

# DEVELOPMENT MANAGEMENT DPD - PROPOSED **MAIN** MODIFICATIONS SCHEDULE (JULY 2019)

MODIFICATION NUMBER	CHAPTER NUMBER	POLICY NUMBER	PAGE NUMBER	PARAGRAPH NUMBER	TEXT IN PUBLICATION VERSION	PROPOSED AMENDMENT	REASON FOR AMENDMENT		
THROUGHOUT DOCUMENT	N/A	N/A	N/A	N/A	Not Applicable	To ensure consistency throughout the document, policy numbers have been updated to reflect any deletions to policies, additional policies proposed and the consequential re-numbering of remaining policies in both DPD to reflect these modifications. In all cases these are highlighted as 'minor' modifications in the tracked-change DPD but are not shown individually within this Schedule.	To ensure consistency across both the Strategic Policies & Land Allocations DPD and the Development Management DPD.		
DM MOD_01	CHAPTER 5 HOUSING	Policy DM1	11	5.3	Bullet Point II That individual sites maximise their contributions towards the delivery of a wide range of affordable housing and, collectively, to assist in meeting Lancaster District's identified housing needs and affordable housing target of up to 40%;	Bullet Point II <del>That individual sites maximise their contribution towards the delivery of a wide range of affordable housing and, collectively, to assist in meeting Lancaster District's identified housing needs, <u>including affordable housing</u> and affordable housing target of up to 40%;</del>	Viability evidence identifies that the level of affordable housing that can be achieved varies in different parts of the district.		
DM MOD_02		Policy DM2	14	New	Add a new paragraph after 5.18	<del><u>The Council understands from the Spring Statement 2019 that a future Homes Standard will be brought in by the Government in the coming years (by 2025), to increase energy efficiency standards beyond that currently required under mandatory Building Regulations Part (L) by removing traditional fossil fuel heating systems in new dwellings. Until such a time the Council will encourage proposals which seek to go beyond required standards (i.e. in meeting the energy efficiency savings equivalent to the now abolished Code Level 4 of the Code for Sustainable Homes).</u></del>	To provide further clarity on this matter.		
						15-16	New	Add Paragraph	Additional paragraph to read <u>Where it can be demonstrably argued through the provision of evidence by an applicant and agreed with the Local Planning Authority that building homes to Nationally Described Space Standards will result in schemes being unviable, consideration will be given to how viability constraints may be overcome, which may result in flexibility being given to the requirements of the policy.</u>
DM MOD_03 [Continued on next page]		Policy DM3	16	5.27	Last Sentence In the remaining parts of the District the City Council will require all proposals for residential development of more than ten dwellings or which have a combined gross floorspace of 1,000 square metres or more (not including replacement dwellings) to contribute towards the delivery of on-site affordable housing.	<del><u>In accordance with national policy, outside of the districts two Areas of Outstanding Natural Beauty, affordable housing provision will only be sought on major developments. As a result of marginal viability affordable housing will not be sought on schemes which are for apartments only or schemes which are located on brownfield sites located in a Morecambe or Heysham ward.</u> In the remaining parts of the District the City Council will require all proposals for residential development of more than ten dwellings or which have a combined gross floorspace of 1,000 square metres or more (not including replacement dwellings) to contribute towards the delivery of on-site affordable housing.</del>	To provide greater consistency with national planning policy and to clarify this matter.		
						5.30	Schemes of fewer than 11 dwellings but exceed 1,000 square metres Gross Internal Area will be expected to contribute towards affordable housing through providing 20% of homes as affordable housing.	<del><u>Schemes of fewer than 11 dwellings but exceed 1,000 square metres Gross Internal Area will be expected to contribute towards affordable housing through providing 20% of homes as affordable housing. <u>Affordable housing requirements for the two Areas of Outstanding Natural Beauty within the district are set out within separate policies. Please refer to Policy DM6 of this DPD for the Forest of Bowland AONB. For proposals within the Arnsdale &amp; Silverdale AONB please refer to Policy AS03 of the Arnsdale &amp; Silverdale AONB DPD.</u></u></del>	To correspond with the changes to the thresholds and percentages within the policy and as submitted on Day 9 of the Examination.
								17	5.32
5.33		Delete Paragraph All other types of affordable housing as proposed to be introduced through the emerging revisions to the National Planning Policy Framework will be recognised within the district. However, the preferred means of delivering intermediate tenure within the District is shared ownership housing or intermediate rent.	Delete Paragraph <del>All other types of affordable housing as proposed to be introduced through the emerging revisions to the National Planning Policy Framework will be recognised within the district. However, the preferred means of delivering intermediate tenure within the District is shared ownership housing or intermediate rent.</del>	To reflect the updated NPPF and as submitted on Day 9 of the Examination.					

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DM MOD_03 (continued on next page)	CHAPTER 5 HOUSING	Policy DM3	17	5.34	The Council requires rented affordable and social housing in all instances to be delivered in partnership with Registered Providers, other than the Government's proposed form of affordable housing known as affordable private rent which is expected to be brought forward through Built to Rent schemes which may be delivered by specialist companies. Given that the Council requires a minimum of 50% nomination rights and already has robust nomination agreements in place with all partner Registered Providers with the exception of community led development, which are set out in more detail via Policy DM12 of this DPD. The Council sees this approach as the preferred method of delivery.	The Council requires rented affordable and social housing in all instances to be delivered in partnership with Registered Providers. <del>Exceptions to this are for community-led developments as classified under Policy DM12 of this DPD or , other than the Government's proposed form of affordable housing known as affordable private rent which is expected to be brought forward through</del> <u>delivered as part of a Built to Rent Scheme, s which may be delivered by specialist companies.</u> Given that the Council requires a minimum of 50% nomination rights and already has robust nomination agreements in place with all partner Registered Providers with the exception of community led development, which are set out in more detail via Policy DM12 of this DPD. The Council sees this approach as the preferred method of delivery.	To provide further clarity on this matter and as submitted on Day 9 of the Examination.
			18	New	Add additional map which identifies the affordable housing areas referred to in DM3. Entitled 'Affordable Housing Requirements in Lancaster District - Source Lancaster CC'	Due to the size and detail on the map this modification can be viewed in the accompanying tracked-changed Review of the Development Management DPD.	To strengthen the policy in line with the evidence base as discussed on Day 2 of the Examination and as submitted on Day 9 of the Examination.
			19	5.37	Second Sentence The replacement off-site affordable dwellings will be in addition to any other affordable dwellings generated from any new market dwellings on the alternative site.	Second Sentence The replacement off-site affordable dwellings will be in addition to any other affordable dwellings generated from any new market dwellings on <u>both the original and</u> the alternative site and should be considered to be of equivalent value / suitability.	To provide greater clarity and as submitted on Day 9 of the Examination.
			20	N/A	<u>Affordable housing thresholds</u> Other than in the most exceptional circumstances or for schemes within the West End Masterplan and Morecambe Area Action Plan boundaries, new housing development must contribute towards the provision of affordable housing and meet the requirements set out in the table below. The Council will consider detailed proposals for new housing development that falls into Use Class C3 with reference to the following requirements:	<u>Affordable housing thresholds</u> <del>Other than in the most exceptional circumstances or for schemes within the West End Masterplan and Morecambe Area Action Plan boundaries, new housing development must</del> <u>Proposals for new residential development will be required to</u> contribute towards the provision of affordable housing and meet the requirements set out in the table below. The Council will consider detailed proposals for new housing development that falls into Use Class C3 with reference to the following requirements:	To provide greater clarity as discussed on Day 2 of the Examination and as submitted on Day 9 of the Examination.
					Delete Existing Table and Replace Reference Affordable Housing Target by Development Type (Average) 15 plus Urban Minimum 30% (Brownfield and Greenfield) up to 40% (Greenfield) On site 11 plus Rural (excluding AONB's) Minimum 30% (Brownfield and Greenfield) up to 40% (Greenfield) On site 11 to 14 Urban Minimum 20% On site Developments exceeding 1,000 sqm (Gross Internal Area) and under 11 units Urban/Rural Minimum 20% On site Affordable housing requirements within the Arnsdale & Silverdale AONB are identified within the Arnsdale & Silverdale AONB DPD and requirements for Forest of Bowland AONB identified under Policy DM6 of this DPD.	Replace Table with: <u>Reference Affordable Housing Target by Development Type</u> <u>Lancaster and Carnforth and Rural West*</u> <u>Greenfield 15 and over On site 30%</u> <u>Greenfield 10-14 On site 20%</u> <u>Brownfield 10 and over On site 20%</u> <u>Morecambe, Heysham and Overton</u> <u>Greenfield 10 and over On site 15%</u> <u>Rural East**</u> <u>Greenfield 10 and over On site 40%</u> <u>Brownfield 10 and over On site 30%</u> <u>Nil contribution will be sought on schemes of less than 10 units outside of the districts two Areas of Outstanding Natural Beauty, nor will any contribution be sought on schemes in any part of the district which comprise solely of apartment led development or brownfield development in Morecambe and Heysham. No affordable housing will be sought from proposals located within the boundaries of the Morecambe Area Action Plan.</u> <u>* Rural West includes the wards of Ellel and Bolton-with-Slyne</u> <u>**Rural East includes the wards of Halton with Aughton, Kellet, Lower Lune Valley and Upper Lune Valley (excluding any part of the Forest of Bowland AONB)</u>	To reflect viability evidence as discussed on Day 2 of the Examination and submitted on Day 9 of the Examination.
					Additional paragraph to be added under the affordable housing table in Policy DM3.	<u>Affordable housing requirements within the Arnsdale &amp; Silverdale AONB are identified within the Arnsdale &amp; Silverdale AONB DPD and requirements for Forest of Bowland AONB are identified under Policy DM6 of this DPD.</u>	To provide consistency with the wider Local Plan and submitted on Day 9 of the Examination.
21		Criterion II The form of provision, location within a site and the means of delivery will be subject to negotiation at the time of a planning application. However, close consideration of the latest available evidence will be required including the most up to date Strategic Housing Market Assessment or where there is an up-to-date village or parish housing needs assessment that is a more appropriate indication of housing need.	Criterion II <del>The size, type, tenure form of provision, location within a site and the means of delivery of affordable housing will</del> <u>accord with</u> be subject to negotiation at the time of a planning application. However, close consideration of the latest available evidence will be required including the most up to date Strategic Housing Market Assessment or where there is an up-to-date village or parish housing needs assessment where that is a more appropriate indication of housing need, unless the exceptional circumstances identified in DM1 are met.	To provide further clarity to the policy and submitted on Day 9 of the Examination.			

