

PLANNING COMMITTEE UPDATE SHEET

COMMITTEE DATE: 10 January 2024

APPLICATION NO.	TEAM LEADER	ITEM NO.	PAGE NOS.
23/00627/FUL	Karl Glover	01	13-20

Revised National Planning Policy Framework (NPPF)

On the 19th December 2023 the Department for Levelling Up, Housing and Communities published a revised National Planning Policy Framework in response to the Levelling-up and Regeneration Bill: reforms to national planning policy consultation. The revised NPPF sets out the governments planning policies for England and how these are expected to be applied. The NPPF was revised following the publication the Planning Committee Agenda and as such a number of amendments to the report are to be updated. These amendments are set out below and are highlighted in bold

Paragraph 5.2.1 is to be amended to read:

5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on **19th December 2023**. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The policies in the 2023 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

Paragraph 5.2.2 is to be amended to read:

5.2.2 The following sections / policies set out within the NPPF are of most relevance:

- Section 9 - Promoting sustainable transport
- Section 12 - Achieving well-designed **and beautiful** places

Paragraph 9.5.2 is to be amended to read:

9.5.2 The applicant has identified a previous planning consent at Carr End Lane where the Highway Engineer has in the past accepted substandard visibility splays. However, this related to alterations to an existing access where on street parking was limited and the alterations led to an overall highway improvement over that which existed. Whereas the current proposal is for a new vehicle access which would be served by substandard visibility splays with no scope for improvement, and where the property already benefits from private parking at the rear on Sarah's Fold, in addition to on-street parking at the front on Smithy Lane. **Section 9 Paragraph 115** of the NPPF states that development should only be refused on highway grounds if there would be an unacceptable impact to highway safety. In this case, the proposal has been assessed to represent an unacceptable risk to highway

safety due to the lack of acceptable visibility splays and would therefore be contrary Policy CDMP6 of the Wyre Local Plan (2011-2031).

Officer Response:

Officers consider that amendments highlighted above do not have any material consequences for the assessment of the proposal

Amendment to Report and Reason for Refusal

Since the publication of the planning committee agenda it has transpired that reference to an incorrect Local Plan Policy has been listed within the body of the report and also within the reason for refusal. As such any reference to Policy CDMP1 is to be omitted from paragraphs 9.5.2 and 10.1. The reason for refusal is to be amended to read as follows:

The proposed vehicle crossing cannot provide a safe means of access to the site as the visibility splays shown on the submitted plan (Dwg No: LF/ME/3019) cannot be achieved at the required 2.4m x 25m and therefore the proposed vehicular access would result in poor visibility for drivers of vehicles leaving the property. This would be hazardous to other road users, and therefore the vehicles that would utilise the proposed access would pose an unacceptable risk to road safety on this section of Smithy Lane. The proposal is therefore contrary to Policy CDMP6 of the adopted Wyre Borough Local Plan (2011-2031) along with the provisions of the NPPF.

Officer Response:

Policy CDMP1 has been incorrectly referred to within the report and does not relate to highway safety impacts. The omission of this policy from the sections of the report as highlighted above and the reason for refusal does not have any material consequences to the assessment of the application.