



# Bolton by Bowland and Gisburn Forest Submission Neighbourhood Plan

## Paragraph 8 of Schedule 4b 'Basic Conditions' Statement (September 2016)





## **1.0 Legal Requirements**

### **The Submission Plan is being submitted by a qualifying body**

This Submission Plan is being submitted by a qualifying body, namely Bolton by Bowland, Gisburn Forest and Sawley Parish Council.

### **What is being proposed is a neighbourhood development plan**

The plan proposal relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

### **The proposed Neighbourhood Plan states the period for which it is to have effect**

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from 2014 up to 2028 (the same period as the Ribble Valley Core Strategy).

### **The policies do not relate to excluded development**

The Neighbourhood Plan proposal does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

### **The proposed Neighbourhood Plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.**

The Neighbourhood Plan proposal relates to the Bolton by Bowland and Gisburn Forest Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area.

## 2.0 Basic Conditions

### Have Appropriate Regard to National Policy

The Bolton by Bowland and Gisburn Forest Neighbourhood Plan has been produced with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF). Paragraphs 183-185 of the NPPF outline specific guidance in relation to the production of Neighbourhood Plans. Paragraph 184 states that “The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the local area. Neighbourhood Plans must be in general conformity with the strategic policies of the local plan.” The Neighbourhood Plan has been drafted with regard to the planning policies of Ribbles Valley Borough Council, and the comprehensive evidence base that supports these policies.

Paragraph 184 also states that Neighbourhood Plans should “not promote less development than set out in the Local Plan or undermine its strategic policies”. The Bolton by Bowland and Gisburn Forest Neighbourhood Plan does not undermine the strategic policies of Ribbles Valley Borough Council; the Plan aims to support these policies by including policies to meet local housing needs and supporting windfall housing as appropriate to Bolton by Bowland’s, Holden’s and Tosside’s position in the settlement hierarchy as Tier 2 villages located in the Forest of Bowland Area of Outstanding Natural Beauty (AONB), protecting local built and natural heritage assets from insensitive new development, supporting small scale employment and tourism development appropriate to the rural area, supporting improved access and linkages within the area, supporting existing community facilities, protecting local landscape character and supporting small scale renewable energy.

The Plan has regard to the twelve core planning principles set out within paragraph 17 of the Framework, as set out in Table 1 below:

**Table 1 NPPF Core Planning Principles and the Bolton by Bowland and Gisburn Forest Neighbourhood Plan**

<b>NPPF Core Planning Principle</b>	<b>Regard that Bolton by Bowland and Gisburn Forest Neighbourhood Plan has to guidance</b>
<p>Planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and Neighbourhood Plans setting out a positive vision for the future of the area. Plans should be kept up to date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.</p>	<p>The Parish Council has produced the Submission Neighbourhood Plan in line with this guidance. It will provide a framework to ensure that development is genuinely plan-led, and through involvement of the local community in shaping its policies and proposals through informal and formal consultation, the Plan will empower local people to shape their surroundings. The vision, objectives, policies and proposals in the Neighbourhood Plan have been developed through a thorough process of community engagement and consultation. The Plan sets out a positive vision for the area up to 2028. The Neighbourhood Plan sets out a concise and practical suite of policies (16 in total) to guide development management decisions.</p>

<b>NPPF Core Planning Principle</b>	<b>Regard that Bolton by Bowland and Gisburn Forest Neighbourhood Plan has to guidance</b>
<p>Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.</p>	<p>The Submission Neighbourhood Plan offers the local community the opportunity to shape the future development of Bolton by Bowland and Gisburn Forest parishes in a creative way, ensuring that the quality of the place is enhanced by including a policy that identifies local green spaces for protection (BBGF12) and a policy that helps to plan for climate change (BBGF16). The Plan also includes a policy which protects local landscape character (BBGF14) and a policy that provides design guidelines (BBGF4).</p>
<p>Planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.</p>	<p>The Submission Neighbourhood Plan seeks to protect existing local employment (BBGF8) and to support appropriate new employment (BBGF9), support rural diversification (BBGF10) and encourage new tourism related employment (BBGF11).</p>
<p>Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.</p>	<p>The Designated area is located within the Forest of Bowland AONB. The Submission Neighbourhood Plan sets out policies to protect and enhance local landscape character (BBGF14) and to promote high quality design (BBG4).</p>
<p>Planning should take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.</p>	<p>The Submission Neighbourhood Plan recognises the rural character of the parishes and the village's location in an attractive rural area within the AONB.</p> <p>The Bolton by Bowland and Gisburn Forest Neighbourhood Plan seeks to protect the surrounding countryside and preserve the character and identity of the parishes of Bolton by Bowland and Gisburn Forest. (BBGF14)</p>

<b>NPPF Core Planning Principle</b>	<b>Regard that Bolton by Bowland and Gisburn Forest Neighbourhood Plan has to guidance</b>
Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy).	The NDP reflects the strong commitment to sustainable development in ensuring Bolton by Bowland and Gisburn Forest parishes made a positive contribution towards a low carbon future. (BBGF4) and includes a policy for renewable energy (BBGF16).
Planning should contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in the Framework.	The Submission Neighbourhood Plan recognises the designated area's location within the AONB and seeks to allocate two small housing sites adjacent to the village of Bolton by Bowland and one in Tosside (BBGF1) and supports small windfall developments within the built up area. A separate policy guides development within rural hamlets and farmsteads (BBGF2).
Planning should encourage the effective use of land by reusing land that has been previously developed (Brownfield land), provided that it is not of high environmental value.	Policy BBGF1 supports small scale new development on windfall sites within the settlement boundary and gives priority to brownfield sites/ conversion of buildings.
Planning should promote mixed-use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as wildlife, recreation, flood risk mitigation, carbon storage or food production).	The Plan identifies a number of proposed local green spaces in Policy BBGF12.
Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations	<p>The Submission Neighbourhood Plan is fully in line with this principle.</p> <p>The Plan notes the existing built heritage assets in the Parish including listed buildings, and scheduled monuments. The Plan promotes the protection of heritage assets (BBGF3) and high quality design which enhances the distinctive local character of existing settlements and buildings (BBGF4).</p>
Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant	The Submission Neighbourhood Plan supports improved linkages and access for pedestrians through Policy BBGF7.

<b>NPPF Core Planning Principle</b>	<b>Regard that Bolton by Bowland and Gisburn Forest Neighbourhood Plan has to guidance</b>
development in locations which are or can be made sustainable	
Planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural services to meet local needs	The Submission Neighbourhood Plan is fully in accord with this principle. The Plan recognises and protects local green spaces (BBGF12) and supports walking and cycling (BBGF7). The Plan also supports proposed improvements to community facilities in Policy BBGF13.

### **Have Special Regard to the Desirability of Preserving any Listed Building or its Setting or any Features of Special Architectural or Historic Interest**

The Submission Neighbourhood Plan has special regard to the desirability of preserving features of architectural or historic interest within the Parish through Policy BBGF3 Protecting Heritage Assets and BBGF4 which seeks to ensure designs for new buildings are sensitive to local character.

### **Have Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area**

The Plan area has one Conservation Area – Bolton by Bowland and this is included in Policy BBGF3.

### **The making of the neighbourhood development plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010(2)) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007(3)) (either alone or in combination with other plans or projects).**

The Neighbourhood Plan has been subjected to a separate Strategic Environmental Assessment prepared by JBA Consulting in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004; and/or a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) of the EU habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). The draft Environmental report was subsequently sent to the relevant statutory bodies; Natural England, Historic England and the Environment Agency to clarify whether they agreed with the results of the report.

A first Regulation 14 consultation was undertaken in early 2015; however, this was not accompanied by the required Environmental Report. Following production of the Environmental Report which will accompany the submission, the Parish Council subsequently made amendments to the Plan.