# DEVELOPMENT MANAGEMENT DPD - PROPOSED **MAIN** MODIFICATIONS SCHEDULE (JULY 2019)

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DM MOD_03	CHAPTER 5 HOUSING	Policy DM3	21	N/A	Creation of a new criterion in Policy DM3.	New Criterion <u>Where affordable housing is being delivered, the Council will seek to ensure an appropriate tenure mix using the following percentages as a guide (sizes and types as set out in Policy DM1).</u> • 60% affordable/social rent and 40% intermediate tenure; or • 50% affordable or social rent and 50% intermediate tenure.	To strengthen the policy in line with the evidence base as discussed on Day 2 of the Examination and as submitted on Day 9 of the Examination.				
DM MOD_04		Policy DM5	24	N/A	Criterion I Housing meets the needs of the local community as evidenced through an up-to-date Housing Needs Survey;	Criterion I Housing meets the needs of the local community <u>(either through as evidenced in the Strategic Housing Market Assessment or other local housing needs assessment or any other suitable evidence undertaken as part of a neighbourhood plan)</u> through an up-to-date Housing Needs Survey;	To provide further clarity within the policy on this matter.				
DM MOD_05		Policy DM6	27	N/A	In determining whether a proposed development constitutes major development the Council will consider whether by reason of its scale, character of nature, the proposal has the potential to have significant adverse impact on the natural beauty of the AONB.	In determining whether a proposed development constitutes major development the Council will consider whether by reason of its scale, <u>form</u> , character and of nature, the proposal has the potential to have significant adverse impact on the natural beauty of the AONB.	To provide greater clarity within the policy on this matter.				
DM MOD_06		Policy DM9	31	New	Add Paragraph before DM9, after paragraph 5.78		Additional Paragraph <u>There is a preference for new sites to be located in the urban areas of Lancaster, Morecambe, Heysham or Carnforth as this is where services are generally best provided such as healthcare, education etc. However, it is recognised that identifying sites for gypsy and traveller uses is challenging, with the Council having already undertaken two call for sites exercises. Therefore where proposals come forward in Sustainable Settlements which are in the rural area and meet the other criteria set out in the policy the Council may considered these favourably if it can be demonstrated that no suitable sites exist in the urban area.</u>	To provide greater clarity and reflect proposed changes to the policy.			
							N/A	32	Delete Criterion III Are located within the urban area of Lancaster, Morecambe, Heysham or Carnforth. Sites in other locations will only be considered if it can be demonstrated that appropriate sites cannot be provided within the specified urban areas.	Replace Criterion III with <u>Are in a sustainable location. Preference will be given to new sites within the urban areas of Lancaster, Morecambe, Heysham or Carnforth. However, sites in Sustainable Settlements in accordance with the Settlement Hierarchy set out in Policy SP2 of the Strategic Policies &amp; Land Allocations DPD will be considered where it can be demonstrated that appropriate sites cannot be provided within the specified urban areas and that the proposal would neither dominate nor be disproportionate to the scale of the existing community.</u>	To provide flexibility and accord ensure greater accordance with the settlement hierarchy in SP2. The wording has been amended from that submitted on Day 9 of the Examination to include reference to the Settlement Hierarchy set out in policy SP2.
								33	Criterion IX Are well planned and include soft landscaping and play areas for children where needed;	Criterion IX Are well planned and include soft landscaping and play areas for children where needed- <u>it would not be possible to access existing provision safely</u> ;	To provide greater clarity and submitted on Day 9 of the Examination.
									Criterion XI Are capable of providing adequate access to all emergency vehicles; and	Criterion XI <del>Are capable of providing</del> <u>Provide</u> adequate access to all emergency vehicles; and	To provide greater clarity and submitted on Day 9 of the Examination.
DM MOD_07 [Continued on next page]		Policy DM10	33	5.80 5.81	Delete paragraphs 5.80 and 5.81		The Council will support in principle the creation of residential dwellings to assist the ongoing agricultural / forestry holding subject to the requirements of Policy DM10 and a number of appropriate policy tests that are set out in Appendix F of this DPD. The first policy test seeks to establish whether there is a functional need for the dwelling and the second relates to the financial soundness of the existing agricultural / forestry enterprise.  It is important to establish whether the stated intentions to engage in farming or forestry enterprises are genuine, are reasonably likely to materialise and are capable of being sustainable for a reasonable period of time. It will also be important to establish that the need of the intended enterprise requires one or more of the people engaged in it to live nearby.	To provide greater consistency with national planning policy and to reflect discussions on Day 5 of the Examination.			
							34	N/A	Title <b>DM10: Accommodation for Agricultural and Forestry Workers</b>	Title <b>Policy DM10: Accommodation for <u>Rural</u> Agricultural and Forestry Workers</b>	To ensure consistency with national planning policy as submitted following discussions on Day 5 of the Examination.
									First Paragraph Proposals for residential accommodation for agricultural and forestry workers will be supported in principle subject to the following criteria:	First Paragraph Proposals for residential accommodation for <u>rural</u> agricultural and forestry workers will be supported in principle subject to the following criteria:	To ensure consistency with national planning policy as submitted following discussions on Day 5 of the Examination.

# DEVELOPMENT MANAGEMENT DPD - PROPOSED **MAIN** MODIFICATIONS SCHEDULE (JULY 2019)

MODIFICATION NUMBER	CHAPTER NUMBER	POLICY NUMBER	PAGE NUMBER	PARAGRAPH NUMBER	TEXT IN PUBLICATION VERSION	PROPOSED AMENDMENT	REASON FOR AMENDMENT	
DM MOD_07	CHAPTER 5 HOUSING	Policy DM10	34	N/A	Second Paragraph Proposals for new permanent dwellings will only be permitted where they support existing agricultural / forestry activities on well-established agricultural / forestry holdings provided they meet the following criteria:	Proposals for new permanent dwellings will only be permitted where they support existing agricultural / forestry / <u>rural based employment</u> activities on well-established agricultural / forestry holdings <u>and rural based businesses</u> provided they meet the following criteria:	To ensure consistency with national planning policy as submitted following discussions on Day 5 of the Examination.	
					Criterion II The need relates to a permanent full-time worker, or one who is primarily employed in agriculture or forestry and does not relate to a part-time requirement;	Criterion II The need relates to a permanent full-time worker, or one who is primarily employed in agricultural <u>e</u> , or forestry <u>or rural based business</u> and does not relate to a part-time requirement;	To ensure consistency with national planning policy as submitted following discussions on Day 5 of the Examination.	
					Criterion III The unit and agricultural / forestry activity concerned has been established for at least three years and passes the policy test relating to financial soundness set out in Appendix F of this DPD;	Criterion III The unit and agricultural / forestry / <u>rural based business</u> activity concerned <u>is economically viable</u> and has been established for at least three years <u>and passes the policy test relating to financial soundness set out in Appendix F of this DPD</u> ;	To ensure consistency with national planning policy as submitted following discussions on Day 5 of the Examination.	
					Third Paragraph If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural or other land-based unit or an established one it should normally for the first three years be provided by a caravan or wooden structure that can be easily dismantled and/or removed. Proposals for temporary dwellings will be expected to satisfy the following criteria:	Third Paragraph If a new dwelling is essential to support a new <u>rural</u> farming activity, whether on a newly-created agricultural or other <u>rural land-based business</u> unit or an established one it should normally for the first three years be provided by a caravan or wooden structure that can be easily dismantled and/or removed. Proposals for temporary dwellings will be expected to satisfy the following criteria:	To ensure consistency with national planning policy as submitted following discussions on Day 5 of the Examination.	
					Criterion IX Clear evidence is provided by the applicant that the proposed enterprise has been planned on a sound financial basis;	Criterion IX Clear evidence is provided by the applicant that the proposed enterprise is <u>economically viable</u> has been planned on a sound financial basis;	To ensure consistency with national planning policy as submitted following discussions on Day 5 of the Examination.	
				35	5.83	Delete paragraph 5.83.	Permission for permanent dwellings for agricultural / forestry workers will only be granted for enterprises and activities that are well established and are recognised to be on a sound financial position. Where Policy DM10 and the policy tests set out in Appendix F are successfully addressed, it will be necessary to ensure that such dwellings are kept available for meeting this need for as long as it exists. Therefore applicants can expect appropriate occupancy conditions to be applied to any planning permission.	To ensure consistency with national planning policy as submitted following discussions on Day 5 of the Examination.
DM MOD_08			Policy DM11	36	5.88	Additional sentence to be included to the end of paragraph 5.88	Additional text to be included: <u>With regard to car parking, such facilities will only be required where the scale or nature of the proposal is significant enough to generate the need for car parking to be provided.</u>	To provide further clarity to the policy.
					N/A	Criterion II That appropriate facilities and servicing is provided for including refuse disposal, sewerage disposal, a facilities building (which should incorporate toilets, showers and a laundry facility) and re-fuelling facilities.	Criterion II <u>It can be demonstrated</u> that appropriate facilities and servicing is provided <u>either on site or in close proximity to the site</u> , for including refuse disposal, sewerage disposal, a facilities building (which should incorporate toilets, showers and a laundry facility) and re-fuelling facilities.	To provide further clarity to the policy in response to the Inland Waterways comments.
DM MOD_09			Policy DM12	38	N/A	Second Paragraph Developers of strategic sites (sites and amount to be determined by the outcomes of the Strategic Housing Market Assessment) will be encouraged to make provision for a proportion of serviced plots of land to contribute towards meeting the evidenced demand for self, custom or community-led Housebuilding in the district.	Second Paragraph Developers of strategic sites ( <del>sites and amount to be determined by the outcomes of the Strategic Housing Market Assessment</del> ) <u>and other small sites</u> will be encouraged to <u>investigate the possibility of</u> making e provision for a proportion of serviced plots of land to contribute towards meeting the evidenced demand for self, custom or community-led Housebuilding in the district.	To provide further clarity to the policy and as agreed in the North Lancaster Statement of Common Ground with a further minor amendment.
DM MOD_10			Policy DM13		N/A	Criterion II Contribute towards the provision of affordable housing in accordance with Policy DM3;	Criterion II Contribute towards the provision of affordable housing in accordance with Policy DM3, <u>DM6 and the relevant policies of the Arnside &amp; Silverdale AONB</u> ;	To provide greater consistency within the Plan.
DM MOD_11 (continued on next page)	CHAPTER 6 EMPLOYMENT AND ECONOMIC GROWTH	Policy DM14	40	N/A	First Paragraph First Sentence Proposals for new employment premises should be located on allocated employment sites, as identified...	First Paragraph First Sentence Proposals for new employment premises should <u>preferably</u> be located on allocated employment sites, as identified...	To provide consistency within the policy, the wider plan as submitted on Day 9 of the Examination.	
			41	N/A	Fifth Paragraph The Council will seek the retention of land and buildings that are in an active employment use, have a previous recent history of employment use, or still has an economic value worthy of retention. Proposals that involve the use of employment land for alternative uses, such as residential, will only be permitted where:	Fifth Paragraph <u>The Council will seek to protect allocated for employment purposes under Policies EC1 and EC2 of the Strategic Policies &amp; Land Allocations DPD for their identified employment purpose. Outside of allocated employment areas,</u> <del>the</del> Council will seek the retention of land and buildings that are in an active employment use, have a previous recent history of employment use, or still has an economic value worthy of retention. Proposals that involve the use of employment land for alternative uses, such as residential, will only be permitted where <u>one of the following criteria are met</u> :	To provide greater consistency in the DPD and as submitted on Day 9 of the Examination.	

