Philip Dagnall

From: [Redacted]
Sent: 15 June 2012 13:26
To: Philip Dagnall
Subject: FW: Core Strategy representations
Attachments: core strategy comments.doc

Phil

Further to my earlier call, I just want to confirm that we've got no problems with the document overall, there are just the following bits that I'd noted and I could only suggest changes by challenging the soundness (which is like a sledgehammer to crack a nut):

- Paragraph 2.24 - at the last consultation, I'd asked for reference to the need for a level 2 SFRA to be made in the bit about the Level 1 SFRA. This had not been included in the latest version of the plan and I couldn't find any reason why not. If there is a reason that I've missed, I'm happy to review the comment.

- Strategic objectives - the SA had recommended a separate policy for climate change, but the Council appear to have decided against this. All I'm suggesting is that within the objective for sustainable development, it would be appropriate to refer to climate change adaption/mitigation and thus enable you to say that the SA recommendation has been included in some way.

- Key Statement DMG1: General Considerations (Paragraph 10.4) - there appears to have been a formatting error and the eighth bullet doesn't make sense. I suspect it just needs changing to what it was meant to say and that would be sorted.

As I said, these are really minor things, and if there are reasons why the first two points have not been addressed in the latest version of the plan that I've missed, then I'm happy to review the comments. I'm attending a meeting with the Development Control team on 27 June - if you have any questions or want to have a quick chat about any of the above, I'm happy to do so. We have no intention of submitting any formal challenges to the plan at Examination.

I've attached a word document listing all our comments for your information. Kind regards

Philip

[Attached document]

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15/06/2012
Dear Sir/Madam

CORE STRATEGY 2008 – 2028
A LOCAL PLAN FOR RIBBLE VALLEY
REGULATION 19 CONSULTATION DRAFT

Thank you for consulting us on the above, details of which were received on 4 May 2012.

We have reviewed the preferred option Core Strategy and associated documentation in so far as they relate to our remit and we broadly support the plan in principle. However, we wish to make a number of comments in relation to the plan as proposed:-

To which part of the Core Strategy does this comment relate?
2. Understanding The Area - Paragraph 2.24

Is the document legally compliant?
Yes

Is the document sound?
No

If you consider the Core Strategy is unsound why not?
Not consistent with National Policy

Comment
While we agree that a Level 1 SFRA is appropriate at this time, it may be necessary to undertake a more detailed Level 2 SFRA when considering site specific allocations. This is in accordance with paragraph 8 of the NPPF Technical Guidance. During previous consultation, we recommended that reference be made to the potential need for a Level 2 SFRA to acknowledge this.

Environment Agency
PO Box 519, South Preston, Lancashire, PR5 8GD.
Customer services line: 03708 506 506
www.environment-agency.gov.uk
Cont/d..
Change required?

We request the following sentence is added to the end of paragraph 2.24 – 'A more detailed Level 2 SFRA will be required if insufficient land is available to accommodate the required levels of development outside those areas identified as being at risk of flooding'. This will ensure that the plan acknowledges further detailed assessment may be required at a later date and that the Level 1 SFRA is acceptable for now only in the sense that no site specific allocations have been identified.

To which part of the Core Strategy does this comment relate?

Is the document legally compliant?
Yes

Is the document sound?
No

If you consider the Core Strategy is unsound why not?
Not consistent with National Policy

Comment
Paragraph 4.2.2 of the Sustainability Appraisal recommends that a Strategic Objective focusing on climate change be included within the Core Strategy. If a specific objective has not been identified as appropriate by the Council, we would suggest that reference to climate change could be referred to in an existing Strategic Objective.

Changes required?
Include reference to 'adapting to and mitigating for climate change' within the Strategic Objective contribute to local, regional and wider sustainable development. This will ensure that the plan is consistent with the recommendation of the Sustainability Appraisal.

To which part of the Core Strategy does this comment relate?
Key Statement DMI3: Development Management - Paragraph 8.16

Is the document legally compliant?
Yes

Is the document sound?
Yes

Comment
While we support the plan in principle, there are aspects of it which we feel require further detail to ensure successful implementation. In this respect, we support the provision allowing the creation of additional policy detail through the Local Development Framework. In particular, we wish to work closely with the Council to ensure that those objectives and requirements of the Water Framework Directive...

Contd..
that can be influenced through the development planning process will be delivered.

Changes required?
No

To which part of the Core Strategy does this comment relate?
Chapter 9 Strategic Site

Is the document legally compliant?
Yes

Is the document sound?
Yes

Comment
The strategic site is adjacent to Pendleton Brook, and the wider site contains a number of smaller watercourses include streams, ditches and wetland habitats. There are some limited areas of flood risk on Pendleton Brook.

