



**PREESALL UNDERGROUND GAS STORAGE FACILITY,  
LANCASHIRE**

**Infrastructure Planning Commission (IPC) Application  
Reference Number: EN030001**

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STATEMENT OF COMMON GROUND BETWEEN HALITE  
ENERGY GROUP LIMITED AND WYRE BOROUGH  
COUNCIL ON THE TOPIC OF DEVELOPMENT PLANNING  
POLICY

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**PLANNING ACT 2008**

Underground Gas Storage Facility Preesall, Lancashire  
In respect of an application for a Development Consent Order  
By Halite Energy Group Limited  
Application Reference: EN030001

**STATEMENT OF COMMON GROUND BETWEEN HALITE ENERGY GROUP  
LIMITED AND WYRE BOROUGH COUNCIL  
ON THE TOPIC OF DEVELOPMENT PLANNING POLICY**

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## **STATEMENT OF COMMON GROUND: DEVELOPMENT PLANNING POLICY**

1. This Statement of Common Ground (SOCG) is made between Barton Willmore LLP on behalf of Halite Energy Group Limited (Halite) and Wyre Borough Council (WBC) in relation to Halite's application for a Development Consent Order (DCO) for an Underground Gas Storage (UGS) facility at Preesall (the 'Project'). This SOCG sets out the agreed development plan documents and the main local planning policies relevant to the Project.
  
2. Halite's review of the relevant development planning policies is set out in Section 4 (paras 4.55-123) of the Planning and Sustainability Statement (Doc Ref 9.1.1). The plans and policies referred to below constitute those which are deemed most relevant by Halite, LCC and WBC to the determination of the DCO application.

### **Development Plan**

3. It is agreed that the Development Plan comprises:-
  - The North West of England Plan, Regional Spatial Strategy to 2021 (2008);
  - The 'saved' policies of the Replacement Joint Lancashire Structure Plan 2001-2016 (2005);
  - The 'saved' policies of the Lancashire Minerals and Waste Local Plan 2006 (2001);
  - Lancashire Minerals and Waste Development Framework (2009)
  - The 'saved' policies of the Wyre Borough Local Plan (1999)
  - Fleetwood – Thornton Area Action Plan (2009)

## **Regional Policy**

4. Although the Coalition Government has announced its intention to abolish Regional Spatial Strategies, it is agreed that they remain part of the development plan at the present time. The Regional Planning Guidance for the North West (RSS13) was published in March 2003 and approved as the “The North West of England Plan, Regional Spatial Strategy to 2021” in 2008. It is agreed that the RSS identifies eight key principals set out in Policies DP2-DP9 as follows:-

- promote sustainable communities;
- promote sustainable economic development;
- make the best use of existing resources and infrastructure;
- manage travel demand, reduce the need to travel, and increase accessibility;
- marry opportunity and need;
- promote environmental quality;
- mainstreaming rural issues; and
- reduce emissions and adapt to climate change.

5. It is agreed that policies DP1 to 4 and DP7 and 9 were considered relevant at the time that the last planning application was considered and remain relevant to the Project.. Policy DP1 deals with spatial principles and states :

**“The following principles underpin RSS (incorporating RTS).**

**Other regional, sub-regional and local plans and strategies and all individual proposals, schemes and investment decisions should adhere to these principles. All may be applicable to development management in particular circumstances:**

- **promote sustainable communities;**

- **promote sustainable economic development;**
- **make the best use of existing resources and infrastructure;**
- **manage travel demand, reduce the need to travel, and increase accessibility;**
- **marry opportunity and need;**
- **promote environmental quality;**
- **mainstreaming rural issues;**
- **reduce emissions and adapt to climate change.**

**The 8 Policies DP 2 -9 amplify these principles and should be taken together as the spatial principles underlying the Strategy. They are not in order of priority.**

**The whole of the RSS should be read together and these principles should be applied alongside the other policies which follow.**

6. It is agreed that Policy DP2 seeks to promote sustainable communities and states:

**“Building sustainable communities – places where people want to live and work - is a regional priority in both urban and rural areas. Sustainable Communities should meet the diverse needs of existing and future residents, promote community cohesion and equality and diversity, be sensitive to the environment, and contribute to a high quality of life, particularly by:**

- **fostering sustainable relationships between homes, workplaces and other concentrations of regularly used services and facilities;**