# DEVELOPMENT MANAGEMENT DPD - PROPOSED **MAIN** MODIFICATIONS SCHEDULE (JULY 2019)

MODIFICATION NUMBER	CHAPTER NUMBER	POLICY NUMBER	PAGE NUMBER	PARAGRAPH NUMBER	TEXT IN PUBLICATION VERSION	PROPOSED AMENDMENT	REASON FOR AMENDMENT
DM MOD_11	CHAPTER 6 EMPLOYMENT AND ECONOMIC GROWTH	Policy DM14	41	N/A	Criterion VI It has been demonstrated, through a satisfactory and robust marketing exercise that has taken place over a reasonable period of time (at least 12 months) that an ongoing use on the site / premises is no longer appropriate and viable. Such a marketing exercise should demonstrate that the site / premises has been marketed using appropriate media sources at a realistic price for both the existing use and for redevelopment (if appropriate) for other employment uses; or	Criterion VI It has been demonstrated through a satisfactory and robust marketing exercise that <del>that</del> <u>which</u> has taken place over a reasonable period of time (at least 12 months), that an ongoing use of <del>a</del> the site / premises is no longer appropriate and viable. <del>Such a</del> <u>The</u> marketing exercise should <u>include information on all offers made, together with copies of the sales particulars to</u> demonstrate that the site / premises has been marketed using appropriate media sources at a realistic price for both the existing use and for redevelopment (if appropriate) for other employment uses; or	To provide further clarity to the policy and as submitted on Day 9 of the Examination.
DM MOD_12	CHAPTER 7 TOWN CENTRES AND RETAILING	Policy DM16	45	N/A	Replace <b>Retail Impact Assessment</b> Proposals should be supported by a retail impact assessment in accordance with paragraph 26 of the National Planning Policy Framework where it results in the creation of floorspace of: • Over 500sqm in the Main Town Centres of Lancaster, Morecambe and Carnforth or within 800 metres of the defined town centre. • Over 200 sqm within defined local centres (as set out in Policy TC3 of the Strategic Policies and Land Allocations DPD) or within 800 metres of the defined local centre.	<b>Impact Assessment</b> <u>The Council will not expect or require Impact Assessments for proposals which are located within the defined city or town centres of Lancaster, Morecambe or Carnforth.</u> <u>Outside of City and Town Centre boundaries for Lancaster, Morecambe and Carnforth (as defined on the proposals map), the Council will require an impact assessment in accordance with paragraph 26 of the Framework for any proposals which result in the creation of over 500sqm of gross floorspace.</u>	To provide accuracy to the policy and reflect updates to national planning policy as submitted following discussions on Day 5 of the Examination..
DM MOD_13		Policy DM19	49	N/A	Criterion I The proposal generates no more than 150sqm gross floorspace;  Last Paragraph Retail proposals that exceed 150sqm should be generally directed towards defined town centres areas as identified in the Local Plan Policies Maps.	Criterion I The proposal generates no more than 150sqm gross floorspace <u>in total</u> ;  Last Paragraph Retail proposals that exceed 150sqm <u>will should</u> be generally directed towards defined <del>town</del> centres areas as identified on the Local Plan Policies Maps. <u>The cumulative impact of proposals will be considered in terms of the implication on the vitality and viability of defined centres in the locality.</u>	To provide consistency within the policy and the wider plan and in particular DM16 as submitted as submitted following discussions on Day 5 of the Examination.  To provide consistency within the policy and the wider plan and in particular DM16 as submitted as submitted following discussions on Day 5 of the Examination.
DM MOD_14 (Continued on next page)	CHAPTER 7 TOWN CENTRES AND RETAILING	Policy DM20	49	New	New paragraph to be added at the start of the background text section on Hot Food Takeaways	<u>The high concentration of hot-food takeaways in a small geographic area can have lead to significant amenity issues in the locality in terms of litter, noise, traffic and odour which can have wider detrimental impacts on the visual amenity of an area. The Council will therefore carefully consider application for new hot-food takeaways to deter clustering of such uses.</u>  <u>Beyond local amenity issues, National planning policy is clear that through both the plan-making and decision-taking processes the aim should be to deliver healthy, inclusive and safe places which, particularly in relation to public health, enable and support healthy lifestyles especially where this addresses identified local health and wellbeing needs. Examples of how this could be achieved include assess to a healthier range of food.</u>	As discussed and submitted following discussions on Day 8 of the Examination and to address issues raised in the Statement of Common Ground with Lancashire County Council.
			50	New	New paragraph to be added at to the background text section on Hot Food Takeaways	<u>Lancashire County Council Public Health Team have prepared a Public Health Advisory Note on 'Hot Food Takeaways and Spatial Planning' which was published in late 2017. This builds the on direction given at a national level and provides greater encouragement to local planning authorities to manage the level of new hot food takeaways to stop the proliferation of such uses which are particularly prevalent in areas of deprivation. This is highlighted through the use of the FEAT mapping tool in relation to the location of takeaways.</u>  <u>As Table 7.1 displays both Lancashire and Lancaster have significantly more fast food outlets per 100,000 population than England. Fast food outlets are defined as premises that prepare and supply food that is available quickly covering a range of outlets including (but not limited to) burger bars, kebab and chip shops, fish and chip shops. It excludes outlets classed as bakeries, as well as those to be considered cafes or restaurants. However, in the case of large fast food chains, all outlets including those classified as cafes and restaurants are included in the figures.</u>	As discussed and submitted following discussions on Day 8 of the Examination and to address issues raised in the Statement of Common Ground with Lancashire County Council.
				N/A	New table to be added to the background text section on Hot Food Takeaways	<u>2012 2016 Difference</u> <u>Count of Outlets Rate per 100,000 population Count of Outlets Rate per 100,000 population Actual %</u> <u>England 40,486 77.5 47,928 87.8 +7,442 16%</u> <u>Lancashire 1,028 87.9 1,282 121.9 +254 20%</u> <u>Lancaster 119 84.4 127 89.9 +8 6%</u> <u>Table 7.1: Fast food outlet density in Lancashire and Lancaster and comparisons between 2012 and 2016 (Source: Public Health England)</u>	As discussed and submitted following discussions on Day 8 of the Examination and to address issues raised in the Statement of Common Ground with Lancashire County Council.

# DEVELOPMENT MANAGEMENT DPD - PROPOSED **MAIN** MODIFICATIONS SCHEDULE (JULY 2019)

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DM MOD_14	CHAPTER 7 TOWN CENTRES AND RETAILING	Policy DM20	50	7.20	Improving the health and wellbeing of communities in the district is a key objective of the Local Plan, only way this can be achieved is to encourage healthy eating. Large concentrations of hot food takeaways within our commercial centres and surrounding schools can have the opposition effect by encouraging unhealthy eating habits. Obesity levels have continued to rise in recent years with approximately 65% of adults in Lancaster District classified as overweight or obese, 32% of children in the district as similarly classed as overweight or obese.	Improving the health and wellbeing of communities in the district is a key objective of the Local Plan, only way this can be achieved is to encourage healthy eating. Large concentrations of hot food takeaways within our commercial centres and surrounding schools can have the opposition effect by encouraging unhealthy eating habits. <u>Approximately 58% of adults in Lancaster District are classified as overweight or obese (2017/18). Child excess weight is of particular concern as excess weight in reception year children was significantly worse than England's average from 2014/15 to 2016/17 and currently stands at 21.6% for the district . 32.4% of year 6 children in the district are also currently classed as overweight or obese.</u> Obesity levels have continued to rise in recent years with approximately 65% of adults in Lancaster District classified as overweight or obese, 32% of children in the district as similarly classed as overweight or obese.	As discussed and submitted following discussions on Day 8 of the Examination and to address issues raised in the Statement of Common Ground with Lancashire County Council.
				New	New paragraph to be added to the background text section on Hot Food Takeaways	<u>In Lancaster District, the ward level percentage of obese children in reception year varies between 6.1% and 12.2% (2013/14 to 2015/16), this compares to an England average of 9.3%. The percentage of obese children in year 6 in Lancaster varies between 11.4% and 22%, this compares to an England average of 19.3%. Therefore, the aim of this policy is to help assist in reducing these levels by restricting new hot food takeaways within wards where more than 15% of year 6 pupils or 10% of reception pupils are classed as obese.</u>  <u>In making decisions on hot food takeaways, the Council will have regard to the content of the Public Health Advisory Note and seek advice and guidance from the Lancashire County Council Public Health team in relation to obesity levels within young people.</u>	As discussed and submitted at the Examination and in the Statement of Common Ground with Lancashire County Council.
			51	N/A	Bullet Point I: It would not result in the clustering of...	Bullet Point I: It would <del>not</del> result in the clustering of...	To remove a double negative.
					Criterion II There are two or more consecutive A5 hot food takeaway uses in any one length of frontage. Where hot food takeaway uses already exist in any length of frontage, a gap of at least two non-A5 uses shall be required before a further A5 hot food takeaway use will be permitted in the same length of frontage;	Criterion II There are two or more consecutive A5 hot food takeaway uses in any one length of frontage. Where hot food takeaway uses already exist in any length of frontage, a gap of at least two non-A5 uses shall be required before a further A5 hot food takeaway use will be permitted in the same length of frontage; <u>or</u>	To provide greater clarity in the policy.
					Add Criterion to hot-food takeaway section	Additional Criterion to hot-food takeaway section <u>It would result in additional hot food takeaways in a ward where more than 15% of year 6 pupils or 10% of reception pupils are classed as obese.</u>	This will provide an extra criterion to DM20 to ensure the aims are effective as submitted following discussions on Day 8 of the Examination and to address issues raised in the Statement of Common Ground with Lancashire County Council.
			51-52	7.23 7.24	Delete table relating to the number of hot-food takeaways in the district and the final two paragraphs of this section.	Table 7.1: Table showing the Percentage of hot food takeaways within Lancaster District Centres * Figure represents the total number of occupied in the Local Centre Assessment (2017), Morecambe West End has a further 46 units which are vacant.  7.23 Up-to-date data and information on the location of hot food takeaways can be obtained by using the FEAT tool (www.feat-tool.org.uk). Further guidance on this issue can also be found in 'Hot Food Takeaways and Spatial Planning—Public Health Advisory Note' which has been prepared by Lancashire County Council Public Health Team.  7.24 It is important that clusters or overall number of non-retail uses should not dominate any defined centre which detract from its vitality, viability and overall amenity of the area. Particular issues are reported with the clustering of A5 (hot food takeaways) and A2 (particularly betting shops) although any non-retail use could have a similar impact in aggregate or where they take up large proportions of frontage.	As discussed and submitted following discussions on Day 8 of the Examination and to address issues raised in the Statement of Common Ground with Lancashire County Council.
DM MOD_15 (continued on next page)		Policy DM21	53	N/A	Criterion I Be of a high quality design and sensitive to its visual appearance of on the building on which it is to be sited and the surrounding street scene, in the daytime and the night-time, especially in the case of a Listed Building or within a Conservation Area;	Criterion I Be of a high quality design and sensitive to its <u>the</u> visual appearance of on the building on which it is to be sited and the surrounding street scene, in the daytime and the night-time, especially in <u>relation to the surrounding historic environment</u> the case of a Listed Building or within a Conservation Area;	To provide greater clarity on this matter.
					Criterion VII The architectural merit of the existing shopfront;	Criterion VII The architectural merit of the existing shopfront <u>and the character of the wider area;and</u>	To reduce repetition within the policy.
					Criterion VIII The existing character of the area;	Criterion VIII <u>The existing character of the area;</u>	To reduce repetition within the policy.