### **Requirement for HRA / legislative Background**

Article 6 (3) of the EU Habitats Directive (Council Directive 92/43/EEC) and Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) requires that an appropriate assessment of plans and programmes is carried out with regard to the conservation objectives of European Sites (Natura 2000 sites) and that other plans and projects identify any significant effect that is likely for any European Site. In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in significant negative effects occurring on protected European Sites (Natura 2000 sites) as a result of the plan's implementation. As part of the Strategic Environmental Assessment, a HRA screening was undertaken. The conclusions are as follows:

*There are no European sites within the Bolton by Bowland and Gisburn Parish Forest although three European sites (which include two SACs and one SPA) were identified within a 10km radius of the parish boundary.*

*The Plan comprises six specific objectives relating to housing growth, maintaining character, transport/ infrastructure, promoting employment, community facilities and the natural*



*environment - including renewable energy development. Within these objectives, sixteen policies were formed. With the exception of Policy BBGF16, an assessment of all remaining policies determined that there would likely be no significant impacts upon European designated sites as a result of their implementation. This was largely contributed to by the distance of the sites from the Parish boundaries and the majority of policies referring to development control criteria contained within the overarching Ribble Valley Core Strategy, which puts safeguarding in place to prevent new developments from adversely impacting upon European sites.*

*Policy BBGF16 promotes renewable energy within the Neighbourhood Plan area and encourages wind energy schemes (albeit small/micro in scale) which could result in adverse impacts to the avifauna (particularly raptors) which contributes to the interest features of Bowland Fell SPA. However, the likelihood and severity of such impacts would be dependent on the location and size/scale of wind energy developments, which can only be determined from assessing individual projects on a site-by-site basis; consequently, any individual projects arising from implementation of this Neighbourhood Plan will need to be subject to further HRA at the project level. Furthermore, wording within policy BBGF16 will help to ensure that any wind energy developments are appropriate. Therefore, at this stage, it is not considered that significant adverse effects of implementing Policy BBGF16 of the Neighbourhood Plan will arise. A project level HRA of any development-related strategies undertaken under the Neighbourhood Plan will be more effective at addressing potential impacts on European sites.*

## **Contribute to the Achievement of Sustainable Development**

The Submission Neighbourhood Development Plan contributes strongly to the achievement of sustainable development.

Paragraphs 6-10 of the National Planning Policy Framework (NPPF) outline the Government's definition of sustainable development.

The UK Government's interpretation of the concept of sustainable development builds on that of the UN resolution 24/187, which is 'meeting the needs of the present without compromising the ability of future generations to meet their own needs.'

The NPPF amplifies this simple definition, at paragraph 7, stating that sustainable development has three dimensions, economic, social and environmental. Planning needs to perform a number of roles in relation to these issues:

- ❑ "an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places at the right time to support growth and innovation; and by identifying and co-ordinating development requirements, including the provision of infrastructure;
- ❑ a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of the present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- ❑ an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, use natural

resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

In Paragraph 6, the NPPF states that “the policies in paragraphs 18-219, taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system”.

Table 1 above gives a clear and comprehensive narrative of how the framework complies with the Core Planning Principles of the NPPF, and by corollary, the achievement of sustainable development.

Table 2 below summarises how the policies and allocations in the Submission Plan contribute to the economic, social and environmental aspects of sustainable development.

**Table 2 Submission Plan’s contribution to the economic, social and environmental aspects of sustainable development.**

<b>Sustainable Development Role</b>	<b>Neighbourhood Development Plan’s Contribution</b>
Economic	The Submission Neighbourhood Plan seeks to support appropriate local economic development in rural areas through supporting appropriate small scale employment, rural diversification and tourist accommodation.
Social	<p>The Plan supports appropriately sited, and designed, new housing in the settlement boundary on small windfall sites and two allocated sites in Bolton by Bowland and one in Tosside to meet local needs.</p> <p>The Plan supports healthy lifestyles by protecting local green spaces, supporting proposals to improve footpaths and connectivity within the designated area and supporting future investment in community facilities.</p>
Environmental	The Submission Neighbourhood Plan seeks to protect and enhance local landscape character.

**Be in General Conformity with Strategic Local Planning Policy**

The Submission Neighbourhood Plan is in general conformity with strategic Local Plan policies contained in the Ribble Valley Core Strategy (2008-2028).

Planning Practice Guidance 2014 para 009 advises that “Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its Local Plan.

A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. A draft Neighbourhood Plan or Order is not tested against the policies in an emerging Local Plan although the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.”

Table 3 below sets out the way that the Neighbourhood Plan conforms to the relevant strategic policies from the Ribble Valley Core Strategy.

**Table 3 Conformity with Local Strategic Policy**

Bolton by Bowland and Gisburn Forest Neighbourhood Plan	Ribble Valley Core Strategy (2008-2028)
<p><b>Policy BBGF1 – Scale and Type of New Housing Development</b></p> <p><b>Over the plan period, within the defined settlement boundaries of Bolton by Bowland, Tosside and Holden (Map 1, 2, and 3 respectively), proposals for new small scale housing development will only be permitted where it meets the following criteria:</b></p> <p><b>a) It is located on the preferred site shown on the proposals map for Bolton by Bowland and conserves and where possible enhances the character of the Bolton by Bowland Conservation Area; or</b></p> <p><b>b) It is located on the preferred site shown on Map 2 for Tosside; or</b></p> <p><b>c) It would not lead to the loss of open space, shops or other local facilities; and</b></p> <p><b>d) It has appropriate access; and</b></p> <p><b>e) Contributes to character and amenity of village; and</b></p> <p><b>f) Does not have a detrimental effect on the landscape or character of the Area of Outstanding Natural Beauty (AONB); and</b></p>	<p><b>Key Statement DS1: Development Strategy</b> The majority of new housing development will be:</p> <ul style="list-style-type: none"> <li>• concentrated within an identified strategic site located to the south of Clitheroe towards the A59; and</li> <li>• the principal settlements of: <ul style="list-style-type: none"> <li>- Clitheroe;</li> <li>- Longridge; and</li> <li>- Whalley.</li> </ul> </li> </ul> <p>Strategic employment opportunities will be promoted through the development of:</p> <ul style="list-style-type: none"> <li>• the Barrow Enterprise Site as a main location for employment; and</li> <li>• the Samlesbury Enterprise Zone.</li> </ul> <p>New retail and leisure development will be directed toward the centres of:</p> <ul style="list-style-type: none"> <li>• Clitheroe;</li> <li>• Longridge; and</li> <li>• Whalley.</li> </ul> <p>In general, the scale of planned housing growth will be managed to reflect existing population size, the availability of, or the opportunity to provide facilities to serve the development and the extent to which development can be accommodated within the local area. Specific allocations will be made through the preparation of a separate allocations DPD.</p> <p>In allocating development, the Council will have regard to the AONB, Green Belt and similar designations when establishing the scale, extent and form of development to be allocated under this strategy. The relevant constraints are set out as part of the strategic framework included in this plan.</p>

**g) Is in accordance with all other relevant policies within the context of the surrounding area.**

**Development in Bolton by Bowland on the preferred sites (1 and 2) will be up to a maximum of 8 dwellings in total. The community would prefer that this development up to the maximum of the 8 dwellings should be accommodated on site 1 which is located between the school and the graveyard. However, the plan continues to include site 2 as a potential site to safeguard the plan's overall development objective should there be a problem with site 1.**

**Development in Tosside on the preferred site will be supported for up to 12 dwellings of an appropriate density consistent with the context of the surrounding area**

Development that has recognised regeneration benefits, is for identified local needs or satisfies neighbourhood planning legislation, will be considered in all the borough's settlements, including small-scale development in the smaller settlements that are appropriate for consolidation and expansion or rounding-off of the built up area. Through this strategy, development opportunities will be created for economic, social and environmental well-being and development for future generations.

**Key Statement DS2: Presumption in Favour of Sustainable Development**

When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- specific policies in that Framework indicate that development should be restricted.

**Key Statement H1: Housing Provision**

Land for residential development will be made available to deliver 5,600 dwellings, estimated at an average annual completion target of at least 280 dwellings per year over the period 2008 to 2028 in accordance with baseline information.

The Council will identify through the relevant “Strategic Housing Land Availability Study” (SHLAA), sites for residential development that are deliverable over a five-year period. By reference to the housing land monitoring report and where appropriate Strategic Housing Land Availability Assessments, the Council will endeavour to ensure housing land is identified for the full 15-year period and beyond.

A ‘plan-monitor-manage’ approach will be adopted and a monitoring report will be the key tool in tracking the five year rolling land supply. The overall housing requirement will be subject to a formal review within five years from the date of adoption of the Core Strategy to ensure it remains the appropriate strategic figure with which to plan.

**Key Statement H2: Housing Balance**

Planning permission will only be granted for residential development providing it can be demonstrated that it delivers a suitable mix of housing that accords with the projected future household requirements and local need across the Ribble Valley as a whole as evidenced by the Strategic Housing Market Assessment.

Determination of planning applications for residential development will be informed by the most recent Housing Needs Surveys, Addressing Housing Needs statement and the most recently adopted SHMA, to identify the type, tenure and size of residential dwellings, required at different locations throughout the borough as well as reference to relevant housing market information as appropriate.

**Key Statement H3: Affordable Housing**

Affordable housing is broadly defined as that which is accessible to people whose income does not enable them to afford to buy or rent property suitable for their needs in the open housing market.

Within the settlement boundaries of Clitheroe and Longridge, on housing developments of 10 units or more dwellings (or sites of 0.5 hectares or more, irrespective of the number of dwellings) an element of affordable, local needs housing

will be required on all schemes. The Council will seek affordable housing provision at 30% of units on the site.

