

Central Lancashire Local Plan Publication (Regulation 19) Draft

Representations to Policy EN15 Areas of Green Belt

- 1.1. De Pol Associates are retained by Northern Trust Land Ltd to submit representations to the Publication (Regulation 19) draft of the Central Lancashire Local Plan 2023-2041 (CLLP). This representation relates to Policy EN15 'Areas of Green Belt'.

Necessity and relevance of policy

- 1.2. In the first instance it is questioned whether there is a requirement for a detailed Green Belt policy. NPPF (2023) paragraph 16 identifies that plans should avoid unnecessary duplication of policies, including those contained within the NPPF. Notwithstanding the transitional arrangements set out in Annex 1 of NPPF 2024 the revised NPPF has introduced significant changes to Green Belt policy at a national policy which, because of the transitional arrangements is not reflected in draft policy EN15. These changes have included the introduction of Grey Belt and a different assessment for the redevelopment of previously developed sites. In the context of paragraph 16 of NPPF (2023) and the new NPPF, including changes to Green Belt policy, it would seem sensible to adopt a Green Belt policy which advises that development will be determined in accordance with the NPPF.
- 1.3. Notwithstanding the transitional arrangements a significant proportion of the policy EN15 will be inconsistent with national policy and rendered out-of-date on adoption. As such this will only serve to confuse matters for the public when trying to understand Green Belt policy in the Central Lancashire Area in the future. As referenced above this could be remedied with a simpler policy as identified above.

Policy Detail

- 1.4. Notwithstanding the above comments it is considered that the policy is not sound. This is explained further below in respect of specific points within the policy.

Facilities

- 1.5. In bullet point B the policy advises that facilities (i.e. buildings) will not be considered inappropriate in accordance with paragraph 154 of the NPPF. However, this point is **inconsistent with national policy** and is therefore unsound. The draft policy defines the term 'facilities' as buildings. There is nowhere in NPPF paragraph 154 b) which identifies that the term 'facilities' is limited to buildings. There is a whole range of facilities associated with changes of use and existing uses in the Green Belt which are not buildings and may represent appropriate development.

Extensions/Alterations

- 1.6. Bullet point C of the draft policy states that extensions or alterations to a building in the Green Belt of up to 30% of the volume of the original building will not be considered disproportionate. This bullet point is designed to reflect exception c) of NPPF paragraph 154.
- 1.7. The Central Lancashire authorities' s current interpretation of this Green Belt exception is set out in the Central Lancashire Rural Development SPD. This document identifies, on page 24, that extensions of over 50% of the original building will be considered inappropriate i.e. extensions up to 50% will be considered appropriate. There is no explanation in the draft plan or supporting documents to explain why it is proposed that an extension of over 30% is now considered inappropriate.
- 1.8. NPPF paragraph 35 advises that Local Plan policies must be justified in order to meet the test of soundness. In respect of bullet point c) of draft policy EN15 it is considered that the policy is **not justified**. The Central Lancashire authorities have an established position on extensions to buildings in the Green Belt and what constitutes a disproportionate addition. Since the current SPD was published there has been no change to this specific Green Belt exception which identifies proportionate additions are appropriate development. The Council has provided no justification for the limiting of appropriate extensions to 30% and as such is considered to be unjustified and unsound.

Limited infilling in villages

- 1.9. Bullet point e) of the draft policy relates to limited infilling in villages and expands upon Green Belt exception e) at paragraph 154 of NPPF. The draft policy seeks to limit this nationally defined exception to no more than four dwellings, a small gap in an otherwise built-up residential

frontage with dwellings either side and defining village as settlements within tiers four and five in the draft settlement hierarchy. Each of these is considered below.

- 1.10. In terms of the limitation to four dwellings the NPPF does not define what limited means and in particular does not specify a number of dwellings to represent limited. Imposing a figure which defines limited to four is not consistent with national policy which does not impose any limitation beyond the term itself. On this basis the proposed introduction of four is **inconsistent** with national policy and unsound.
- 1.11. Furthermore in respect of the terms limited there is no explanation as to how four dwellings has been considered to represent limited infilling, how this has been calculated or why this is considered an appropriate level of development to constitute 'limited'. The same 'limited' term is applied to exception f) in relation to affordable housing for local needs, however, under this exception (via draft policy HS9) 'limited' is considered to represent up to nine dwellings. There is an inconsistent use of the same term within the same policy which is clearly not appropriate. The use of four dwellings for the purposes of assessing whether a proposal is limited for the purposes of Green Belt Exception e) is **not justified**.
- 1.12. In relation to the term infilling the draft policy advises that this is a small gap in an otherwise built-up residential frontage with dwellings either side. There have been a number of appeals in Central Lancashire for infilling in villages in which Inspectors have concluded that this is not how infilling is defined with appeals allowed on sites set adjacent to open space and car parks. It is also unclear as the relevance of dwellings either side and why some other use to bookend any given site would not still create an infill. The Green Belt exception relates to limited infilling in villages, it does not refer to limited infilling between dwellings. Further to this point limited infilling in villages is not limited to residential uses only, it is unclear why other uses would be limited to being located between residential properties. It is considered that the definition set out for 'infilling' is **inconsistent** with national policy and **not justified** in the setting of previous appeal decisions in Central Lancashire.
- 1.13. The final point relates the definition of a village with the proposed policy identifying that limited infilling would apply only to villages identified in tiers 4 and 5 of the settlement hierarchy. However, there are villages within Central Lancashire which are not identified in these settlements and villages identified within tier 3 of the settlement hierarchy.

- 1.14. Within tier 3 of the settlement hierarchy is Longton in South Ribble. This is a village it has long been considered and assessed as a village by South Ribble Council and has no features which would suggest that it is not a village. South Ribble Council's own website describes Longton as a village and it is a village where the limited infilling in villages exception has been applied in the assessment of previous applications, there is no justification for the exclusion of this village from this Green Belt exception. Other tier 3 settlements located in Chorley could also be considered villages such as Coppull and Euxton.
- 1.15. Outside of the settlement hierarchy settlements including Samlesbury and Midge Hall have previously been assessed by both South Ribble Council and Planning Inspectors and deemed to be villages there is no justification for reconsidering the status of these villages. Heskin with its school, shop, village hall and public house; and Withnell Fold with its church, Village Hall and school are also villages not within the settlement hierarchy.
- 1.16. Defining villages as the settlements within tiers 3 and 4 of the draft settlement hierarchy is **not justified**. There are clearly other settlements within Central Lancashire which are villages and do not fall into either of these tiers.
- 1.17. Overall the proposed Policy EN15 fails the test of soundness given its inconsistency with national policy and a lack of justification.