# DEVELOPMENT MANAGEMENT DPD - PROPOSED **MAIN** MODIFICATIONS SCHEDULE (JULY 2019)

MODIFICATION NUMBER	CHAPTER NUMBER	POLICY NUMBER	PAGE NUMBER	PARAGRAPH NUMBER	TEXT IN PUBLICATION VERSION	PROPOSED AMENDMENT	REASON FOR AMENDMENT
DM MOD_15	CHAPTER 7 TOWN CENTRES AND RETAILING	Policy DM21	53	N/A	Criterion IX The suitability of the overall form, scale and architectural detail in relation to the appearance of the building;	Criterion IX The suitability of the overall form, <u>materials</u> , scale and architectural detail in relation to the appearance of the building;	To reduce repetition within the policy.
					Criterion X The suitability of materials in relation to the overall appearance of the building.	Criterion X <del>The suitability of materials in relation to the overall appearance of the building.</del>	To reduce repetition within the policy.
DM MOD_16		Policy DM22	55		Final Paragraph Developments that are likely to increase harm through visitor pressure within internationally designated wildlife sites or designated landscape areas will not be supported.	Final Paragraph Developments that are likely to increase harm through visitor pressure <del>within</del> <u>upon</u> internationally designated wildlife sites or designated landscape areas will not be supported.	To provide consistency within the Plan.
DM MOD_17		Policy DM23	56		Penultimate Paragraph Developments which are likely to increase harm through visitor pressure within or adjacent to internationally designated wildlife sites or in protected landscapes will not be supported.	Penultimate Paragraph Developments which are likely to increase harm through visitor pressure <u>upon</u> <del>within or adjacent to</del> internationally designated wildlife sites or in protected landscapes will not be supported.	To provide consistency within the Plan.
DM MOD_18		Policy DM25	58		Criterion V ...and amenity of the surrounding area, shops and services, particularly through the creation of an active ground floor street frontage.	Criterion V ...and amenity of the surrounding area, shops and services, <u>by creating</u> <del>particularly through the creation of</del> an active ground floor street frontage.	To provide further clarity to the policy.
DM MOD_19 (Continued on next page)		CHAPTER 8 LEISURE AND CULTURE	Policy DM27		60	N/A	First Sub-Title Protection of Recreational Open Space
	First Paragraph The Local Plan Policies Map identifies a range of designated open spaces within the district which have been provided for their important value. Proposals that seek to protect and enhance existing designated open spaces shall be supported by the Council. The Council will not permit the loss of designated open space unless:			First Paragraph The Local Plan Policies Map identifies a range of designated open spaces, <u>sports and recreational facilities</u> within the district which have been provided for their important value. Proposals that seek to protect and enhance existing designated open spaces, <u>sports and recreational facilities</u> shall be supported by the Council. The Council will not permit the loss of designated open spaces, <u>sports and recreational facilities</u> unless:			To provide clarity to the types of areas covered by the policy as discussed and submitted following discussions on Day 8 of the Examination.
	Criterion I An assessment has been undertaken to demonstrate that the open space is surplus to requirements;			Criterion I An assessment has been undertaken to demonstrate that <u>it</u> <del>the open space</del> is surplus to requirements;			To provide clarity to the types of areas covered by the policy as discussed and submitted following discussions on Day 8 of the Examination.
	Criterion II An assessment has been undertaken to demonstrate that the open space no longer has an economic, environmental or community value, which shall include consultation with key stakeholders and the local community;			Criterion II <del>An</del> assessment has been undertaken to demonstrate that <u>it</u> <del>the open space</del> no longer has an economic, environmental or community value, which shall include consultation with key stakeholders and the local community;			To provide clarity to the types of areas covered by the policy as discussed and submitted following discussions on Day 8 of the Examination.
	Criterion III The loss of open space resulting from development would be replaced by equivalent or better, high quality provision in a suitable location;			Criterion III The loss of <del>open space</del> resulting from development would be replaced by equivalent or better, high quality provision in a suitable location;			To provide clarity to the types of areas covered by the policy as discussed and submitted following discussions on Day 8 of the Examination.
	Criterion IV The development is for alternative sports and recreation provision, the needs for which clear outweigh the loss.			Criterion IV The development is for alternative <u>open space</u> , sports and recreation provision, the <u>benefits of</u> <del>needs for</del> which clearly outweigh the loss.			To provide clarity to the types of areas covered by the policy as discussed and submitted following discussions on Day 8 of the Examination.
	Second Paragraph Development proposals that are adjacent to designated open spaces will be required to incorporate design measures that ensure that there are no negative impacts on amenity, ecological value and functionality of the space.			Second Paragraph Development proposals that are adjacent to designated open spaces, <u>sports and recreational facilities</u> will be required to incorporate design measures that ensure that there are no negative impacts on amenity, <u>landscape value</u> , ecological value and functionality of the space. The Council will only permit development that has identified negative impacts on open space, <u>sports and recreational facilities</u> where appropriate mitigation measures or compensation measures have been provided.			To provide clarity to the types of areas covered by the policy as discussed and submitted following discussions on Day 8 of the Examination.
	Second Sub-Title The creation of New Recreational Open Space			Second Sub-Title The Creation of New <del>Recreational</del> Open Space, <u>Sports and Recreational Facilities</u>			To provide clarity to the types of areas covered by the policy as discussed and submitted following discussions on Day 8 of the Examination.
			60-61				
			61		Fourth Paragraph Development proposals located in areas of recognised open space deficiency will be required to provide appropriate contributions toward open space provision, either through the provision of on-site facilities or a financial contribution toward the creation of new off-site open spaces or enhancement of existing recreation facilities off-site. Development proposals should give due consideration to the standards and thresholds set out in Appendix D of this DPD in relation to open space requirements or, where appropriate, site specific policies contained within the Strategic Policies & Land Allocations DPD.	Fourth Paragraph Development proposals located in areas of recognised open space, <u>sports and recreational facility</u> deficiency will be required to provide appropriate contributions toward <u>open space, sports and recreational facility</u> provision, either through the provision of on-site facilities or a financial contribution toward the creation of new <del>off-site open spaces</del> or enhancement of existing <u>open spaces, sports and recreation facilities</u> <del>spaces</del> off-site. Development proposals should give due consideration to the standards and thresholds set out in Appendix D of this DPD in relation to open space requirements or, where appropriate, site specific policies contained within the Strategic Policies & Land Allocations DPD.	To provide clarity to the types of areas covered by the policy as discussed and submitted following discussions on Day 8 of the Examination.

# DEVELOPMENT MANAGEMENT DPD - PROPOSED **MAIN** MODIFICATIONS SCHEDULE (JULY 2019)

MODIFICATION NUMBER	CHAPTER NUMBER	POLICY NUMBER	PAGE NUMBER	PARAGRAPH NUMBER	TEXT IN PUBLICATION VERSION	PROPOSED AMENDMENT	REASON FOR AMENDMENT
DM MOD_19	CHAPTER 8 LEISURE AND CULTURE	Policy DM27	61	N/A	Fifth Paragraph Any provision made for recreational open space should be fully accessible to the public without any restrictions, and will be provided in addition to any private amenity space or landscaping. Proposals should not have an adverse impact on surrounding residential amenity in terms of light and noise disturbance, with any potential impacts being appropriately mitigated against. The management and maintenance of open space should address the requirements of Appendix D of this DPD.	Any provision made for recreational open space, <u>sports or recreational facilities</u> should be fully accessible to the public without any restrictions, and will be provided in addition to any private amenity space or landscaping. Proposals should not have an adverse impact on surrounding residential amenity in terms of light and noise disturbance, with any potential impacts being appropriately mitigated against. The management and maintenance of open space, <u>sports or recreational facilities</u> should address the requirements of Appendix D of this DPD.	To provide clarity to the types of areas covered by the policy as discussed and submitted following discussions on Day 8 of the Examination.
DM MOD_20		Policy DM29	64	N/A	First Paragraph New developments should make a positive contribution to the surrounding landscape or townscape. The	First paragraph amended to read New developments should <u>be as sustainable as possible and</u> make a positive contribution to the surrounding landscape <u>and/or</u> townscape.	To provide further clarity to the policy following discussions on Day 8 of the Examination.
					Accessibility sub-heading title	Amend Accessibility sub-heading title to 'Accessibility <u>and Highway Safety</u> .	To provide further clarity to the policy on this matter.
					Penultimate Paragraph Where major development proposals are likely, due to their size and scale, to have an adverse impact on the local and built environment, the Council will expect applicants to make use of local Design Panels to assess such impacts at the pre-application stage. The views and recommendations of Design Panels will be given due consideration in the decision making process.	Penultimate Paragraph: Where major development proposals are likely, due to their size, <u>location</u> and scale, to have an adverse impact on the local and built environment, the Council will <u>encourage</u> expect applicants to make use of local Design Panels to assess such impacts at the pre-application stage. The views and recommendations of Design Panels will be given due consideration in the decision making process.	To provide further clarity to the policy following discussions on day 6 of the Examination.
DM MOD_21	CHAPTER 10 THE DESIGN OF DEVELOPMENT	Policy DM31	68-69	N/A	Additional paragraphs to be added following paragraph 10.20	<u>The Council will seek to ensure that proposals for all new development, regardless of location, have sought to minimise the levels of air polluting emissions during the construction and operation phases of development through appropriate on-site and off-site mitigation.</u>  <u>Development which is located in AQMAs will be carefully considered in terms of their individual and cumulative impacts within the designated area, and it will be expected that mitigation is put forward to reduce the air quality impact arising from each proposal. The Council will not support proposals which would significantly worsen any emissions or air pollutants where pollution levels are close to their objective limits.</u>  <u>In relation to nitrogen oxide levels, 'significantly worsen' means an increase of 0.1µg/m3 or more in the annual mean nitrogen level (all local AQMA's are designated due to likely exceedance of objective standards for nitrogen dioxide). In relation to nitrogen oxide levels 'close to' objective / limit value levels, this means that the nitrogen dioxide pollution levels are indicated to be at or above 85% of the air quality / limit value.</u>	To reflect current position on this matter and to ensure that the policy prepared is sound and robust as discussed and submitted following discussions on Day 8 of the Examination.
					Additional paragraph to be added following paragraph 10.21	<u>The Council will seek to work with Lancashire County Council in the preparation of a new Supplementary Planning Document relating to Low Emissions and Air Quality which will be based on the outcomes of the District's Air Quality Action Plan and build upon the previous work undertaken to prepare a Planning Advisory Note on this matter.</u>	To reflect current position on this matter and to ensure that the policy prepared is sound and robust as discussed and submitted following discussions on Day 8 of the Examination.
					Delete Policy DM31 and to replace with new text.	<u>All development proposals must demonstrate that they have sought to minimise the levels of air polluting emissions and adequately protect their users, and existing users, from the effects of poor air quality.</u>	To reflect current position on this matter and to ensure that the policy prepared is sound and robust as discussed and submitted following discussions on Day 8 of the Examination.
					New text for DM31 along with accompanying footnotes to define 'significantly worsen' and 'close to'.	<u>Development which is located within an Air Quality Management Area (AQMA), or any development which has the potential to, individually or cumulatively, contribute to increasing levels of air pollution, will be required to demonstrate how either on-site or off-site mitigation measures will be put in place to reduce air quality impact. Any proposal must not significantly worsen any emissions or air pollutants in areas where pollution levels are close to object /limit value levels.</u>	To reflect current position on this matter and to ensure that the policy prepared is sound and robust as discussed and submitted following discussions on Day 8 of the Examination.
					New text for DM31	<u>Proposals should contribute towards delivering the actions detailed within the Lancaster District Air Quality Action Plan, once in place.</u>  <u>Any proposal must not worsen any emissions or air pollutants in areas that could result in a breach of, or worse site-level critical loads for ecosystems within relevant internationally designated nature conservation sites during both construction and operational phases. Air quality assessments must be submitted for relevant development proposals, as outlined in the Council Validation Guide.</u>	To reflect current position on this matter and to ensure that the policy prepared is sound and robust as discussed and submitted following discussions on Day 8 of the Examination.
					New text for DM31	<u>All development proposals will be expected to take account of Council's forthcoming SPD on Low Emissions and Air Quality.</u>	To ensure that the policy prepared is sound and robust as discussed on Day 8 of the Examination. The text is reworded from that submitted following Day 8 to accurately reflect the current position.