The Council will use open book viability assessments, provided at the developer's cost, within its consideration of affordable housing provision particularly where thresholds are not being met.

In all other locations in the borough, on developments of 5 or more dwellings (or sites of 0.2 hectares or more irrespective of the number of dwellings) the council will require 30% affordable units on the site.

The Council will only consider a reduction in this level of provision, to a minimum of 20% only where supporting evidence, including a viability appraisal fully justifies a lower level of provision to the Council's satisfaction.

Providing housing for older people is a priority for the Council within the Housing Strategy. Within the negotiations for housing developments, 15% of the units will be sought to provide for older people on sites of 10 units or more. Within this 15% figure a minimum of 50% would be affordable and be included within the overall affordable housing threshold of 30%. The remaining 50% (i.e. the remaining 50% of the 15% older people's element) will be for market housing for older people.

All affordable housing provided must be made available to those in housing need and will remain affordable in perpetuity.

Developers will be expected to provide affordable housing on site as part of the proposed development unless Ribble Valley Borough Council and the developer both agree that it is preferable to make a financial or other contribution towards the delivery of affordable housing on another site. Older people's housing should meet the Lifetime Homes Standard as a minimum.

	<p><b>Policy DMG2: Strategic Considerations</b>  Development should be in accordance with the Core Strategy development strategy and should support the spatial vision.</p> <p>1. Development proposals in the principal settlements of Clitheroe, Longridge and Whalley and the Tier 1 villages should consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.</p> <p>Within the Tier 2 villages and outside the defined settlement areas development must meet at least one of the following considerations:</p> <ol style="list-style-type: none"> <li>1. the development should be essential to the local economy or social well-being of the area.</li> <li>2. the development is needed for the purposes of forestry or agriculture.</li> <li>3. the development is for local needs housing which meets an identified need and is secured as such.</li> <li>4. the development is for small scale tourism or recreational developments appropriate to a rural area.</li> <li>5. the development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated.</li> <li>6. the development is compatible with the Enterprise Zone designation.</li> </ol> <p>Within the open countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build.</p>
<p><b>Policy BBGF2 – Housing in Existing Hamlets and Farmsteads</b></p> <p><b>The presumption is in favour of the retention of existing traditional buildings in the countryside, where appropriate.</b></p>	<p><b>Key Statement DS1: Development Strategy</b></p> <p><b>Key Statement DS2: Presumption in Favour of Sustainable Development</b></p>



<p><b>New housing development will be limited to the conversion of traditional agricultural buildings providing:</b></p> <ul style="list-style-type: none"> <li><b>a) The building forms part of an existing group of buildings and is not in an isolated location (visually and physically); and</b></li> <li><b>b) There is no detrimental effect on the form, design, character and setting of the building; and</b></li> <li><b>c) The building is capable of conversion without significant extension; and</b></li> <li><b>d) The building is structurally sound and capable of conversion without the need for complete or substantial reconstruction; and</b></li> <li><b>e) The conversion will not have a detrimental impact on the appearance or character of the landscape; and</b></li> <li><b>f) The conversion is in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, feature and building materials; and</b></li> <li><b>g) The conversion would not be detrimental to the continued agricultural operation of the farmstead as a whole.</b></li> </ul> <p><b>The rebuilding or replacement of existing dwellings is acceptable subject to the following criteria:</b></p>	<p><b>Key Statement EN2: Landscape</b>  The landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. Any development will need to contribute to the conservation of the natural beauty of the area.</p> <p>The landscape and character of those areas that contribute to the setting and character of the Forest of Bowland Areas of Outstanding Natural Beauty will be protected and conserved and wherever possible enhanced.</p> <p>As a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.</p> <p><b>Policy DMG2: Strategic Considerations</b></p> <p><b>Policy DMH3: Dwellings in the Open Countryside and AONB</b>  Within areas defined as open countryside or AONB on the Proposals Map, residential development will be limited to:</p> <ol style="list-style-type: none"> <li>1. development essential for the purposes of agriculture or residential development which meets an identified local need. In assessing any proposal for an agricultural, forestry or other essential workers dwellings a functional and financial test will be applied.</li> <li>2. the appropriate conversion of buildings to dwellings providing they are suitably located and their form and general design are in keeping with their surroundings. Buildings must be structurally sound and capable of conversion without the need for complete or substantial reconstruction.</li> <li>3. the rebuilding or replacement of existing dwellings subject to the following criteria: <ul style="list-style-type: none"> <li>• the residential use of the property should not have been abandoned.</li> <li>• there being no adverse impact on the landscape in relation to the new dwelling.</li> <li>• the need to extend an existing curtilage.</li> </ul> </li> </ol> <p><b>Policy DMH4: The Conversion of Barns and Other Buildings to Dwellings</b>  Planning permission will be granted for the conversion of buildings to dwellings where</p>
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<p><b>h) The residential use of the property should not have been abandoned.</b></p> <p><b>i) There would be no adverse impact on the landscape in relation to the setting, design or character of new dwelling.</b></p> <p><b>Any proposals will be expected to meet all other relevant policies within this plan and the Ribble Valley Core Strategy and have regard to the Historic Environment Local Management (HELM) Good Practice Guidance on the Conversion of Traditional Farm Buildings.</b></p>	<ol style="list-style-type: none"> <li>1. the building is not isolated in the landscape, i.e. it is within a defined settlement or forms part of an already group of buildings, and</li> <li>2. there need be no unnecessary expenditure by public authorities and utilities on the provision of infrastructure, and</li> <li>3. there would be no materially damaging effect on the landscape qualities of the area or harm to nature conservations interests, and</li> <li>4. there would be no detrimental effect on the rural economy, and</li> <li>5. the proposals are consistent with the conservation of the natural beauty of the area.</li> <li>6. that any existing nature conservation aspects of the existing structure are properly surveyed and where judged to be significant preserved or, if this is not possible, then any loss adequately mitigated.</li> </ol> <p>The building to be converted must:</p> <ol style="list-style-type: none"> <li>1. be structurally sound and capable of conversion for the proposed use without the need for extensive building or major alternation, which would adversely affect the character or appearance of the building. The Council will require a structural survey to be submitted with all planning application of this nature. This should include plans of any rebuilding that is proposed;</li> <li>2. be of a sufficient size to provide necessary living accommodation without the need for further extensions which would harm the character or appearance of the building, and</li> <li>3. the character of the building and its materials are appropriate to its surroundings and the building and its materials are worthy of retention because of its intrinsic interest or potential or its contribution to its setting, and</li> <li>4. the building has a genuine history of use for agriculture or another rural enterprise.</li> </ol>
<p><b>Policy BGF3 – Protecting Heritage Assets</b></p> <p><b>All new development within the conservation area and/or within the setting of a listed building will be expected to conserve and enhance the positive attributes of the designated heritage asset.</b></p>	<p><b>Key Statement DS1: Development Strategy</b></p> <p><b>Key Statement DS2: Presumption in Favour of Sustainable Development</b></p> <p><b>Key Statement EN5: Heritage Assets</b></p> <p>There will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. The Historic Environment and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits.</p>