- **taking into account the economic, environmental, social and cultural implications of development and spatial investment decisions on communities;**
- **improving the built and natural environment, and conserving the region’s heritage;**
- **improving the health and educational attainment of the region’s population, reducing present inequalities;**
- **promoting community safety and security, including flood risk (see map 2.11);**
- **encouraging leadership, joint working practices, community consultation and engagement;**
- **reviving local economies, especially in the Housing Market Renewal Areas and other areas in need of regeneration and housing restructuring such as Blackpool, Fleetwood and Morecambe;**
- **integrating and phasing the provision public services (including lifelong learning) and facilities to meet the current and future needs of the whole community, ensuring that those services are conveniently located, close to the people they serve, and genuinely accessible by public transport;**
- **promoting physical exercise through opportunities for sport and formal / informal recreation, walking and cycling.**

**The guiding principles of the UK Sustainable Development Strategy 2005 or its successors and the basic elements of sustainable communities as set out in ‘Sustainable Communities : People, Places and Prosperity (A Five Year Plan) should be followed.’**

7. It is agreed that Policy DP3 seeks to promote sustainable economic development and states :

**“It is a fundamental principle of this Strategy to seek to improve productivity, and to close the gap in economic performance between the North West and other parts of the UK. Sustainable economic growth should be supported and promoted, and so should reductions of economic, environmental, education, health and other social inequalities between different parts of the North West, within the sub-regions, and at local level.”**

8. It is agreed that Policy DP4 seeks to make the best use of existing resources and infrastructure and states :

**“Priority should be given to developments in locations consistent with the regional and sub-regional spatial frameworks as set out in Chapter 5 (notably policy RDF1) and sub regional policies in Chapters 10-13 which:**

- **build upon existing concentrations of activities and existing infrastructure;**
- **do not require major investment in new infrastructure, including transport, water supply and sewerage. Where this is unavoidable development should be appropriately phased to coincide with new infrastructure provision.**

**Development should accord with the following sequential approach:**

- **first, using existing buildings (including conversion) within settlements, and previously developed land within settlements;**
- **second, using other suitable infill opportunities within settlements, where compatible with other RSS policies;**
- **third, the development of other land where this is well-located in relation to housing, jobs, other services and infrastructure and which complies with the other principles in DP1-9.**

**Natural and man-made resources should be managed prudently and efficiently. Sustainable construction and efficiency in resource use (including reuse and recycling of materials) should be promoted.”**

9. It is agreed that Policy DP7 seeks to promote environmental quality and states :

**“Environmental quality (including air, coastal and inland waters), should be protected and enhanced, especially by:**

- **understanding and respecting the character and distinctiveness of places and landscapes;**
- **the protection and enhancement of the historic environment;**
- **promoting good quality design in new development and ensuring that development respects its setting taking into account relevant design requirements, the NW Design Guide and other best practice;**
- **reclaiming derelict land and remediating contaminated land for end-uses to improve the**



**image of the region and use land resources efficiently;**

- **maximising opportunities for the regeneration of derelict or dilapidated areas;**
- **assessing the potential impacts of managing traffic growth and mitigating the impacts of road traffic on air quality, noise and health;**
- **promoting policies relating to green infrastructure and the greening of towns and cities;**
- **maintaining and enhancing the tranquillity of open countryside and rural areas;**
- **maintaining and enhancing the quantity and quality of biodiversity and habitat;**
- **ensuring that plans, strategies and proposals which alone or in combination could have a significant effect on the integrity and conservation objectives of sites of international importance for nature conservation are subject to assessment, this includes assessment and amelioration of the potential impacts of development (and associated traffic) on air quality, water quality and water levels.”**

10. It is agreed that Policy DP9 seeks to reduce emissions and to adapt to climate change and states:

**“As an urgent regional priority, plans, strategies, proposals, schemes and investment decisions should:**

- **contribute to reductions in the Region's carbon dioxide emissions from all sources, including energy generation and supply, buildings and transport in line with national targets to reduce**

**emissions to 60% below 1990 levels by 2050; in particular, for residential and commercial development, by developing trajectories or other yardsticks for identifying trends in carbon performance;**

- **take into account future changes to national targets for carbon dioxide and other greenhouse gas emissions;**
- **identify, assess and apply measures to ensure effective adaptation to likely environmental, social and economic impacts of climate change.**

**Measures to reduce emissions might include as examples:**

- **increasing urban density;**
- **encouraging better built homes and energy efficiency, eco-friendly and adaptable buildings, with good thermal insulation, green roofs and microgeneration;**
- **reducing traffic growth, promoting walking, cycling and public transport;**
- **facilitating effective waste management;**
- **increasing renewable energy capacity;**
- **focusing substantial new development on locations where energy can be gained from decentralised supply systems;**
- **the improved management and rewetting of the regions blanket and raised bog resource.**