We understand that the final boundary of the strategic site and proposed land used within the site have yet to be determined. Any future site allocations should take the risk of flooding into account and a Level 2 SFRA may be required. Any future developments should fully take these aquatic features into account during survey work and preparation of any environment statements.

The design of the strategic site should incorporate these features and enhance them as part of any development scheme. Surface water run-off from the site will also need to be attenuated to existing rates and in this respect the site provides the potential to be an exemplar for the use of sustainable drainage systems. Where development is proposed adjacent to a watercourse a marginal strip of land along the watercourse should be maintained as a buffer zone.

We would seek to be involved in any Development Brief or Supplementary Planning Document for the strategic site to ensure all the relevant environmental issues are identified and taken into account in any potential layout of the site.

Changes required?
No

To which part of the Core Strategy does this comment relate?
Key Statement DMG1: General Considerations - Paragraph 10.4

Is the document legally compliant?
Yes

Is the document sound?
No

If you consider the Core Strategy is unsound why not?
Not effective

Cont/d..
Comment
There appears to be a formatting error within the policy – the text associated with the eighth bullet point appears to be incomplete and the requirements in relation to mitigation proposals regarding impacts on the natural environment are not clear.

Change required?
Revise the policy to ensure this aspect is correctly worded and has a clear purpose. We are happy to review any reworded version of the policy in advance of Examination if required.

To which part of the Core Strategy does this comment relate?
Key Statement DME6: Water Management

Is the document legally compliant?
Yes

Is the document sound?
Yes

Comment
There is no specific reference to the EU Water Framework Directive (WFD) within the proposed plan. Within the Ribble Valley there are 29 WFD waterbodies comprising of rivers, lakes and groundwater. The waterbodies within the borough are not only of significant value in themselves but are integral to the landscape character of the area. The protection and enhancement of water quality and habitat are also imperative to the protection of the quality of the AONB and the wider landscape due to the contribution of water to these parts of the district.

Our 'Ribble Catchment Flood Management Plan' has been used in the preparation of the plan, but the River Ribble is now a DEFRA pilot catchment and is part of a new catchment-based approach to river basin management to help deliver the WFD. The issues affecting the catchment which have been alluded to in the sustainability appraisal extend much wider than flood risk management and need to be incorporated within the overall development strategy for the environment through the LDF.

Any development should ensure that there is no adverse impact on water quality and where possible we would encourage developers to make improvements. These could include

• Considering the impact of development on sewerage infrastructure and ensure early discussion with United Utilities
• Using water cycle studies to inform water management particularly in areas where there is pressure on sewerage infrastructure and/or water supply
• Looking for ways to deliver improvements to bathing waters eg supporting work to resolve misconnections
• Promoting water efficiency
• Promoting green infrastructure schemes

It is acknowledged that Policy DME6 offers a strategic 'hook' to further develop the detail needed to identify WFD objectives and requirements within the LDF through
the additional Development Plan Documents and/or Supplementary Planning Documents. We want to work with you to further these objectives through a collaborative approach. This will ensure that the WFD can be aligned to a specific policy (or policies) within the LDF such that development proposals that pose a risk to water quality and habitat will take them into account.

Changes required?
No

To which part of the Core Strategy does this comment relate?
Key Statement EC1
Development Management Policy DMG1
Key Statement DME6

Is the document legally compliant?
Yes

Is the document sound?
Yes

Comment
We support the following highlighted objectives in relation to the redevelopment of land affected by contamination:

• Key Statement EC1: Business and Employment Development, which 'promotes the re-use of Brownfield sites to deliver employment generating uses'  

• Development Management Policy DMG1: General Considerations, which aims to 'achieve efficient land use and the re-use and remediation of previously developed sites where possible'

• Key Statement DME6: Water Management, which states that 'applications for development should include appropriate measures for the conservation, protection and management of water such that development contributes to:
  Preventing pollution of surface and/or groundwater'

National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Paragraph 120 also states that local policies and decisions should ensure that new development is appropriate for its location, having regard to the effects of pollution on health or the natural environment, taking account of the potential sensitivity of the area or proposed development to adverse effects from pollution. Government policy states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

In addition to the above, the North West River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. The remediation and reuse of contaminated land is an integral part of the improvement of water quality both for surface water and
groundwater. When consulted on development proposals on land affected by contamination, we will apply a risk based approach to ensuring appropriate and sustainable remediation actions are secured to improve water quality. Further detailed advice on the management of land affected by contamination can be found within our ‘Guiding Principles for Land Contamination’ documents which are available via our website http://www.environment-agency.gov.uk

Changes Required?
No

ALL THE ABOVE COMMENTS WERE SUBMITTED ELECTRONICALLY VIA THE COUNCIL’S CONSULTATION SYSTEM ON 14/06/12

Yours faithfully

Planning Liaison Officer

Direct dial
Direct fax
Direct e-mail