 22 November 2022.

2.5 Wyre Borough Council publicised the BNP (in accordance with Regulation 16) and sought comments during a six week public consultation held between 18 January and 1 March 2023. During this period the plan proposal and other supporting documents were available to the public to view.

2.4 Following the public consultation Preston City Council (as lead local planning authority on behalf of Wyre Borough Council) submitted the plan for Independent Examination (Regulation 17), the main purpose of which is to assess whether or not the plan satisfies certain "Basic Conditions" and other legal requirements which must be met before it can proceed to a local referendum.

2.5 An Independent Examiner was appointed with the consent of Barton Parish Council, to undertake the examination of the Submission version of the BNP. The Examiner has scrutinised the Plan to determine if it meets the Basic Conditions and legal requirement, and whether it should proceed to Referendum. The Examiner's report was issued to Preston City Council and Wyre Borough Council on 6 June 2023.

2.6 The Examiner's report concludes that subject to making the modifications recommended by the Examiner, the Plan meets the basic conditions and legal requirements set out in the legislation and should proceed to a Referendum.

### **3. Decisions and Reasons**

3.1 The Examiner has concluded that, with certain modifications, the BNP meets the Basic Conditions and other relevant legal requirements. The local planning authority must consider as required by Regulation 12 of Schedule 4B of the Town and country Planning Act 1990 each of the recommendations made in the Examiner's report and decide what action to take in response.

3.2 On xx September 2023, the Examiner's Report was considered by the Council's Planning Policy and Economic Development Portfolio Holder. He made the decision that the modifications to the Barton Neighbourhood Plan as recommended by the Examiner meet the 'basic conditions' as set out in section 38A of the Planning and Compulsory Purchase Act 2004 and other legal requirements. Wyre Borough Council has therefore determined that the modified Plan should proceed to referendum.

**Commented [RF1]:** Peter – this date will be inserted once your decision is made on the portfolio holders report.

3.3 Wyre Borough Council is therefore satisfied,

A) That the recommendations to modify the draft BNP as set out in the Examiner's Report be accepted.

B) That the Examiner's recommendation that the draft Barton Neighbourhood Plan, as modified, meets the legal requirements and 'basic conditions' as set out in legislation and proceeds to referendum.

C) That, in accordance with the Examiner's recommendation, the referendum area be the Barton Neighbourhood Area as designated by Wyre Borough Council on 8 September 2017

D) That if the result of the referendum is in support of the approval of the Barton Neighbourhood Plan, Wyre Borough Council proceeds to consider the final report at a meeting of Full Council. If the Plan is formally 'made' (adopted), Wyre Borough Council will publish an Adoption Statement.

3.4 Barton Parish Council have also agreed to update the BNP to reflect the Examiner's modifications.

3.5 Therefore to meet the requirements of the Localism Act 2011, a referendum which poses the question **"Do you want Preston City Council and Wyre Borough Council to use the Neighbourhood Plan for Barton to help it decide planning applications in the neighbourhood area?"** will be held on 9 November 2023.

3.6 An Information Statement about the referendum will be produced and publicised on Wyre Borough Council's website in due course.

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## Portfolio Holder Report

The portfolio holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date of publication
Mark Billington, Corporate Director Environment	Councillor Simon Bridge, Street Scene, Parks and Open Spaces, Portfolio Holder	7 September 2023

**Allocation of S106 monies to improve Pheasants Wood, Thornton**

**Key decision:** No

### 1. Purpose of report

**1.1** To seek approval for the allocation of S106 funds from the development at The Bourne Poacher, 325 Fleetwood Road North, Thornton to undertake improvements at Pheasants wood, Thornton and for the scheme to be added to the 2023/24 Capital Programme.

### 2. Corporate priorities

**2.1** To Improve the health and wellbeing of our communities

**2.2** Facilitate improvements and increase accessibility for users of parks and opens spaces.

**2.3** Creating wider environmental benefits by increasing wildlife and biodiversity.

### 3. Recommendations

**3.1** That the Council's 2023/24 Capital Programme be amended to include improvements to Pheasants Wood using £14,648 (which includes indexation) received through the S106 obligation relating to planning permission 17/00469/FULMAJ.

**3.2** That approval is given to authorise the Corporate Director Environment to appoint contractor(s) and supplier(s) in accordance with the Council's Financial Procedure Rules.

#### 4. Background

4.1 Planning permission was granted in February 2018 following the demolition of the former Bourne Poacher public house, Thornton-Cleveleys to erect retirement apartments and a retail unit with the developer contributing £14,648 towards green infrastructure improvements in Pheasants Wood, Thornton.

#### 5. Key issues and proposals

5.1 To use the S106 money to improve and deliver green infrastructure improvements to Pheasants Wood, owned by Wyre, which include enhancements to existing paths, creating a boardwalk feature overlooking the pond, improvements to access points and site specific interpretation material.

5.2 To collaborate with the Friends of Pheasants Wood to provide and develop opportunities to encourage wider community involvement with the installation of bird and bat boxes and the development of interpretation material for the site.

5.3 It is a condition of the S106 obligation that the funding is spent on this site and these specific improvements are carried out by 29 November 2028.

#### 6. Alternative options considered and rejected

6.1 Should this scheme not go ahead and the S106 monies are not used as prescribed in the agreement, the council shall refund the party who paid it together with any interest accrued. The council would not be compliant with its obligation under section 106 of the Town and Country Planning Act 1990.

#### 7. Delegated functions

7.1 The matters referred to in this report are considered under the following executive function delegated to the Open Spaces Portfolio Holder (as set out in Part 3 of the council's constitution): "To consider matters relating to parks, open spaces, playing fields, playgrounds and allotments".

<b>Financial, Legal and Climate Change implications</b>	
Finance	The scheme is to be added to the Council's Capital Programme for 2023/24, to be funded by S106 monies received from the developer totalling £14,648.
Legal	A formal agreement with the supplier(s) will be entered into and the contract(s) for goods, works or services to deliver the scheme will comply with the Council's Financial Procedure Rules.

Climate Change	Overall the scheme will have a positive impact on Climate Change through site enhancement, encouragement of sustainable travel and opportunities for wider environmental initiatives.
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### Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
health and safety	✓

risks/implications	✓ / x
asset management	x
ICT	x
data protection	x

### Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Jane Ferguson	01253 887305	jane.ferguson@wyre.gov.uk	24/08/2023

List of background papers:		
name of document	date	where available for inspection
None		

### List of appendices

None

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