# DEVELOPMENT MANAGEMENT DPD - PROPOSED **MAIN** MODIFICATIONS SCHEDULE (JULY 2019)

MODIFICATION NUMBER	CHAPTER NUMBER	POLICY NUMBER	PAGE NUMBER	PARAGRAPH NUMBER	TEXT IN PUBLICATION VERSION	PROPOSED AMENDMENT	REASON FOR AMENDMENT	
DM MOD_22	CHAPTER 10 THE DESIGN OF DEVELOPMENT	Policy DM33	71	10.31	Inclusion of a further sentence at the end of paragraph 10.31.	Further sentence to read <u>There are currently no Critical Drainage Areas within the District. However, the Council will continue to work with the Lead Local Flood Authority and the Environment Agency, to periodically consider the need and appropriateness of this position.</u>	To provide further clarity on this matter.	
				72	N/A	Criterion VI Sites should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.	Criterion VI to be amended to read: Sites should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way, <u>in accordance with the SuDS hierarchy; and</u>	To provide further clarity to the policy.
						Move the last paragraph into the criterion and amend wording * All proposals for new development should take account of the Council's most up-to-date Strategic Flood Risk Assessment (or the most up-to-date flood risk assessment available) in combination with relevant evidence published by the Lead Local Flood Authority (Lancashire County Council) and the Environment Agency.	Additional Criterion <u>VII. All proposals for new development should must take account of the Council's most up-to-date Strategic Flood Risk Assessment (or the most up-to-date Council flood risk assessment available) in combination with any other relevant evidence published by including that of the Lead Local Flood Authority (Lancashire County Council) and the Environment Agency.</u>	To address issues discussed on Day 8 of the Examination.
						Last Paragraph Consideration should be given to the implementation of natural flood management techniques in partnership with the Lune Rivers Trust and other key organisation.	Last Paragraph Consideration <del>should</del> <u>must</u> be given to the implementation of natural flood management techniques in partnership with the Lune Rivers Trust and other key organisation.	To address issues discussed on Day 8 of the Examination.
DM MOD_23	CHAPTER 10 THE DESIGN OF DEVELOPMENT	Policy DM34	74	10.46	SuDS can also enhance biodiversity opportunities within new development. Further information on this issue can be found on the Natural England, Environment Agency and RSPB websites. Developments on greenfield sites, particularly those requiring the preparation of a Development Brief will be required to include measures to deal with surface water drainage. Careful consideration should be given to the impacts of water run-off on designated environmental sites.	SuDS can also enhance biodiversity opportunities within new development. Further information on this issue can be found on the Natural England, Environment Agency and RSPB websites. <del>Developments on greenfield sites, particularly those requiring the preparation of a Development Brief will be required to include measures to deal with surface water drainage.</del> Careful consideration should be given to the impacts of water run-off on designated environmental sites.	To provide consistency through the Plan.	
				10.48	Any drainage proposal will be expected to be part of a site-wide strategy to avoid piecemeal development and demonstrate how the site delivers sustainable drainage as part of interconnecting phases.	Any drainage proposal will be expected to be <u>included as</u> part of a site-wide strategy to avoid piecemeal development and demonstrate how the site delivers sustainable drainage as part of interconnecting phases, <u>and will be provided early on in a development in order not to cause issues whilst a site is partially developed.</u>	To provide further clarity on this matter.	
				10.51	Approved schemes will be expected to be supplemented by appropriate maintenance and management regimes for the lifetime of any surface water drainage schemes which will be secured by planning condition.	Approved schemes <u>SuDS that are not adopted by public bodies</u> will be expected to be supplemented by appropriate maintenance and management regimes for the lifetime of any surface water drainage schemes which will be secured by planning condition <u>or planning obligation</u> .	To provide further clarity on this matter.	
DM MOD_24 (Continued on next page)	CHAPTER 11 THE HISTORIC ENVIRONMENT	Policy DM37	80	N/A	Additional paragraph to be added to the start of Policy DM37.	<u>Proposals affecting listed buildings should conserve and, where appropriate enhance those elements which contribute to its significance. All proposals should be based on a thorough understanding of the building's significance.</u>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.	
					First Paragraph The significance of a Designated Heritage Asset can be harmed or lost through alteration or destruction of a Listed Building or through development within its setting. Where a development proposal will lead to substantial harm or loss of significance consent will be refused.	The significance of a <del>Designated Heritage Asset</del> <u>Listed Building</u> can be harmed or lost through alteration or destruction <u>of those elements which contribute to its special architectural or historic interest</u> , a <del>listed building</del> or through development within its setting. <u>Any harm (substantial or less than substantial) to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal.</u> Where a development proposal will lead to substantial harm or loss of significance consent will be refused.	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with the additional of reference to substantial and less than substantial harm.	
					Second Paragraph Demolition of Listed Buildings Proposals that involve the substantial harm to or total loss of significance of Listed buildings, including demolition will not be permitted unless it can be demonstrated that the substantial harm or loss is necessary to achieve overriding public benefits that outweigh that harm or loss. The following criteria as set out in Paragraph 133 of the National Planning Policy Framework will apply:	Second Paragraph <del>Demolition of Listed Buildings</del> Proposals that involve the <del>substantial</del> harm to or total loss of significance of <u>Listed buildings</u> ; including demolition will <del>not</del> be permitted <u>only in exceptional circumstances where</u> unless it can be demonstrated that the substantial harm or loss is necessary to achieve <u>substantial</u> overriding public benefits that outweigh that harm or loss. The following criteria as set out in Paragraph 195 of the National Planning Policy Framework will apply:	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.	
					Criterion I The nature of the heritage asset prevents all reasonable uses of the site;	Criterion I The nature of the heritage asset prevents all reasonable uses of the site; <u>and</u>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.	
					Criterion II That no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;	Criterion II That no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; <u>and</u>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.	
Criterion III That conservation through grant-funding or some form of charitable or public ownership is demonstrably not possible; and	Criterion III That conservation through grant-funding or some form of <u>not for profit</u> , charitable or public ownership is demonstrably not possible; and	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.						

# DEVELOPMENT MANAGEMENT DPD - PROPOSED **MAIN** MODIFICATIONS SCHEDULE (JULY 2019)

MODIFICATION NUMBER	CHAPTER NUMBER	POLICY NUMBER	PAGE NUMBER	PARAGRAPH NUMBER	TEXT IN PUBLICATION VERSION	PROPOSED AMENDMENT	REASON FOR AMENDMENT
DM MOD_24	CHAPTER 11 THE HISTORIC ENVIRONMENT	Policy DM37	80-81	N/A	<p><b>Extensions and Alterations to Listed Buildings</b> Proposals that involve the alterations or extensions to Listed Buildings, including any partial demolitions, should be based on an accurate understanding of the significance of the asset and the impact of the proposal on this site.</p> <p>Proposals that involve external and/or internal alterations to a Listed Building would have an adverse impact on the special architectural or historic character of the building and/or their surroundings will not be permitted. The loss of historic fabric simply to accommodate new will not be permitted.</p> <p>New extensions that dominate or distract from the Listed building in terms of siting, style, scale, massing, height or materials used will not be supported by the Council. Reversibility and minimal intervention will also be a key consideration when assessing proposals.</p> <p>Where proposals will lead to less than substantial harm to the significant of the Listed building, this harm should be outweighed by the public benefits of the proposal which includes securing its optimal viable use.</p>	<p><del>Extensions and Alterations to Listed Buildings</del> <del>Proposals that involve the alterations or extensions to Listed Buildings, including any partial demolitions, should be based on an accurate understanding of the significance of the asset and the impact of the proposal on this site.</del></p> <p><del>Proposals that involve external and/or internal alterations to a Listed Building would have an adverse impact on the special architectural or historic character of the building and/or their surroundings will not be permitted. The loss of historic fabric simply to accommodate new will not be permitted.</del></p> <p><del>New extensions that dominate or distract from the Listed building in terms of siting, style, scale, massing, height or materials used will not be supported by the Council. Reversibility and minimal intervention will also be a key consideration when assessing proposals.</del></p> <p><del>Where proposals will lead to less than substantial harm to the significant of the Listed building, this harm should be outweighed by the public benefits of the proposal which includes securing its optimal viable use.</del></p>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
					<p><b>Changes of Use and Conversions to Listed Buildings</b> Where planning permission may not be normally granted for the conversion of Listed buildings to alternative uses, favourable consideration may be accorded to schemes which represent the most appropriate way of conserving the building and its architectural and historic significance and setting.</p>	<p><del>Changes of Use and Conversions to Listed Buildings</del> <del>Where planning permission may not be normally granted for the conversion of Listed buildings to alternative uses, favourable consideration may be accorded to schemes which represent the most appropriate way of conserving the building and its architectural and historic significance and setting.</del></p>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
					<p><b>Eighth Paragraph</b> Listed Buildings and Climate Change The Council will support proposals that seek to reduce the carbon footprint of a Listed Building provided that it respects the historic fabric, character and setting of the building. Development involving the installation of renewable energy equipment on a Listed Building will be acceptable provided that the following criteria are met:</p>	<p><del>Eighth Paragraph</del> <del>Listed Buildings and Climate Change</del> <del>The Council will support proposals that seek to reduce the carbon footprint of a Listed Building provided that it respects the historic fabric, character and setting of the building. Development involving the installation of renewable energy equipment on a Listed Building will be acceptable provided that the following criteria are met:</del></p>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England but with the removal of the reference to setting which is dealt with in Policy DM39.
			Add new paragraph following the eighth paragraph.		<p><u>Development proposals involving the installation of renewable energy equipment on a Listed Building will be permitted where it conserves those elements which contribute to its significance and that all of the following criteria have been addressed as part of the design and access statement / heritage statement:</u></p>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.	
			<p><b>Criterion V</b> The energy efficiency of the Listed building itself has been first appraised and suitable measures, which will not effect its character, have already been undertaken;</p>		<p><del>Criterion V</del> <del>The energy efficiency of the Listed building itself has been first appraised and suitable measures, which will not effect its character, have already been undertaken;</del></p>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.	
			<p><b>Criterion VIII</b> The locations of equipment on the Listed building would not detract from its character or appearance, either when viewed in close proximity or from a distance; and</p>		<p><del>Criterion VIII</del> <del>The locations of equipment on the Listed building would not detract from its character or appearance, either when viewed in close proximity or from a distance; and</del></p>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.	
			81-82		New paragraph to be added to the end of Policy DM37	<p><b>Information to Support an Application</b> <u>Permission will not be granted for applications which are not fully justified and accompanied by all the information necessary to assess the impact of the proposals on the Listed Building.</u></p> <p><u>Proposals should be accompanied by a statement of significance which should form part of the heritage assessment (which may form part of the design and access statement) to demonstrate that the architectural and historic interest of the structure has been understood and accounted for in any proposal in accordance with paragraph 128 of the National Planning Policy Framework.</u></p> <p><u>Where permission is granted for development which would result in the total or partial loss of a Listed Building, approval will be conditional upon the asset being fully recorded and the record deposited with the Historic Environment Record (HER).</u></p>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
			82		New paragraph to be added to the end of Policy DM37	<p><b>Buildings at Risk</b> <u>Proposals which will help to safeguard the significance of and secure a sustainable future for the district's Listed Buildings, especially those identified as being at greatest risk of loss or decay, will be supported</u></p>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.