**Adaptation measures might include, for example:**

- **minimising threats from, and the impact of, increased coastal erosion, increased storminess and flood risk, habitat disturbance, fragmentation and increased pressure on water supply and drainage systems;**
- **protection of the most versatile agricultural land;**
- **Sustainable Urban Drainage.**

**Policy makers should use the North West Integrated Appraisal Toolkit as a basis to assess and strengthen the climate change mitigation and adaptation elements of their plans and strategies. Exceptionally, other comparable and robust methodologies might be used.**

**Applicants and local planning authorities should ensure that all developments meet at least the minimum standards set out in the North West Sustainability Checklist for Developments, and should apply ‘good’ or ‘best practice’ standards wherever practicable.”**

11. It is agreed that the following policies are also relevant.

Policy RDF1 dealing with spatial priorities states:-

**“In making provision for development, plans and strategies should accord with the following priorities, taking into account specific considerations set out in Sub Regional Chapters 10-13:**

- **the first priority for growth and development should be the regional centres of Manchester and Liverpool;**

- **the second priority should be the inner areas surrounding these regional centres. Emphasis should be placed on areas in need of regeneration and Housing Market Renewal Areas in particular;**
- **the third priority should be the towns / cities in the 3 city regions: Altrincham, Ashton-under-Lyne, Blackburn, Blackpool, Bolton, Burnley, Bury, Chester, Crewe, Ellesmere Port, Macclesfield, Northwich, Oldham, Preston, Rochdale, Runcorn, St Helens, Skelmersdale, Southport, Stockport, Warrington, Widnes, Wigan. Development in larger suburban centres within the city regions would be compatible with this policy provided the development is of an appropriate scale and at points where transport networks connect and where public transport accessibility is good;**
- **the fourth priority should be the towns and cities outside the City Regions of Carlisle and Lancaster, with investment encouraged in Barrow-in-Furness and Workington and Whitehaven to address regeneration and worklessness in Furness Peninsula and West Cumbria.**

**In the third and fourth priorities development should be focused in and around the centres of the towns and cities. Development elsewhere may be acceptable if it satisfies other policies, notably DP1 to 9. Emphasis should be placed on addressing regeneration and housing market renewal and restructuring.”**

12. Policy RDF2 deals with development in ‘rural areas’ and states:-

**“Plans and strategies for the region’s rural areas should support the priorities of the Regional Rural Delivery Framework and:-**

- **maximise the economic potential of the region’s rural areas;**
- **support sustainable farming and food;**
- **improve access to affordable rural housing;**
- **ensure fair access to affordable rural housing;**
- **empower rural communities and address rural social exclusion;**
- **enhance the value of our rural environmental inheritance.**

#### **Key Service Centres**

**Plans and Strategies should identify a subset of towns and villages as Key Service Centres which:-**

- **act as service centres for surrounding areas, providing a range of services including retail, leisure, community, civic, health and education facilities and financial and professional services; and**
- **have good public transport links to surrounding towns and villages, or the potential for their development and enhancement.**

**Development in rural areas should be concentrated in these Key Service Centres and should be of a scale and nature appropriate to fulfil the needs of local communities for housing, employment and services, and to enhance the quality of rural life.**

### **Local Service Centres**

**Small scale development to help sustain local services, meet local needs, or support local businesses will be permitted in towns and villages defined as Local Service Centres in Local Development Documents which already provide a more limited range of services to the local community.**

### **Outside Key and Local Service Centres**

**In remoter rural areas particularly the ‘sparse’ rural areas of the region, more innovative and flexible solutions to meet their particular development needs should be implemented and targeted towards achieving:-**

- **more equitable access to housing, services, education, healthcare and employment; and**
- **a more diverse economic base, whilst maintaining support for agriculture and tourism.**

**Exceptionally, new development will be permitted in the open countryside where it:-**

- **has an essential requirement for a rural location, which cannot be accommodated elsewhere (such as mineral extraction);**
- **is needed to sustain existing businesses;**
- **provides for exceptional needs for affordable housing;**
- **is an extension of an existing building; or**

- **involves the appropriate change of use of an existing building.**

**LDD’s should set out criteria for permitting the re-use of buildings in the countryside in line with PPS7.”**

13. It is agreed that the part of policy RDF2 most relevant to the UGS proposals is that which deals with development in the rural areas and open countryside. It is agreed that the policy allows for new development in the open countryside where it “has an essential requirement for a rural location, which cannot be accommodated elsewhere (such as mineral extraction)”.
14. Policy RDF3 deals with ‘the coast’ and states:-