<p><b>Development will not be permitted where it has a detrimental impact on the character of the conservation area, the setting of a listed building or on the identified open spaces within the conservation area.</b></p> <p><b>All new development within the Conservation Area will be expected to:</b></p> <ul style="list-style-type: none"> <li><b>a) Achieve continuity in street frontage and building lines set on the back edge of the pavement;</b></li> <li><b>b) Maintain the historic pattern of development by respecting the layout associated with the historic plots and the historic evolution of development in the immediate area;</b></li> <li><b>c) Complement the human scale, height and massing of the historic development in the immediate streetscape and the wider conservation area;</b></li> <li><b>d) Reflect the proportion of wall to openings found in the elevations of traditional buildings and employ robust detailing, avoiding use of applied features or detailing;</b></li> <li><b>e) Respect the historic hierarchy of development and detailing between principal and secondary street frontages, and within plots between frontage and rear elevations;</b></li> </ul>	<p>This will be achieved through:</p> <ul style="list-style-type: none"> <li>• Recognising that the best way of ensuring the long term protection of heritage assets is to ensure a viable use that optimises opportunities for sustaining and enhancing its significance.</li> <li>• Keeping Conservation Area Appraisals under review to ensure that any development proposals respect and safeguard the character, appearance and significance of the area.</li> <li>• Considering any development proposals which may impact on a heritage asset or their setting through seeking benefits that conserve and enhance their significance and avoids any substantial harm to the heritage asset.</li> <li>• Requiring all development proposals to make a positive contribution to local distinctiveness/sense of place.</li> <li>• The consideration of Article 4 Directions to restrict permitted development rights where the exercise of such rights would harm the historic environment.</li> </ul> <p><b>Policy DMG1: General Considerations</b></p> <p>In determining planning applications, all development must:</p> <p>Design</p> <ol style="list-style-type: none"> <li>1. be of a high standard of building design which considers the 8 Building in Context principles (from the CABE/English Heritage Building in Context Toolkit).</li> <li>2. be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.</li> <li>3. consider the density, layout and relationship between buildings, which is of major importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.</li> <li>4. use sustainable construction techniques where possible and provide evidence that energy efficiency, as described within Policy DME5, has been incorporated into schemes where possible.</li> <li>5. the Code for Sustainable Homes and Lifetime Homes, or any subsequent nationally recognised equivalent standards, should be incorporated into schemes.</li> </ol> <p>Access</p> <ol style="list-style-type: none"> <li>1. consider the potential traffic and car parking implications.</li> </ol>
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<p><b>f) Conceal any parking or servicing areas behind built frontages of appropriate scale;</b></p> <p><b>g) Reinforce local identity by the use of the traditional materials used in the conservation area;</b></p> <p><b>h) Re-use traditional buildings which contribute to townscape quality.</b></p> <p><b>There will be a presumption in favour of the retention of undesignated heritage assets within the Conservation Area.</b></p>	<ol style="list-style-type: none"> <li>2. ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated.</li> <li>3. consider the protection and enhancement of public rights of way and access.</li> </ol> <p>Amenity</p> <ol style="list-style-type: none"> <li>1. not adversely affect the amenities of the surrounding area.</li> <li>2. provide adequate day lighting and privacy distances.</li> <li>3. have regard to public safety and Secured by Design principles.</li> <li>4. consider air quality and mitigate adverse impacts where possible.</li> </ol> <p>Environment</p> <ol style="list-style-type: none"> <li>1. consider the environmental implications such as SSSIs, County Heritage Sites, Local Nature Reserves, Biodiversity Action Plan (BAP) habitats and species, Special Areas of Conservation and Special Protected Areas, protected species, green corridors and other sites of nature conservation.</li> <li>2. with regards to possible effects upon the natural environment, the Council propose that the principles of the mitigation hierarchy be followed. This gives sequential preference to the following: 1) enhance the environment 2) avoid the impact 3) minimise the impact 4) restore the damage 5) compensate for the damage 6) offset the damage.</li> <li>3. all development must protect and enhance heritage assets and their settings.</li> <li>4. all new development proposals will be required to take into account the risks arising from former coal mining and, where necessary, incorporate suitable mitigation measures to address them.</li> <li>5. achieve efficient land use and the reuse and remediation of previously developed sites where possible. Previously developed sites should always be used instead of greenfield sites where possible</li> </ol> <p>Infrastructure</p> <ol style="list-style-type: none"> <li>1. not result in the net loss of important open space, including public and private playing fields without a robust assessment that the sites are surplus to need. In assessing this, regard must be had to the level of provision and standard of public open space in the area, the importance of playing fields and the need to protect school playing fields to meet future needs. Regard will also be had to the landscape or townscape of an area and the importance the open space has on this.</li> </ol>
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	<ol style="list-style-type: none"> <li>2. have regard to the availability to key infrastructure with capacity. Where key infrastructure with capacity is not available it may be necessary to phase development to allow infrastructure enhancements to take place.</li> <li>3. consider the potential impact on social infrastructure provision.</li> </ol> <p>Other</p> <ol style="list-style-type: none"> <li>1. not prejudice future development which would provide significant environmental and amenity improvements.</li> </ol> <p><b>Policy DME2: Landscape and Townscape Protection</b>  Development proposals will be refused which significantly harm important landscape or landscape features including:</p> <ol style="list-style-type: none"> <li>1. traditional stone walls.</li> <li>2. ponds.</li> <li>3. characteristic herb rich meadows and pastures.</li> <li>4. woodlands.</li> <li>5. copses.</li> <li>6. hedgerows and individual trees (other than in exceptional circumstances where satisfactory works of mitigation or enhancement would be achieved, including rebuilding, replanting and landscape management).</li> <li>7. townscape elements such as the scale, form, and materials that contribute to the characteristic townscapes of the area.</li> <li>8. upland landscapes and associated habitats such as blanket bog.</li> <li>9. botanically rich roadside verges (that are worthy of protection).</li> </ol> <p><b>Policy DME4: Protecting Heritage Assets</b>  In considering development proposals, the Council will make a presumption in favour of the conservation and enhancement of heritage assets and their settings.</p> <ol style="list-style-type: none"> <li>1. <i>Conservation Areas</i>  Proposals within, or affecting views into and out of, or affecting the setting of a Conservation Area will be required to conserve and where appropriate enhance its character and appearance and those elements which contribute towards its significance. This should include considerations as to whether it conserves and enhances the special architectural and historic</li> </ol>
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	<p>character of the area as set out in the relevant Conservation Area Appraisal. Development which makes a positive contribution and conserves and enhances the character, appearance and significance of the area in terms of its location, scale, size, design and materials and existing buildings, structures, trees and open spaces will be supported.</p> <p>In the Conservation Areas there will be a presumption in favour of the conservation and enhancement of elements that make a positive contribution to the character or appearance of the Conservation Area.</p> <p><i>2. Listed Buildings and Other Buildings of Significant Heritage Interest</i>  Alterations or extensions to Listed Buildings or buildings of local heritage interest, or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported.</p> <p>Any proposals involving the demolition or loss of important historic fabric from Listed Buildings will be refused unless it can be demonstrated that exceptional circumstances exist.</p> <p><i>3. Registered Historic Parks and Gardens of Special Historic Interest and Other Gardens of Significant Heritage Interest</i>  Proposals which cause harm to or loss of significance to registered parks, gardens or landscapes of special historic interest or other gardens of significant local heritage interest, including their setting, will not be supported.</p> <p><i>4. Scheduled Monuments and Other Archaeological Remains</i>  Applications for development that would result in harm to the significance of a Scheduled Monument or nationally important archaeological sites will not be supported.</p> <p>Developers will be expected to investigate the significance of non-designated archaeology prior to determination of an application. Where this demonstrates that the significance is equivalent to that of designated assets, proposals which cause harm to the significance of non-designated assets will not be supported.</p> <p>Where it can be demonstrated that that the substantial public benefits of any proposals outweigh the harm to or loss of the above, the Council will seek to ensure mitigation of damage through preservation of remains in situ as the preferred solution. Where this is not</p>
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	<p>justified developers will be required to make adequate provision for excavation and recording of the asset before or during excavation.</p> <p>Proposals should also give adequate consideration of how the public understanding and appreciation of such sites could be improved.</p> <p>In line with NPPF, Ribble Valley aims to seek positive improvements in the quality of the historic environment through the following:</p> <ul style="list-style-type: none"> <li>a) monitoring heritage assets at risk and; <ul style="list-style-type: none"> <li>i) supporting development/re-use proposals consistent with their conservation;</li> <li>ii) considering use of legal powers (Building Preservation Notices, Urgent Works Notices) to ensure the proper preservation of Listed Buildings and buildings within the Conservation Areas.</li> </ul> </li> <li>b) supporting redevelopment proposals which better reveal the significance of heritage assets or their settings.</li> <li>c) production of design guidance.</li> <li>d) keeping conservation area management guidance under review.</li> <li>e) use of legal enforcement powers to address unauthorised works where it is expedient to do so.</li> <li>f) assess the significance and opportunities for enhancement of non-designated heritage assets through the development management process.</li> </ul>
<p><b>POLICY BBGF4 – General Design Principles</b></p> <p><b>All new development within the designated area will be permitted when it meets the following criteria:</b></p> <ul style="list-style-type: none"> <li><b>a) Demonstrates consideration has been given to the use of brownfield sites/conversion of existing buildings;</b></li> <li><b>b) Is capable of being connected to essential infrastructure and services;</b></li> </ul>	<p><b>Key Statement DS1: Development Strategy</b></p> <p><b>Key Statement DS2: Presumption in Favour of Sustainable Development</b></p> <p><b>Key Statement EN3: Sustainable Development and Climate Change</b></p> <p>The Council will seek to ensure that all development meets an appropriate recognised sustainable design and construction standard where viable to do so, in order to address both the causes and consequences of climate change. In particular, all development will be required to demonstrate how it will contribute towards reducing the Borough's carbon footprint. The Council will assess applications against the current Code of Sustainable Homes, Lifetime Homes and Buildings for Life and BREEAM standards, or any subsequent nationally recognised standards.</p>