# DEVELOPMENT MANAGEMENT DPD - PROPOSED **MAIN** MODIFICATIONS SCHEDULE (JULY 2019)

MODIFICATION NUMBER	CHAPTER NUMBER	POLICY NUMBER	PAGE NUMBER	PARAGRAPH NUMBER	TEXT IN PUBLICATION VERSION	PROPOSED AMENDMENT	REASON FOR AMENDMENT
DM MOD_25	CHAPTER 11 THE HISTORIC ENVIRONMENT	Policy DM38	83		First Paragraph Only development that preserves or enhances the character and appearance of the Conservation Areas will be permitted.	First Paragraph <u>Any</u> Only development <i>proposals and/or alterations to buildings, features and open spaces in Conservation Area should</i> that preserves or enhances the character and appearance of the Conservation Areas will be permitted. <i>Specifically, they will be required to demonstrate that:</i>	To provide greater clarity and consistency within the document. As agreed in the Statement of Common Ground with Historic England but with the omission of the requirement for development to preserve <u>and</u> enhance as requested by the Inspector.
					Delete Second Paragraph Outline applications for development within Conservation Areas will not be encouraged as details of development would be fundamental in determining impact upon the heritage asset.	Delete Second Paragraph Outline applications for development within Conservation Areas will not be encouraged as details of development would be fundamental in determining impact upon the heritage asset.	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
			83-84		Deletion of section <b>Demolition of Buildings within Conservation Areas</b> Proposals that involve the loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area will not be permitted unless it can be demonstrated that the substantial loss or harm is necessary to achieve substantial public benefits that outweigh the harm or loss. All the criteria which are set out within paragraph 133 of the National Planning Policy Framework should be met.	Deletion of section <b>Demolition of Buildings within Conservation Areas</b> Proposals that involve the loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area will not be permitted unless it can be demonstrated that the substantial loss or harm is necessary to achieve substantial public benefits that outweigh the harm or loss. All the criteria which are set out within paragraph 133 of the National Planning Policy Framework should be met.	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
					Where a development proposal will lead to less than substantial harm to the significance of the Conservation Area, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.  No loss will be permitted without taking all reasonable steps to ensure that the new development will immediately proceed after the loss has occurred.	Where a development proposal will lead to less than substantial harm to the significance of the Conservation Area, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.  No loss will be permitted without taking all reasonable steps to ensure that the new development will immediately proceed after the loss has occurred.	
			84		<b>Development within Conservation Areas</b> Development proposals for the re-use, alteration and extension of existing buildings or the creation of new buildings within Conservation Areas will only permitted where it has been demonstrated that:	<b>Development within Conservation Areas</b> Development proposals for the re-use, alteration and extension of existing buildings or the creation of new buildings within Conservation Areas will only permitted where it has been demonstrated that:	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
					New criterion II to be added.	Criterion II <u>Proposals will not have an unacceptable impact on the historic street patterns / boundaries, open spaces, roofscape, skyline and setting including important views into and out of the area;</u>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
			84		New paragraphs to be added after criterion IV.	<u>Outline applications for development within Conservation Areas will be discouraged as it is expected that a full assessment will be required of the impact that the proposal may have on elements that contribute to the area's significance and understanding.</u>  <u>There will be a presumption in favour of the retention of buildings and/or features which make a positive contribution to the special character and appearance of a Conservation Area (as identified within a Conservation Area Appraisal). Any harm (substantial or less than substantial) will be weighed against the public benefits arising from the scheme.</u>  <u>Substantial harm to the Conservation Area will not be permitted unless it can be demonstrated that the substantial loss or harm is necessary to achieve substantial public benefits that outweigh the harm or loss. All the criteria which are set out within paragraph 133 of the National Planning Policy Framework should be met.</u>  <u>Where a development proposal will lead to less than substantial harm to the significance of the Conservation Area, this harm should be weighed against the public benefits of the proposal.</u>  <u>No loss will be permitted without taking all reasonable steps to ensure that the new development will immediately proceed after the loss has occurred.</u>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England with amendments with regard to the status of outline applications and reference to substantial and less than substantial harm.
					Penultimate Paragraph All proposals that are located within a Conservation Area or its setting should give due consideration to all relevant policies within the Development Management DPD development.	Penultimate Paragraph All proposals that are located within a Conservation Area or its setting <u>must be accompanied by a clear Heritage Statement providing details of the proposed development and its impact on the significance of the Conservation Area. They</u> should give due consideration to all relevant policies within the Development Management DPD development.	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
85		Last Paragraph Where appropriate, the Council will make use of Design Panels in determining that proposals are of the highest design standards and mitigate any impacts on the surrounding historic environment.	Where appropriate, the Council will <u>encourage the</u> make use of Design Panels in determining that proposals are of the highest design standards and mitigate any impacts on the surrounding historic environment.	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England and as discussed on Day 5 of the Examination.			

# DEVELOPMENT MANAGEMENT DPD - PROPOSED **MAIN** MODIFICATIONS SCHEDULE (JULY 2019)

MODIFICATION NUMBER	CHAPTER NUMBER	POLICY NUMBER	PAGE NUMBER	PARAGRAPH NUMBER	TEXT IN PUBLICATION VERSION	PROPOSED AMENDMENT	REASON FOR AMENDMENT
DM MOD_26	CHAPTER 11 THE HISTORIC ENVIRONMENT	Policy DM39	86		First Paragraph The Council recognises the significance of the setting to a heritage assets. Proposals that fail to preserve or enhance the setting of a designated heritage asset will not be supported.	First Paragraph The Council recognises the <del>contribution that</del> <u>significance of the setting to</u> <del>of a</del> <u>designated</u> heritage assets <u>can make to its significance</u> . Proposals that fail to <del>preserve or enhance the setting of a designated heritage asset will not be supported.</del> <u>The includes Listed Buildings, Scheduled Monuments, Registered Parks and Gardens and Conservation Areas.</u>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
					Second Paragraph Development proposals that make a positive contribution to or better reveal the significance of the asset and its setting will be favourably considered.	Second Paragraph Development proposals <u>which</u> that make a positive contribution to or better reveal the significance of the asset through and its setting will be <u>supported</u> favourably considered.	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
					Add New Paragraph after Second Paragraph	<u>Harm to the setting of designated heritage assets will only be permitted in exceptional circumstances, where this is clearly justified and where it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits. The criteria set out in Paragraph 133 of the National Planning Policy Framework will apply.</u>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
					Delete Third Paragraph The greater the negative impact on the significance of the designated heritage asset and its setting, the greater the benefits that would be required to justify any approval.	Delete Third Paragraph The greater the negative impact on the significance of the designated heritage asset and its setting, the greater the benefits that would be required to justify any approval.	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
					Delete Fourth Paragraph Where appropriate, regard should be given to any approved characterisation study or appraisal of heritage assets.	Delete Fourth Paragraph Where appropriate, regard should be given to any approved characterisation study or appraisal of heritage assets.	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
				87		Replace Paragraph Four with New Text <u>When assessing a proposal affecting the setting of a designated heritage asset, reference will be made to any existing evidence which may include Conservation Area Appraisals, Heritage Assessments, Landscape or Urban Characterisations and Design Guidance.</u>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England with further amendment to the wording to reflect discussions on Day 5 of the Examination.
					Fifth Paragraph Development proposals within the setting of designated heritage assets will be expected to include an assessment, which should be undertaken as a series of four steps:	Fifth Paragraph Development proposals <del>within</del> <u>affecting</u> the setting of designated heritage assets will be expected to include an assessment, which should be undertaken as a series of four steps:	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
					Step 2: assess whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s);	Step 2: assess whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s) <u>or allow significance to be appreciated</u> ;	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
					Step 3: assess the effects of the proposed development, whether beneficial or harmful, on the significance; and	Step 3: assess the effects of the proposed development, whether beneficial or harmful, on the significance <u>or on the ability to appreciate it. This will include consideration of the location and siting of development, form and appearance, wider effects of development and the permanence of development</u> ; and	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
					Step 4: explore the way to maximise enhancement and avoid or minimise harm.	Step 4: explore the way to maximise enhancement and avoid or minimise harm <u>and provide a statement which sets out necessary mitigation measures to achieving this</u> .	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
			New paragraphs to be added to the end of Policy DM39.	<u>All proposals which would impact upon the setting of a designated heritage asset must be accompanied by a clear heritage statement providing details of the proposed development and the assessment outlined in this Policy. They should give due consideration to all relevant policies within the Development Management DPD.</u>  <u>Where appropriate, the Council will encourage the use of Design Panels in determining that proposals are of the highest design standards and mitigate any impacts on the surrounding historic environment.</u>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.		

# DEVELOPMENT MANAGEMENT DPD - PROPOSED **MAIN** MODIFICATIONS SCHEDULE (JULY 2019)

MODIFICATION NUMBER	CHAPTER NUMBER	POLICY NUMBER	PAGE NUMBER	PARAGRAPH NUMBER	TEXT IN PUBLICATION VERSION	PROPOSED AMENDMENT	REASON FOR AMENDMENT
DM MOD_27		Additional text to support New Policy DM40 Historic Parks and Gardens Policy	87-88	N/A	Add justification text to support the new Historic Parks and Gardens Policy. Subsequent paragraph number will require re-number in light of this modification.	<p><u>Registered Parks and Gardens</u>  <u>Designated landscapes that are considered to be of national importance are included on The Register of Parks and Gardens of Special Historic Interest in England. The register is maintained by Historic England on behalf of the Government. They are graded according to their quality and importance as Grade I, II* and II in descending order.</u></p> <p><u>Registered Parks and Gardens do not enjoy any additional legal protection but are designated heritage assets as set out in the NPPF. As such, when permission is required, the significance of a registered park or garden or its setting will be taken into account.</u></p> <p><u>Planning permission will not be granted for proposals that would harm the historic structure, character, principle components or setting of an area included in the Register of Parks and Gardens of Special Historic Interest in England. Where feasible, the Council will seek the removal of structures and uses that detract from the special historic interest of these historic parks and gardens and prepare plans to restore them. New landscaping, planting and other works within these parks and gardens should respect their historic landscape design and seek to preserve and enhance their character.</u></p>	To support the inclusion of a new policy in relation to Historic Parks and Gardens (see separation modification).
		Additional Policy DM40 Historic Parks and Gardens Policy	87-88	N/A	Add Historic Parks and Gardens Policy after Policy DM39. This will become Policy DM40 and all other policies following have been re-numbering in light of this modification.	<p><u>Policy DM40: Registered Parks and Gardens</u></p> <p><u>Proposals that harm the significance of a designated Park and Garden will not be permitted.</u></p> <p><u>Proposals affecting a historic park and garden or its setting should ensure that development does not detract from the enjoyment, layout, design character or appearance of that landscape, cause harm to key views from or towards these landscapes or, where appropriate, prejudice their future restoration.</u></p> <p><u>Opportunities for their conservation or enhancement will be supported.</u></p>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England but with the deletion of the reference to setting in the first paragraph to prevent duplication.
DM MOD_28 (Continued on next page)	CHAPTER 11 THE HISTORIC ENVIRONMENT	Policy DM41	89	N/A	New paragraphs to be added to the start of Policy DM41.	<p><u>Where a Non-Designated Heritage Asset is affected by a development proposal, the effect of the application on its significance will be taken into account, and there will be a presumption in favour of conserving and, where appropriate, enhancing those elements which contribute to its significance.</u></p> <p><u>All proposals which would impact upon a Non-Designated Heritage Asset must be accompanied by a Heritage Statement describing the significance of the heritage asset, including any contribution made by its setting, as well as providing details of the proposed development and its impact on the significance of the Non-Designated Heritage asset.</u></p> <p><u>The scale of harm or the loss of that significance will be weighed against the public benefits of the proposal in accordance with national planning policy.</u></p>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
					First Paragraph Where a non-designated heritage asset is affected by development proposals, there will be a presumption in favour of its retention. Any loss of the whole or part of such an asset...	Delete First Sentence of First Paragraph <del>Where a non-designated heritage asset is affected by development proposals, there will be a presumption in favour of its retention. Any loss of the whole or part of such an asset...</del>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
					Second Paragraph Any special features that contribute to an asset's significance should be retained and reinstated, where possible, in accordance with paragraph 135 of the National Planning Policy Framework.	Delete Second Paragraph <del>Any special features that contribute to an asset's significance should be retained and reinstated, where possible, in accordance with paragraph 135 of the National Planning Policy Framework.</del>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
					Penultimate Paragraph Proposals within the setting of a non-designated heritage asset will be required to give due consideration to its significance and ensure that this is protected or enhanced where possible.	Penultimate Paragraph <del>Proposals within affecting the setting of a non-designated heritage asset will be required to give due consideration to its significance and ensure that this is conserved protected or enhanced where possible.</del>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
					Last Paragraph New buildings and any associated landscaping within the curtilage of a non-designated heritage asset, or in close proximity to, should ensure that the setting is not compromised. Positive settings should be protected, preserved and where possible enhanced by new development which assists in better revealing the significance of the asset.	Last Paragraph <del>New buildings and any associated landscaping within the curtilage of a non-designated heritage asset, or in close proximity to, should ensure that the setting is not compromised. Positive settings should be protected, preserved or and where possible enhanced by new development which assists in better revealing the significance of the asset.</del>	Amendment to ensure consistency with National Policy and as instructed by the Inspector during Day 6 of the Examination.
					New paragraph to be added to the end of Policy DM40	<u>Where appropriate, the Council will encourage the use of Design Panels in determining that proposals are of the highest design standards and mitigate any impacts on the surrounding historic environment.</u>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.