<p><b>c) Does not have a detrimental effect on residential amenity by reason of noise or other nuisance;</b></p> <p><b>d) Does not have a severe cumulative adverse effect on the safe and efficient operation of the existing transport and road infrastructure;</b></p> <p><b>e) Does not result in the loss of an area which makes a significant contribution to public amenity by virtue of its open space character, appearance and function;</b></p> <p><b>f) Does not have a detrimental effect on the character of the surrounding landscape;</b></p> <p><b>g) Makes a contribution to local identity, and sense of place;</b></p> <p><b>h) Is suitable in terms of the overall design and appearance of the proposed development (including size, scale, density, layout, access, lighting, street furniture, and signage) when assessed in relationship with surrounding buildings, spaces, and other features of the street scene;</b></p> <p><b>i) Uses, and where appropriate re-uses local and traditional materials or suitable artificial alternatives;</b></p> <p><b>j) Ensures the use of space and landscape design is appropriate to the locality;</b></p> <p><b>k) Ensures movement to, within, around, and through the development is acceptable;</b></p>	<p>Proposals for the development of new renewable energy generation facilities, including onshore wind turbine technologies, will be considered. This will require the consideration of many factors including the need to reduce the area's carbon footprint whilst also recognising its exceptional environmental and landscape context.</p> <p>In adapting to the effects of climate change it is expected that proposals for development will demonstrate how sustainable development principles and sustainable construction methods, such as the use of sustainable drainage systems, will be incorporated.</p> <p>New development in vulnerable areas should ensure that risks can be managed through suitable measures, including through the conservation of biodiversity, improvement of ecological networks and the provision of green infrastructure.</p> <p>All development should optimise energy efficiency by using new technologies and minimising the use of energy through appropriate design, layout, material and landscaping and address any potential issues relating to flood risk.</p> <p>Ribble Valley Borough Council will liaise with the County Council over development within Mineral Safeguarding Areas (MSAs) in both proposing future site allocations and in determining planning applications. This liaison will include consideration of the issue of preventing the unnecessary sterilisation of mineral resources within MSAs and, where feasible and practicable, the prior extraction of mineral resources.</p> <p>On larger schemes, planning permission will only be granted for developments on sites that deliver a proportion of renewable or low carbon energy on site based on targets elaborated within the relevant Development Management policy and also incorporate recycled or reclaimed materials or minimise the use of energy by using energy efficiency solutions and technologies. Where developments fail to achieve any of these, it must be demonstrated why this cannot be achieved.</p> <p><b>Key Statement EN5: Heritage Assets</b></p> <p><b>Policy DMG1: General Considerations</b></p> <p><b>Policy DMG2: Strategic Considerations</b></p>
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<p>l) Encourages originality, innovation and initiative, where appropriate;  m) Includes energy efficiency and conservation measures;  n) Uses Sustainable Drainage Systems, where appropriate;  o) Is in accordance with all relevant policies of the Neighbourhood Plan and the Ribble Valley Core Strategy.</p>	<p><b>Policy DME2: Landscape and Townscape Protection</b></p> <p><b>Policy DME4: Protecting Heritage Assets</b></p>
<p><b>Policy BGF5 – Transport Improvements</b></p> <p><b>Developer contributions and Community Infrastructure Levy payments will be sought towards the following within the parish:</b></p> <p>a) Highway improvement schemes to promote the safety of pedestrians and cycle users;  b) Traffic calming measures, pedestrian priority schemes and the reduction in traffic speeds on routes through the village centre;  c) Increasing public and community transport to and from the designated area.</p> <p><b>All proposed transport improvements will be expected to conserve and enhance landscape character of the designated area</b></p> <p><b>The parish council will work with and encourage providers of public transport to provide as full a service as is needed</b></p>	<p><b>Key Statement DMI1: Planning Obligations</b></p> <p>Planning Obligations will be used as a mechanism to deliver development that contributes to the needs of local communities and sustainable development. Contributions can either be in kind or in the form of financial contribution with a clear audit trail of how any monies will be spent and in what time frame.</p> <p>Obligations will be negotiated on a site-by-site basis. The council has resolved to seek contributions in the following order of priority:</p> <ul style="list-style-type: none"> <li>• Affordable Housing (also taking into consideration the detailed Affordable Housing Key Statement)</li> <li>• Improvements required for highway safety that cannot be covered by planning condition or S278 Agreement</li> <li>• Open Space</li> <li>• Education</li> </ul> <p>Where there is a question of viability the council will require an open book approach to be taken when agreeing development costs, and developers will be required to meet the Council's costs for independent evaluation. The Council will develop, as appropriate, a Community Infrastructure Levy approach to infrastructure delivery.</p> <p><b>Key Statement DMI2: Transport Considerations</b></p> <p>New development should be located to minimise the need to travel. Also it should incorporate good access by foot and cycle and have convenient links to public transport to reduce the need for travel by private car.</p>

<p><b>to support future development in the village (See Appendix D)</b></p>	<p>In general, schemes offering opportunities for more sustainable means of transport and sustainable travel improvements will be supported. Sites for potential future railway stations at Chatburn and Gisburn will be protected from inappropriate development.</p> <p>Major applications should always be accompanied by a comprehensive travel plan.</p> <p><b>Policy DMG3: Transport and Mobility</b></p> <p>In making decisions on development proposals the Local Planning Authority will, in addition to assessing proposals within the context of the development strategy, attach considerable weight to:</p> <p>The availability and adequacy of public transport and associated infrastructure to serve those moving to and from the development</p> <ol style="list-style-type: none"> <li>1. the relationship of the site to the primary route network and the strategic road network.</li> <li>2. the provision made for access to the development by pedestrian, cyclists and those with reduced mobility.</li> <li>3. proposals which promote development within existing developed areas or extensions to them at locations which are highly accessible by means other than the private car.</li> <li>4. proposals which locate major generators of travel demand in existing centres which are highly accessible by means other than the private car.</li> <li>5. proposals which strengthen existing town and village centres which offer a range of everyday community shopping and employment opportunities by protecting and enhancing their vitality and viability.</li> <li>6. proposals which locate development in areas which maintain and improve choice for people to walk, cycle or catch public transport rather than drive between homes and facilities which they need to visit regularly.</li> <li>7. proposals which limit parking provision for developments and other on or off street parking provision to discourage reliance on the car for work and other journeys where there are effective alternatives.</li> </ol> <p>All major proposals should offer opportunities for increased use of, or the improved provision of, bus and rail facilities.</p>
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	<p>All development proposals will be required to provide adequate car parking and servicing space in line with currently approved standards.</p> <p>The Council will protect land currently identified on the Proposals Map from inappropriate development that may be required for the opening of stations at Gisburn and Chatburn. Any planning application relating to these sites will be assessed having regard to the likelihood of the sites being required and the amount of harm that will be caused to the possible implementation of schemes.</p> <p>The Council will resist development that will result in the loss of opportunities to transport freight by rail.</p>
<p><b>Policy BBGF6 – Supporting Development of Communications Infrastructure</b></p> <p>The development of new, high speed broadband infrastructure and mobile infrastructure to serve the Parish will be supported where it is sympathetically designed, and significant landscape and visual effects have been adequately mitigated.</p> <p>All new development will be required to make provision for high speed broadband.</p>	<p><b>Key Statement DS1: Development Strategy</b></p> <p><b>Key Statement DS2: Presumption in Favour of Sustainable Development</b></p> <p><b>Key Statement EN5: Heritage Assets</b></p> <p><b>Policy DMG1: General Considerations</b></p> <p><b>Policy DMG2: Strategic Considerations</b></p> <p><b>Policy DME2: Landscape and Townscape Protection</b></p> <p><b>Policy DME4: Protecting Heritage Assets</b></p>
<p><b>Policy BBGF7 – Footpaths/Connectivity</b></p> <p>Proposals for the enhancement and improvement of the existing footpath network within the designated area will be supported.</p> <p>Proposals for improved linkages and accessibility within Bolton by Bowland</p>	<p><b>Policy DMG1: General Considerations</b></p> <p><b>Policy DME2: Landscape and Townscape Protection</b></p> <p><b>Policy DMB5: Footpaths and Bridleways</b></p> <p>The borough council will seek to ensure the retention, maintenance and improvement of by-ways and un-surfaced/unclassified roads as part of the public rights of way network. In situations where a public right of way will inevitably become less attractive (due to</p>

<p><b>and Gisburn Forest and to the areas beyond will be supported.</b></p> <p><b>All new proposals should include the following enhancements to maximise accessibility to residents and to support local biodiversity:</b></p> <p><b>a) Enhanced public access and appropriate signage from residential areas;</b></p> <p><b>b) New footpaths and cycle routes linking to existing and new networks;</b></p> <p><b>c) Linkages to wildlife corridors and actions to promote biodiversity conservation along routes to support local biodiversity objectives such as provision of new areas of woodland, new hedgerows, grassland and wetland habitats.</b></p>	<p>adjacent/surrounding development), the policy should require compensatory enhancements such that there is a net improvement to the public right of way network.</p> <p>The Borough Council will, unless suitable mitigation measures are made, protect from the development footpaths which:</p> <ol style="list-style-type: none"> <li>1. provide a link between towns/villages and attractive open land;</li> <li>2. link with the Ribble Way footpath;</li> <li>3. are associated to the local nature reserves; and</li> <li>4. are heavily used.</li> </ol>
<p><b>Policy BBGF8 – Supporting Existing Local Employment.</b></p> <p><b>Existing sources of local employment will be protected, wherever possible.</b></p> <p><b>Development or change of use of existing employment premises to alternative uses will only be permitted when:</b></p> <p><b>a) The employment premises have been empty for a period of six months or more and during that time actively</b></p>	<p><b>Key Statement DS1: Development Strategy</b></p> <p><b>Key Statement DS2: Presumption in Favour of Sustainable Development</b></p> <p><b>Key Statement EC1: Business and Employment Development</b></p> <p>Employment development will be directed towards the main settlement of Clitheroe, Whalley and Longridge as the preferred locations to accommodate employment growth together with land at Barrow Enterprise Site, the Lancashire Enterprise Zone at Samlesbury and locations well related to the A59 corridor.</p> <p>The Council, in line with the evidence it has gathered, will aim to allocate an additional 8 hectares of land for employment purpose in appropriate and sustainable locations during the lifetime of this plan.</p>

<p><b>marketed without securing a viable alternative employment use;</b></p> <p><b>b) it is in accordance with the relevant policies of the Ribble Valley Core Strategy.</b></p>	<p>Land will be made available for employment use in order to support the health of the local economy and wider sustainable job creation. The expansion of existing businesses will, wherever appropriate, be considered favourably.</p> <p>In considering the development of land for economic development and in determining where this land will be located, priority will be given to the use of appropriate Brownfield sites to deliver employment-generating uses including a preference for the re-use of existing employment sites before alternatives are considered.</p> <p>New sites will be identified in accord with the development strategy where the health of the local and, in relevant cases, the wider economy support such release. Opportunities to identify land as part of appropriate mixed-use schemes within any strategic land release will be considered favourably.</p> <p>Developments that contribute to farm diversification, strengthening of the wider rural and village economies or that promote town centre vitality and viability will be supported in principle.</p> <p>Proposals that result in the loss of existing employment sites to other forms of development will need to demonstrate that there will be no adverse impact upon the local economy.</p> <p>The Council considers, in line with neighbouring authorities and other bodies, that the BAe Samlesbury site should be regarded as a regionally significant employment site with considerable potential to accommodate a variety of advanced knowledge based industries in the future. This has been recognised by the Government’s creation of an Enterprise Zone at this location. As such the site is not considered part of the borough’s general employment land supply.</p> <p>The Council will therefore support the delivery of the Enterprise Zone and has produced a Local Development Order to achieve this.</p> <p><b>Key Statement EC2: Development of Retail, Shops and Community Facilities and Services</b></p>
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	<p>Development that supports and enhances the vibrancy, consumer choice and vitality and unique character of the area's important retail and service centres of Clitheroe, Longridge and Whalley will be supported in principle.</p> <p>Proposals that have an adverse impact on existing community facilities would only be permitted as an exception where the proposed development would bring defined and demonstrable benefits.</p> <p>The Council will put in place detailed development plans as appropriate to provide a strategic framework to guide the future development of the centres and support appropriate sustainable growth.</p> <p>The Council will also continue to require robust evidence that much needed smaller retail and other facilities in the more rural parts of the area are no longer viable before considering other forms of use.</p> <p>Provision for new convenience retail floor space of up to 1815 sq. m for Clitheroe, 140 sq. m for Longridge and 250 sq. m for Whalley will be allocated.</p> <p>Provision for new comparison retail floor space of up to 2630 sq. m for Clitheroe, 640 sq. m for Longridge and 240 sq. m for Whalley will be allocated.</p> <p><b>Policy DMB1: Supporting Business Growth and The Local Economy</b>  Proposals that are intended to support business growth and the local economy will be supported in principle. Development proposals will be determined in accord with the core strategy and detailed policies of the LDF as appropriate.</p> <p>The borough council may request the submission of supporting information for farm diversification where appropriate.</p> <p>The expansion of existing firms within settlements will be permitted on land within or adjacent to their existing sites, provided no significant environmental problems are caused and the extension conforms to the other plan policies of the LDF.</p>
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	<p>The expansion of established firms on land outside settlements will be allowed provided it is essential to maintain the existing source of employment and can be assimilated within the local landscape. There may be occasions where due to the scale of the proposal Relocation to an alternative site is preferable.</p> <p>Proposals for the development, redevelopment or conversion of sites with employment generating potential in the plan area for alternative uses will be assessed with regard to the following criteria:</p> <ol style="list-style-type: none"> <li>1. The provisions of Policy DMG1, and</li> <li>2. The compatibility of the proposal with other plan policies of the LDF, and</li> <li>3. The environmental benefits to be gained by the community, and</li> <li>4. The economic and social impact caused by loss of employment opportunities to the borough, and</li> <li>5. Any attempts that have been made to secure an alternative employment generating use for the site (must be supported by evidence (such as property agents' details including periods of marketing and response) that the property/ business has been marketed for business use for a minimum period of six months or information that demonstrates to the council's satisfaction that the current use is not viable for employment purposes.)</li> </ol>
<p><b>Policy BBGF9 – New Local Employment Opportunities.</b></p> <p>The development of new local employment opportunities will be permitted within the Neighbourhood Plan area providing that they:</p> <ol style="list-style-type: none"> <li>a) Do not have a detrimental impact on surrounding residential amenity;</li> <li>b) Do not lead to the loss of open space or green infrastructure;</li> <li>c) Are located close to existing highways and do not have an unacceptable impact on traffic.</li> </ol>	<p><b>Key Statement DS1: Development Strategy</b></p> <p><b>Key Statement DS2: Presumption in Favour of Sustainable Development</b></p> <p><b>Key Statement EC1: Business and Employment Development</b></p> <p><b>Key Statement EC2: Development of Retail, Shops and Community Facilities and Services</b></p> <p><b>Policy DMB1: Supporting Business Growth and The Local Economy</b></p>

<p>d) Are sustainable e) Are in accordance with all other relevant policies of this plan and the Ribble Valley Core Strategy.</p>	
<p><b>Policy BBGF10 – Rural Enterprise and Farm Diversification.</b></p> <p>The presumption is in favour of the retention of existing traditional buildings in the countryside, where appropriate. New employment development will be limited to the conversion of traditional agricultural buildings providing:</p> <p>a) The building forms part of an existing group of buildings and is not in an isolated location (visually and physically); and b) There is no detrimental effect on the form, design, character and setting of the building; and c) The building is capable of conversion without significant extension; and d) The building is structurally sound and capable of conversion without the need for complete or substantial reconstruction; and e) The conversion will not have a detrimental impact on the appearance or character of the landscape; and f) The conversion is in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, feature and building materials; and</p>	<p><b>Key Statement DS1: Development Strategy</b></p> <p><b>Key Statement DS2: Presumption in Favour of Sustainable Development</b></p> <p><b>Policy DMB1: Supporting Business Growth and The Local Economy</b></p> <p><b>Policy DMB2: The Conversion of Barns and Other Rural Buildings for Employment Uses</b></p> <p>Planning permission will be granted for employment generating uses in barns and other rural buildings, provided all of the following criteria are met:</p> <ol style="list-style-type: none"> <li>1. the proposed use will not cause unacceptable disturbance to neighbours in any way.</li> <li>2. the building has a genuine history of use for agriculture or other rural enterprise.</li> <li>3. the building is structurally sound and capable of conversion for the proposed use, without the need for major alterations which would adversely affect the character of the building.</li> <li>4. the impact of the proposal or additional elements likely to be required for the proper operation of the building will not harm the appearance or function of the area in which it is situated.</li> <li>5. the access to the site is of a safe standard or is capable of being improved to a safe standard without harming the appearance of the area.</li> <li>6. the design of the conversion should be of a high standard and be in keeping with local tradition, particularly in terms of materials, geometric form and window and door openings.</li> <li>7. that any existing nature conservation aspects of the existing structure are properly surveyed and where judged to be significant preserved or, if this is not possible, then any loss adequately mitigated.</li> </ol> <p>The conversion of buildings should be of a high standard and in keeping with local tradition. The impact of the development, including the creation of servicing, storage areas and car parking facilities (or other additions) should not harm the appearance or function of the area in</p>