# DEVELOPMENT MANAGEMENT DPD - PROPOSED **MAIN** MODIFICATIONS SCHEDULE (JULY 2019)

MODIFICATION NUMBER	CHAPTER NUMBER	POLICY NUMBER	PAGE NUMBER	PARAGRAPH NUMBER	TEXT IN PUBLICATION VERSION	PROPOSED AMENDMENT	REASON FOR AMENDMENT
DM MOD_28	CHAPTER 11 THE HISTORIC ENVIRONMENT	Policy DM42	90		First Paragraph Development proposals that would have an adverse impact on nationally significant archaeological assets or their settings (whether scheduled or not) will not be permitted.	First Paragraph <del>Development proposals that would have an adverse impact on nationally significant archaeological assets or their settings (whether scheduled or not) will not be permitted.</del>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
			90-91	N/A	New paragraphs to be added to the start of Policy DM41.	<u>Development proposals should conserve or enhance those elements which contribute towards the significance of a Scheduled Monument or an archaeological site of national importance. Harm to such elements will only be permitted where it is clearly justified and outweighed by the public benefits of the proposal. Substantial harm or total loss of the significance of a scheduled monument or a site of national significance will only be permitted only in exceptional circumstances.</u>  <u>Proposals affecting archaeological sites of less than national importance should conserve those elements which contribute to their significance in line with the importance of the remains.</u>  <u>Where development affecting such sites is acceptable in principle, the Council will ensure mitigation of damage through preservation of the remains in situ as a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for excavation and recording before or during development. Subsequent analysis, publication and dissemination of the findings will be required to be submitted to the Council and deposited with the Historic Environment Record. The ability to record should not be a factor in deciding whether such a loss should be permitted.</u>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England with alterations to conserve or/and preserve as instructed by the Inspector.
					Third Paragraph Where development affecting such sites is acceptable in principle, the Council will ensure mitigation of damage through preservation of remains in situ as a preferred option.	Third Paragraph <del>Where development affecting such sites is acceptable in principle, the Council will ensure mitigation of damage through preservation of remains in situ as a preferred option.</del>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
			91		Fourth Paragraph The Council will seek the preservation of archaeological assets unless it is not justified (for example where the need for development outweighs the importance of the asset). In these circumstances, the development will not be permitted to commence until satisfactory provision has been made for a programme of investigation and recording. However, the ability to record should not be a factor in deciding whether such a loss should be permitted.	Fourth Paragraph <del>The Council will seek the preservation of archaeological assets unless it is not justified (for example where the need for development outweighs the importance of the asset). In these circumstances, the development will not be permitted to commence until satisfactory provision has been made for a programme of investigation and recording. However, the ability to record should not be a factor in deciding whether such a loss should be permitted.</del>	To provide greater clarity and consistency within the document and as agreed in the Statement of Common Ground with Historic England.
DM MOD_29 Continued on next page)	CHAPTER 12 THE NATURAL ENVIRONMENT	Policy DM46	102	N/A	<u>Development affecting Local Landscape Designations</u> Key Urban Landscapes, Urban Setting Landscapes and the wider Open Countryside are three local landscape designations identified on the Local Plan Policies Map. The contribution that these designations make to the character and setting of the urban areas will be conserved and important natural features safeguarded, providing particular regard to the historic townscape of the urban areas. Within these areas the Council will only support development that preserves the open nature of the area and the character and appearance of its surroundings in accordance with Policy EN7 of the Land Allocations DPD.	<u>Development affecting Local Landscape Designations</u> Key Urban Landscapes <u>and</u> Urban Setting Landscapes <u>and</u> the wider Open Countryside are three <u>two</u> local landscape designations identified on the Local Plan Policies Map. The contribution that these designations make to the character and setting of the urban areas will be conserved and important natural features safeguarded, providing particular regard to the historic townscape <u>and built form</u> of the urban areas. Within these areas the Council will only support development that preserves the open nature of the area and the character and appearance of its surroundings in accordance with Policy EN7 of the <u>Strategic Policies &amp;</u> Land Allocations DPD.	To be consistent with the wider plan and be consistent with the evidence base.
					<u>Development affecting Other Important Landscapes (outside of Designated Landscapes)</u> In additio to nationally protected landscapes the district also has a range of landscapes and townscapes which are valued, unique and provide a distinct sense of place, which the Council seeks to protect and enhance.	<u>Development affecting Other Important Landscapes (outside of Designated Landscapes)</u> <u>Development outside Protected and Designated Landscapes</u> In additio to nationally protected and locally designated landscapes the district also has a range of landscapes and townscapes which are valued, unique and provide a distinct sense of place, which the Council seeks to protect and enhance.	To be consistent with the wider plan and be consistent with the evidence base.
					Second sentence of the 9th paragraph The Council propose to prepare additional guidance for managing recreational pressure on Morecambe Bay. Development proposals that seek to introduce further recreation pressure onto Morecambe Bay will be required to have due regard to this guidance.	Delete second and third sentence of the 9th paragraph <del>The Council propose to prepare additional guidance for managing recreational pressure on Morecambe Bay. Development proposals that seek to introduce further recreation pressure onto Morecambe Bay will be required to have due regard to this guidance.</del>	Additional guidance is no longer being prepared

# DEVELOPMENT MANAGEMENT DPD - PROPOSED **MAIN** MODIFICATIONS SCHEDULE (JULY 2019)

MODIFICATION NUMBER	CHAPTER NUMBER	POLICY NUMBER	PAGE NUMBER	PARAGRAPH NUMBER	TEXT IN PUBLICATION VERSION	PROPOSED AMENDMENT	REASON FOR AMENDMENT
DM MOD_29	CHAPTER 12 THE NATURAL ENVIRONMENT	Policy DM46	103	12.46	Key Urban Landscapes are identified as those areas within the main urban areas which are of value in their own right in relation to their visual and amenity value as well as their role in providing the setting for important heritage assets. Urban Setting Landscapes are defined as these areas that whilst not necessarily important in their own right provide an important role in the setting of the main urban areas of the district. Such areas are usually located on the edge of the main urban area.	Key Urban Landscapes are identified as those areas within the main urban areas which are <u>integral to the built form of the district, providing a setting for important features and/or heritage assets. They play an important role in defining the townscape of the main urban area and are inextricably linked to the experience of the wider setting of these features. These areas also provide amenity value for local residents and the wider community. The amenity value of these areas is protected by other policies within the Local Plan. In comparison, Urban Setting Landscapes are peripheral to the built form and are located only on the edge of the main urban area. They are identified because they provide a visual frame for the urban area, providing an important role in the setting of existing development, and providing a significant context or legibility to features within the wider landscape.</u> of value in their own right in relation to their visual and amenity value as well as their role in providing the setting for important heritage assets. Urban Setting Landscapes are defined as these areas that whilst not necessarily important in their own right provide an important role in the setting of the main urban areas of the district. Such areas are usually located on the edge of the main urban area.	To be consistent with the evidence base and provide consistency with EN7.
DM MOD_30	CHAPTER 13 DEVELOPMENT IN RURAL AREAS	Policy DM47	105	N/A	Criterion IV The conservation or enhancement of sites of heritage, biodiversity or geodiversity value;	Criterion IV The conservation or enhancement of sites of heritage, biodiversity or geodiversity value;	To be consistent with the evidence base and to reflect the Statement of Common Ground with Historic England.
DM MOD_31		Policy DM50	109		Additional new paragraph to be added at the start of Policy DM49	Additional paragraph to read <u>Development proposals within the North Lancaster Green Belt will be considered in accordance with national planning policy and inappropriate development will be resisted.</u>	To provide further clarity to the policy as submitted following discussions on Day 5 of the Examination.
					First Sentence The re-use of buildings within the Green Belt will be considered appropriate where:	First Sentence The re-use of buildings within the Green Belt will be considered <u>not in</u> appropriate where:	To ensure consistency with national planning policy as submitted following discussions on Day 5 of the Examination.
					Criterion I It does not have materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it;	Criterion I It does not have <u>g</u> materially greater impact than the present use on the openness of the Green Belt and the purposes of including land <u>within its boundaries</u> in it;	To ensure consistency with national planning policy.
					Criterion II Strict control is exercised over the extension of re-used buildings and over any associated uses of land surrounding the building that might conflict with the openness of the Green Belt and the purposes of including land in it;	Criterion II Strict control is exercised over the extension of re-used buildings <u>so that it does not result in disproportionate additions over and above the size of the original building;</u> and over any associated uses of land surrounding the building that might conflict with the openness of the Green Belt and the purposes of including land in it;	To ensure consistency with national planning policy as submitted following discussions on Day 5 of the Examination.
					Second Paragraph The Council will not permit extensions to existing dwellings that create an adverse impact on the openness of the Green Belt.	Second paragraph The Council will not permit extensions to existing dwellings that <u>result in disproportionate additions over and above the size of the original building.</u> -create an adverse impact on the openness of the Green Belt.	To ensure consistency with national planning policy as submitted following discussions on Day 5 of the Examination.
Criterion VI The design, volume and massing of the proposal does not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion; and		Criterion VI The <u>new dwelling is not materially larger than the one it replaces</u> design, volume and massing of the proposal does not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion; and	To ensure consistency with national planning policy as submitted following discussions on Day 5 of the Examination.				
DM MOD_32	Policy DM52	113	Add Paragraph After Critieron XIV.	Add Paragraph After Critieron XIV. <u>Caravan, Chalet, Camping Pod and Loq Cabin owners and occupiers are to be provided with a 'Visitor Pack' to include details of the sensitivities of the nearby environmental designations and the wider Morecambe Bay coastline to recreational pressure, and promote the use of alternative areas for recreation such as public open space.</u>	To ensure compliance with the findings of the HRA and in accordance with discussions with Natural England.		

# DEVELOPMENT MANAGEMENT DPD - PROPOSED **MAIN** MODIFICATIONS SCHEDULE (JULY 2019)

MODIFICATION NUMBER	CHAPTER NUMBER	POLICY NUMBER	PAGE NUMBER	PARAGRAPH NUMBER	TEXT IN PUBLICATION VERSION	PROPOSED AMENDMENT	REASON FOR AMENDMENT
DM MOD_33	CHAPTER 14 ENERGY GENERATION	Policy DM53	115-116	N/A	Replace the second paragraph and criterion I to IV with the following text	<p><u>The Council will support proposals for renewable and low carbon energy schemes, including ancillary development, where the direct, indirect, individual and cumulative impacts on the following considerations are, or will be made, acceptable (unless material considerations indicate otherwise):</u></p> <p><u>I. As a result of its scale, siting or design impacts on the landscape character, visual amenity, biodiversity, geodiversity, flood risk, townscape and historic assets of the district, highway safety, aviation and defence navigation system/communications are satisfactorily addressed;</u></p> <p><u>II. Impacts on the amenities of sensitive neighbouring uses and local residents are minimised (including by virtue of noise, dust odour, shadow flicker, air quality or traffic);</u></p> <p><u>III. The wider environmental, economic, social and community benefits directly related to the scheme outweigh any significant adverse effects; and</u></p> <p><u>IV. The proposal is consistent with other relevant policies within the local development plan.</u></p>	To reflect the request from the Inspector that the policy be re-worded to reflect the National Policy and Guidance.
					Replace the fourth paragraph with the following text.	<p><u>Proposals for wind turbines will only be supported where they are located within an area identified as suitable for wind energy as shown on the Local Plan Policies Map and in Figure 1 (Areas identified as suitable for Wind Energy). Wind turbines in the areas identified as suitable for wind energy will be considered acceptable where the development can be positively assessed against the criteria outlined in (I) to (IV), National Planning Policy, the relevant Ministerial Statements and/or Guidance and following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.</u></p>	To reflect the request from the Inspector that the policy be re-worded to reflect the National Policy and Guidance.
			119	Amendments to be made to the Mapping relating to areas Suitable for Wind Energy.	<p>Map to be retitled Figure 14.1. Further wording to read:</p> <p><u>Areas that are not covered by the constraints (i.e. areas in white) are areas that are considered to be suitable for wind energy development (subject to compliance with other planning policy considerations)</u></p>	To provide further clarity on this matter.	
DM MOD_34	CHAPTER 15 SUSTAINABLE COMMUNITIES	Policy DM57	123	N/A	Two new paragraphs to be added after paragraph 15.17	<p><u>Within national planning policy, guidance is provided on how health should be considered by the planning system. It is clear that as part of delivering on the social dimension of sustainable development that planning has a role in supporting and developing strong, vibrant and healthy communities.</u></p> <p><u>National planning policy is clear that through both plan-making and decision-taking processes there is a need to take account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.</u></p>	To provide further clarity on this matter and to reflect discussions and submissions made on Day 8 of the Examination.
			125		<p>Delete sentence</p> <p>Add Paragraph</p>	<p>This will depend on the nature and scale of such development which should be discussed at a pre-application stage with both the Local Planning Authority and Lancashire County Council Public Health team.</p> <p><u>Proposals should have due regard to all relevant policies with the Local Plan, in particular Policies DM20, DM27, DM56 and DM61 of the Development Management DPD.</u></p>	To provide further clarity to the policy as discussed and submitted following discussions on Day 8 of the Examination.
DM MOD_35 (continued on next page)	CHAPTER 16 INFRASTRUCTURE DELIVERY	Policy DM58	125	16.5	16.5 CIL has been promoted by the Government as a more effective and transparent way of securing financial contributions from development and sought to replace the mechanism of Section 106 agreements. However, in 2016 the Government launched a review of the CIL system to consider its relative success in generating funds for infrastructure projects. The CIL Review was published in February 2017 and concluded that whilst CIL had generated significant benefits for authorities who had applied a CIL Charge but the level of authorities applying the Levy was intermittent resulting in impacts on development delivery. Accordingly the Government has been considering amendments to the tariff based system which seeks to streamline the system and provide a more standardised approach.	<p>CIL has been promoted by the Government as a more effective and transparent way of securing financial contributions from development and sought to replace the mechanism of Section 106 agreements. However, in 2016 the Government launched a review of the CIL system to consider its relative success in generating funds for infrastructure projects. The CIL Review was published in February 2017 and concluded that whilst CIL had generated significant benefits for authorities who had applied a CIL Charge but the level of authorities applying the Levy was intermittent resulting in impacts on development delivery. Accordingly the Government has been considering amendments to the tariff based system which seeks to streamline the system and provide a more standardised approach.</p>	To provide a factual update on this matter.



# DEVELOPMENT MANAGEMENT DPD - PROPOSED **MAIN** MODIFICATIONS SCHEDULE (JULY 2019)

MODIFICATION NUMBER	CHAPTER NUMBER	POLICY NUMBER	PAGE NUMBER	PARAGRAPH NUMBER	TEXT IN PUBLICATION VERSION	PROPOSED AMENDMENT	REASON FOR AMENDMENT
DM MOD_35	CHAPTER 16 INFRASTRUCTURE DELIVERY	Policy DM58	126	16.7	Given the uncertainties over the future Government approach, the Council has yet to commence work on a new tariff based system in order to assist with the delivery of strategic infrastructure needs. Given the level of growth anticipated through the course of the plan period it is important that a tariff on new development is delivered to assist in financing strategic infrastructure needs for the district. As a result work has commenced on investigating the viability of a CIL charge, the outcomes of which will influence the Council's decision over whether to pursue the preparation of a CIL charging schedule during 2018 to supplement the content of the Local Plan.	<del>The Government undertook a consultation on draft amendments to the CIL Regulations in December 2018 and issued its response in June 2019. The Government recognises the importance of developer contributions in delivering the infrastructure that new homes require. Amendments to the Regulations are proposed to make the system less complex and more transparent. Proposed amendments include the removal of restrictions on the pooling of s106 agreements. Given the uncertainties over the future Government approach, the Council has yet to commence work on a new tariff based system in order to assist with the delivery of strategic infrastructure needs. Given the level of growth anticipated through the course of the plan period it is important that a tariff on new development is delivered to assist in financing strategic infrastructure needs for the district. As a result work has commenced on investigating the viability of a CIL charge, the outcomes of which will influence the Council's decision over whether to pursue the preparation of a CIL charging schedule during 2018 to supplement the content of the Local Plan.</del>	To provide a factual update on this matter.
				16.8	Additional paragraph to be included.	<del>The Council is undertaking work with a view to adopting CIL to fund the wider infrastructure necessary for the delivery of the growth planned for.</del>	To provide a factual update on this matter.
DM MOD_36		Policy DM59	130	N/A	Second Paragraph For smaller schemes the Council will expect FTTP to be provided where practical.	Second Paragraph For smaller schemes the Council will <u>encourage</u> expect FTTP to be provided where <u>it is practical and viable to do so</u> .	To provide greater clarity within the policy and to reflect discussions on Day 8 of the Examination.
DM MOD_37	CHAPTER 17 TRANSPORT, ACCESSIBILITY AND CONNECTIVITY	Policy DM61	133	N/A	Criterion 1 Maintain and where possible improve the existing pedestrian infrastructure, including the Public Rights of Way (PROW) and green infrastructure network;	Criterion 1 Maintain and where possible improve the existing pedestrian infrastructure <u>in accordance with Policy T2 of the Strategic Policies and Land Allocations DPD</u> , including the Public Rights of Way (PROW) and green infrastructure network;	To ensure consistency within the plan.
					134	Last Paragraph The Council will, where possible, support the growth of the local cycling network within the district (as defined in the Strategic Policies and Land Allocations DPD) to encourage and maintain the growth of cycle usage as a viable and suitable form of transport, and recognise the value of such a network in creating a coherent network of green infrastructure. Support will be given to proposals that seek to enhance and improve the existing network, in accordance with the County Council's Cycling and Walking Strategy.	Last Paragraph The Council will, where possible, support the growth of the local cycling network within the district (as defined in <u>Policy T2 of</u> the Strategic Policies and Land Allocations DPD) to encourage and maintain the growth of cycle usage as a viable and suitable form of transport, and recognise the value of such a network in creating a coherent network of green infrastructure. Support will be given to proposals that seek to enhance and improve the existing network, in accordance with the County Council's Cycling and Walking Strategy <u>and Policy T2</u> .
DM MOD_38		Policy DM63	137	N/A	Fourth Paragraph The 'Travel Plan' will also be required where the development involves significant residential, commercial or employment development or non-residential institutions including schools, colleges and universities.	Fourth Paragraph The 'Travel Plan' will also be required where the development involves significant residential, commercial or employment development or non-residential institutions including schools, colleges, <del>and</del> universities <u>and hospitals</u> .	To provide greater clarity within the policy.
DM MOD_39		Policy DM64	138	N/A	Improvement to highway capacity on the A6 Corridor in South Lancaster Improvement to traffic management in Lancaster City Centre Improvements to connectivity around Morecambe Bay Enhancing the role of Ultra Low Emission Vehicles Investigating the role of a New Bus Rapid Transit System between South Lancaster - Lancaster City Centre - Morecambe - Heysham	<del>Improvement to highway capacity on the A6 Corridor <u>between Lancaster City Centre and Galgate</u> in South Lancaster Improvement to traffic management in Lancaster City Centre <u>to provide greater priority to public transport, pedestrian and cycling movements</u> Improvements to connectivity around Morecambe Bay <u>improving rail services and improving cycling and walking linkages</u> Enhancing the role of Ultra Low Emission Vehicles Investigating the role of <u>Establishing</u> a <u>New</u> Bus Rapid Transit System between South Lancaster - Lancaster City Centre - <u>Junction 34 Park and Ride</u> - Morecambe - Heysham</del>	To provide further clarity to the policy and the reflect discussions on Day 7 of the examination.
					Creation of two new paragraphs to be added below the bullet points in Policy DM63.	<u>Proposals which by their scale, location and nature, compromise the delivery of strategic highway and transport improvements in the district, as outlined in the Highways and Transport Masterplan, will not be supported.</u>  <u>Where appropriate, the Council may seek contributions towards the delivery of new infrastructure to achieve the aims and objectives set out in the Highways and Transport Masterplan where such contributions are reasonable and directly related to the development proposed, in line with national planning policy.</u>	To provide further clarity to the policy and the reflect discussions on Day 7 of the examination.
DM MOD_40 (continued on next page)	APPENDIX A GLOSSARY OF TERMS	N/A	141	N/A	Additional term to be added to the Glossary	<u>Built Up Area</u> <u>Land/buildings within the named Regional Centre, Key Service Centres, Market Town and Sustainable Rural Settlements and Rural Villages as specified in the Strategic Policies &amp; Land Allocations DPD Policy SP2 and the Local Service Centres and Small Villages within the Arnsdale and Silverdale AONB, as set out in Policy AS01 of the Arnsdale &amp; Silverdale AONB DPD. The non-built up area is any land/buildings outside of the areas as defined above.</u>	To provide further clarity to the DPD.

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MODIFICATION NUMBER	CHAPTER NUMBER	POLICY NUMBER	PAGE NUMBER	PARAGRAPH NUMBER	TEXT IN PUBLICATION VERSION	PROPOSED AMENDMENT	REASON FOR AMENDMENT
DM MOD_40	APPENDIX A GLOSSARY OF TERMS	N/A	144	N/A	Additional term to be added to the Glossary	<u>Landscape Capacity</u> <u>An approach to planning in the AONBs that allocates and permits development only where it will not harm the primary purpose of the designation, which is to conserve and enhance the natural beauty, wildlife and cultural heritage of the area. This requires an objective assessment of the landscape and visual impact resulting from potential development.</u>	To provide further clarity to the DPD.
DM MOD_41	APPENDIX E CAR PARKING STANDARDS		162	N/A	Add sentence before the table  Additional standards to be included for Student Accommodation under Class C2	The following standards provide a number of spaces required as a maximum  Additional Standards to read: City Centre Locations - 1 per resident staff and 1 per 10 beds District and Local Centres - 1 per resident staff and 1 per 5 beds All other areas - 1 per resident staff and 1 per 5 beds Disabled parking up to 200 bays - 3 bays or 6% of total Disabled parking more than 200 bays - 2 bays or 4% of total Bicycles - 1 per 3 beds Motorbikes - 1 per 100 beds (min. 2)	To provide clarity to the DPD and to reflect discussions on Day 7 of the examination.  To provide further clarity to the document.