<p><b>g) The conversion would not be detrimental to the continued agricultural operation of the farmstead as a whole.</b></p> <p><b>Any proposals will be expected to meet all other relevant policies within this plan and the Ribble Valley Core Strategy and have regard to the Historic Environment Local Management (HELM) Good Practice Guidance on the Conversion of Traditional Farm Buildings.</b></p>	<p>which it is situated. The AONB Management Plan should be considered and will be used by the Council in determining planning applications.</p> <p>Proposals for the conversion of buildings for employment purposes that include residential accommodation will be carefully assessed. The Council will require the submission of a business plan in support of the proposal where residential accommodation is required as part of the scheme in locations where the council would otherwise restrict the creation of dwellings. In all cases the proportion of living accommodation to workspace must not exceed a level of 60:40, workspace to living accommodation, and should form an integral part of the layout and design of the conversion.</p> <p>Proposals will be assessed in accordance with National Planning Guidance. The Council in accord with its vision and key statements wishes to create the right environment for business growth whilst ensuring development is sustainable.</p>
<p><b>Policy BBGF11 – Tourism Development.</b></p> <p><b>Proposals that contribute to the visitor economy and new visitor accommodation will be encouraged by the Neighbourhood Plan subject to the criteria within the relevant policies of the Ribble Valley Core Strategy.</b></p> <p><b>Proposals to change the use of existing holiday accommodation to permanent residential use will be resisted unless the development satisfies all the following criteria:</b></p> <p><b>a) Is in a sustainable location and forms part of an existing group of buildings; and</b></p> <p><b>b) Evidenced justification for the loss of the property as holiday accommodation; and</b></p>	<p><b>Key Statement DS1: Development Strategy</b></p> <p><b>Key Statement DS2: Presumption in Favour of Sustainable Development</b></p> <p><b>Key Statement EC3: Visitor Economy</b></p> <p>Proposals that contribute to and strengthen the visitor economy of Ribble Valley will be encouraged, including the creation of new accommodation and tourism facilities through the conversion of existing buildings or associated with existing attractions. Significant new attractions will be supported, in circumstances where they would deliver overall improvements to the environment and benefits to local communities and employment opportunities.</p> <p><b>Policy DMB1: Supporting Business Growth and The Local Economy</b></p> <p><b>Policy DMB2: The Conversion of Barns and Other Rural Buildings for Employment Uses</b></p> <p><b>Policy DMB3: Recreation and Tourism Development</b></p> <p>Planning permission will be granted for development proposals that extend the range of tourism and visitor facilities in the borough. This is subject to the following criteria being met:</p> <p>1. the proposal must not conflict with other policies of this Plan;</p>

<p><b>c) It involves the change of use to a dwelling for identified local need in accordance with Policies BB2 of this plan and Policy DMH1 of the Ribble Valley Core Strategy; and</b></p> <p><b>d) The building is capable of being permanently occupied without the need for any major reconstruction, extension or alteration that could be harmful to the character of the building or the amenity of neighbouring properties; and</b></p> <p><b>e) Sufficient curtilage space can be provided without harming the setting of the building or the character of the surrounding landscape.</b></p>	<ol style="list-style-type: none"> <li>2. the proposal must be physically well related to an existing main settlement or village or to an existing group of buildings, except where the proposed facilities are required in conjunction with a particular countryside attraction and there are no suitable existing buildings or developed sites available;</li> <li>3. the development should not undermine the character, quality or visual amenities of the plan area by virtue of its scale, siting, materials or design;</li> <li>4. the proposals should be well related to the existing highway network. It should not generate additional traffic movements of a scale and type likely to cause undue problems or disturbance. Where possible the proposals should be well related to the public transport network;</li> <li>5. the site should be large enough to accommodate the necessary car parking, service areas and appropriate landscaped areas; and</li> <li>6. the proposal must take into account any nature conservation impacts using suitable survey information and where possible seek to incorporate any important existing associations within the development. Failing this then adequate mitigation will be sought.</li> </ol>
<p><b>Policy BBGF12 – Protection of Local Green Spaces</b></p> <p>The following local green spaces listed below and shown on the Proposals Map are protected from development in accordance with Paragraphs 76 and 77 of the NPPF:</p> <p><b>Bolton by Bowland</b></p> <ol style="list-style-type: none"> <li>1. Village Green</li> <li>2. Stocks Green</li> <li>3. War memorial and garden</li> <li>4. Cricket Field/adjoining sports area</li> <li>5. Croft between church and Hellifield Road</li> <li>6. Parkland towards King Henry Mews</li> </ol>	<p><b>Key Statement DS1: Development Strategy</b></p> <p><b>Key Statement DS2: Presumption in Favour of Sustainable Development</b></p> <p><b>Key Statement EC2: Development of Retail, Shops and Community Facilities and Services</b></p> <p><b>Policy DMB4: Open Space Provision</b></p> <p>On all residential sites of over 1 hectare, the layout will be expected to provide adequate and usable public open space. On a site-by-site basis, the council will also negotiate for provision on smaller sites, or seek to secure an off-site contribution towards provision for sport and recreational facilities or public open space within the area where the overall level of supply is inadequate. Any green infrastructure should be multi-functional and encourage, where possible, walking and cycling opportunities.</p> <p>The Borough Council will refuse development proposals which involve the loss of existing public open space, including private playing fields which are in recreational use. In exceptional circumstances and following a robust assessment where the loss of a site is justifiable because of the social and economic benefits a proposed development would bring to the</p>

<p><b>Development will be ruled out except in very special circumstances.</b></p>	<p>community, consent may be granted where replacement facilities are provided, or where existing facilities elsewhere in the vicinity are substantially upgraded. These must be readily accessible and convenient to users of the former open space areas.</p> <p>It is important to protect existing recreational areas from development. Within defined settlements public recreational land will be identified on the Proposals Map.</p>
<p><b>Policy BBGF13 - Protection of Local Community Facilities</b></p> <p>There will be a presumption in favour of the re-use of local community facilities for health and community type uses. (Use Class D1)</p> <p>The change of use of existing facilities to other uses will not be permitted unless the proposals would bring defined and demonstrable benefits. This will include the following:</p> <ul style="list-style-type: none"> <li>a) any proposal investigates alternative provision, on a site within the locality, of equivalent or enhanced facilities. Such sites should be accessible by, walking and cycling and have adequate car parking; and</li> <li>b) satisfactory evidence is produced that there is no longer a need for the facility.</li> <li>c) The loss of the facility will include significant benefits to the local community in accordance with Policy EC2 of the Ribble Valley Core Strategy.</li> </ul>	<p><b>Key Statement DS1: Development Strategy</b></p> <p><b>Key Statement DS2: Presumption in Favour of Sustainable Development</b></p> <p><b>Key Statement EC2: Development of Retail, Shops and Community Facilities and Services</b></p>

<p>The Neighbourhood Plan will support proposals for new, and improvements to, existing community facilities. Development will be permitted where it is in accordance with the following criteria:</p> <ul style="list-style-type: none"> <li>d) the site is, wherever possible, located in or adjacent to the settlement boundary;</li> <li>e) the site is accessible by walking and cycling;</li> <li>f) there are opportunities to integrate services;</li> <li>g) detrimental impacts on road safety or traffic flow can be satisfactorily mitigated in the interests of both road users and users of the proposed development; and</li> <li>h) the proposal would not have an adverse effect on residential amenity.</li> <li>i) The proposal is in accordance with all other relevant policies.</li> </ul>	
<p><b>Policy BBGF14 - Protecting and Enhancing Local Landscape Character</b></p> <p>All development proposals will have to show regard to the distinctive landscape character of the Forest of Bowland Area of Outstanding Natural Beauty (AONB). New development proposals will be required to demonstrate consideration of the following landscape design</p>	<p><b>Key Statement DS1: Development Strategy</b></p> <p><b>Key Statement DS2: Presumption in Favour of Sustainable Development</b></p> <p><b>Key Statement EN2: Landscape</b></p> <p><b>Key Statement EN3: Sustainable Development and Climate Change</b></p> <p><b>Policy DMG1: General Considerations</b></p> <p><b>Policy DME1: Protecting Trees and Woodlands</b></p>

<p><b>principles in addition to all other relevant policies:</b></p> <ul style="list-style-type: none"> <li><b>a) Outside the identified settlement boundaries, retaining the development form of scattered hamlets and farmsteads within the wide setting of the area;</b></li> <li><b>b) Retaining existing field patterns and boundaries, including low hedgerows and tree cover;</b></li> <li><b>c) Protecting and enhancing areas of woodland.</b></li> <li><b>d) Using appropriate local building materials, which respect the building vernacular of existing settlements.</b></li> </ul>	<p>There will be a presumption against the clearance of broad-leaved woodland for development proposes. The Council will seek to ensure that woodland management safeguards the structural integrity and visual amenity value of woodland, enhances biodiversity and provides environmental health benefits for the residents of the borough. The Council encourages successional tree planting to ensure tree cover is maintained into the future.</p> <p>Where applications are likely to have a substantial effect on tree cover, the Borough Council will require detailed arboricultural survey information and tree constraint plans including appropriate plans and particulars. These will include the position of every tree on site that could be influenced by the proposed development and any tree on neighbouring land that is also likely to be with in influencing distance and could also include other relevant information such as stem diameter and crown spread.</p> <p>The Borough Council will ensure that:</p> <ol style="list-style-type: none"> <li>1. the visual, botanical and historical value, together with the useful and safe life expectancy of tree cover, are important factors in determining planning applications. This will include an assessment of the impact of the density of development, lay out of roads, access points and services on any affected trees.</li> <li>2. that a detailed tree protection plan is submitted with appropriate levels of detail.</li> <li>3. site-specific tree protection planning conditions are attached to planning permissions.</li> </ol> <p>Tree Preservation Orders The Borough Council will make Tree Preservation Orders where important individual trees or groups of trees and woodland of visual, and/or botanical and/or historical value appears to be under threat. The Council will expect every tree work application for work to protected trees to be in accordance with modern arboricultural practices and current British Standards.</p> <p>Ancient Woodlands Development proposals that would result in loss or damage to Ancient Woodlands will be refused unless the need for, and the benefits of, the development in that location outweigh the loss of the woodland habitat. In addition, in circumstances where a development would affect an Ancient Woodland, the Borough Council will seek to include appropriate woodland planting and management regimes through planning conditions and agreements.</p> <p>Veteran and Ancient Trees</p>
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	<p>The Borough Council will take measures through appropriate planning conditions, legislation and management regimes to ensure that any tree classified identified as veteran/ancient tree is afforded sufficient level of protection and appropriate management in order to ensure its long term survivability.</p> <p>Hedgerows The Borough Council will use the hedgerow regulations to protect hedgerows considered to be under threat and use planning conditions to protect and enhance hedgerows through the use of traditional management regimes and planting with appropriate hedgerow species mix.</p> <p><b>Policy DME2: Landscape and Townscape Protection</b></p>
<p><b>Policy BBGF15 Water Management and surface water run-off</b></p> <p><b>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 wherever possible.</b></p> <p><b>The design of new buildings and infrastructure should take account of existing topography to manage the flow of water along specific flow routes away from property and into appropriate storage facilities.</b></p> <p><b>Water attenuation facilities such as lagoons, ponds and swales should be provided within development sites.</b></p>	<p><b>Key Statement DS1: Development Strategy</b></p> <p><b>Key Statement DS2: Presumption in Favour of Sustainable Development</b></p> <p><b>Key Statement EN3: Sustainable Development and Climate Change</b></p> <p><b>Policy DME6: Water Management</b> Development will not be permitted where the proposal would be at an unacceptable risk of flooding or exacerbate flooding elsewhere.</p> <p>Applications for development should include appropriate measures for the conservation, protection and management of water such that development contributes to:</p> <ol style="list-style-type: none"> <li>1. preventing pollution of surface and / or groundwater</li> <li>2. reducing water consumption</li> <li>3. reducing the risk of surface water flooding (for example the use of Sustainable Drainage Systems (SuDS))</li> </ol> <p>As a part of the consideration of water management issues, and in parallel with flood management objectives, the authority will also seek the protection of the borough's water courses for their biodiversity value.</p>

<p><b>Sustainable design of buildings which support rain water harvesting are supported. Storage of rain water for non-drinking water purposes such as watering gardens and flushing toilets is encouraged.</b></p> <p><b>Areas of hard standing such as driveways and parking areas should be minimised and porous materials used where possible.</b></p>	<p>All applications for planning permission should include details for surface water drainage and means of disposal based on sustainable drainage principles. The use of the public sewerage system is the least sustainable form of surface water drainage and therefore development proposals will be expected to investigate and identify more sustainable alternatives to help reduce the risk of surface water flooding and environmental impact.</p>
<p><b>Policy BBGF16 – Renewable Energy</b></p> <p><b>Where appropriate, micro and small scale wind energy and micro hydro power development as defined below may be accommodated within the landscape.</b></p> <p><b>Micro scale wind energy development particularly in locations where there would be a strong functional relationship with existing development such as farm buildings and views of it would be constrained by the topography is likely to be the most appropriate form of wind energy development for the AONB. Small scale wind farms may be appropriate for the AONB provided that they do not cause unacceptable harm to the natural beauty and special quality of the landscape. In all instances, micro and small scale wind energy development should:</b></p>	<p><b>Key Statement EN2: Landscape</b></p> <p><b>Key Statement EN3: Sustainable Development and Climate Change</b></p> <p><b>Policy DME2: Landscape and Townscape Protection</b></p> <p><b>Policy DME5: Renewable Energy</b></p> <p>The Borough Council will support the development of renewable energy schemes, providing it can be shown that such developments would not cause unacceptable harm to the local environment or local amenity. In assessing proposals, the Borough Council will have particular regard to the following issues:</p> <ol style="list-style-type: none"> <li>1. the immediate and wider impact of the proposed development on the landscape, including its visual impact and the cumulative impacts of development.</li> <li>2. the measures taken to minimise the impact of the proposals on residential amenity</li> <li>3. the potential benefits the proposals may bring</li> <li>4. the visual impact of the proposals, including design, colour and scale</li> <li>5. the degree to which nuisance caused by noise and shadow flicker to nearby residential amenities, agricultural operations, recreational areas or the function of the countryside can be minimised</li> <li>6. national or local targets for generating energy from renewable sources and for reducing carbon emissions as specified within Policy DMG1</li> <li>7. the potential impact on biodiversity.</li> </ol>

<ul style="list-style-type: none"> <li>• <b>be of a form and design that is appropriate for the landscape and visual characteristics of the location; and</b></li> <li>• <b>be an appropriate scale for the location; and</b></li> <li>• <b>not be sited on a skyline or close to a prominent feature or within the setting of important historic features or landscapes; and</b></li> <li>• <b>not have significant cumulative impacts with other operational or consented wind energy development; and</b></li> <li>• <b>be located away from remote and wilder areas; and</b></li> <li>• <b>be within existing built areas – e.g. farmstead or settlement – where a strong functional relationship would be established rather than in isolated locations away from other built structures.</b></li> </ul> <p><b>A micro hydro scheme will only be acceptable where it satisfies all of the following criteria</b></p> <ul style="list-style-type: none"> <li>• <b>it appears as a minor, isolated feature within a large scale landscape or in locations where there is a direct relationship with existing development such as settlements or access routes;</b></li> <li>• <b>Buildings or other associated developments are of an appropriate</b></li> </ul>	<p>The Council will require decentralised and renewable or low carbon energy in new developments to meet national standards</p> <p>Development proposals within or close to the AONB, Sites of Special Scientific Interest, Special Areas of Conservation and Special Protection Areas, notable habitats and species, Local Nature Reserves, Biological Heritage Sites or designated heritage assets and their setting will not be allowed unless:</p> <ol style="list-style-type: none"> <li>1. the proposals cannot be located outside such statutory designated areas</li> <li>2. it can be demonstrated that the objectives of the designation of the area or site will not be compromised by the development</li> <li>3. any adverse environmental impacts as far as practicable have been mitigated</li> </ol>
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<p>scale, carefully sited and sympathetic to the local vernacular; and</p> <ul style="list-style-type: none"><li>• Mitigation of landscape and visual impact.</li></ul> <p>Development for Photovoltaics, Biomass, Anaerobic Digestion and Heatpumps will be supported where proposals are in accordance with the guidance within the Forest of Bowland Renewable Energy Position Statement and the policies of the Ribble Valley Core Strategy</p>	
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## **Be Compatible with EU Obligations**

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

The Neighbourhood Plan has been subjected to a Strategic Environmental Assessment undertaken by JBA Consulting

The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below.

The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights ("The Convention"). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely:

Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission Neighbourhood Plan is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. 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.

Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual's rights and obligations. The process for Neighbourhood Plan production is fully compatible with this Article, allowing for extensive consultation on its proposals at various stages, and an independent examination process to consider representations received.

Article 14 provides that "The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status." The Group Parish Council has developed the policies and proposals within the Plan in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group of individuals.



Bolton by Bowland and Gisburn Forest Neighbourhood Plan  
Basic Conditions Statement — September 2016