**Plans and strategies should:-**

- **enhance the economic importance of the coast and the regeneration of coastal communities in ways that safeguard, restore or enhance and make sustainable use of the natural, built and cultural heritage assets of the north-west coast and address issues of environmental decline and socio-economic decline, through support for:-**
  - **the protection, development and diversification of the north west’s maritime economy;**
  - **regeneration based around opportunities for sustainable growth in coastal tourism and recreation;**
  - **regeneration opportunities associated with reuse of developed or under-used developed coast, former docks and other adjacent industrial areas;**

- **improving the image of coastal resorts to attract inward investment and tourism;**
- **the diversification of economic activity in coastal communities and rural coastal areas;**
  
- **define the undeveloped, developed (including despoiled), and remote coast at a strategic and local level using the criteria set out in paragraph 5.22;**
- **direct development requiring a coastal location, in all but exceptional circumstances, to the developed coast and safeguard the undeveloped and remote coasts;**
- **protect the functional integrity of bays, estuaries and the inter-tidal areas immediately offshore;**
- **promote the conservation and enhancement of cultural, historical and natural environmental assets, including land and seascapes;**
- **promote the integrated planning and management of the coast (and adjacent sea areas and neighbouring coastal regions) and marine spatial planning of the Irish Sea;**
- **facilitate the co-ordination and harmonisation between Local Development Frameworks and the wide range of plans, strategies and schemes which apply to the coastal zone.”**

15. It is agreed that those parts of policy RDF3 that are most relevant to the Project are, firstly, that part that seeks to enhance the economic importance of the coast and the regeneration of coastal communities in ways that safeguard, restore or enhance and make sustainable use of the natural, built and cultural heritage assets of the North West Coast and address issues of environmental decline and



socio-economic decline. Secondly, that part that seeks to promote the conservation and enhancement of the cultural, historical and natural environmental assets, including land and seascapes.

16. It is agreed that Policy EM1 deals with the 'integrated enhancement and protection of the Region's environmental assets' and states :

**“Integrated Enhancement and Protection of the Region's Environmental Assets**

**The Region's environmental assets should be identified, protected, enhanced and managed.**

**Plans, strategies, proposals and schemes should deliver an integrated approach to conserving and enhancing the landscape, natural environment, historic environment and woodlands of the region.**

**Plans and strategies should define spatial objectives and priorities for conservation, restoration and enhancement as appropriate, and provide area-based guidelines to direct decisions and target resources. These will be founded on a sound understanding of the diversity, distinctiveness, significance and sensitivity of the region's environmental assets, and informed by sub-regional environmental frameworks. Special consideration will be given to the impacts of climate change and adaptation measures.**

**Priority should be given to conserving and enhancing areas, sites, features and species of international, national, regional and local landscape, natural environment and historic environment importance.**

**Where proposals and schemes affect the region's landscape, natural or historic environment or woodland assets, prospective developers and/or local authorities should first avoid loss of or damage to the assets, then mitigate any unavoidable damage and compensate for loss or damage through offsetting actions with a foundation of no net loss in resources as a minimum requirement.**

**With regard to specific elements of this integrated approach, the following should be taken into account:**

**Policy EM1 (A): Landscape**

**Plans, strategies, proposals and schemes should identify, protect, maintain and enhance natural, historic and other distinctive features that contribute to the character of landscapes and places within the North West.**

**They should be informed by and recognise the importance of:**

- detailed landscape character assessments and strategies, which local authorities should produce, set in the context of the North West Joint Character Area Map. These will be used to identify priority areas for the maintenance, enhancement and/or restoration of that character and will underpin and act as key components of criteria-based policies in LDFs;**
- the special qualities of the environment associated with the nationally designated areas of the Lake District National Park, the Yorkshire Dales National Park, the Peak District National**

**Park, the Forest of Bowland Area of Outstanding Natural Beauty (AONB), the Arnside and Silverdale AONB, the North Pennines AONB and Solway Coast AONB and their settings;**

- **the characteristics and setting of World Heritage Sites.**

#### **Policy EM1 (B): Natural Environment**

**Plans, strategies, proposals and schemes should secure a ‘step-change’ increase in the region’s biodiversity resources by contributing to the delivery of national, regional and local biodiversity objectives and targets for maintaining extent, achieving condition, restoring and expanding habitats and species populations. This should be done through protecting, enhancing, expanding and linking areas for wildlife within and between the locations of highest biodiversity resources, including statutory and local wildlife sites, and encouraging the conservation and expansion of the ecological fabric elsewhere.**

**Broad locations where there are greatest opportunities for delivering the biodiversity targets are shown on the Indicative Biodiversity Resource and Opportunity Diagram (see Diagram 9.1). More specific locations will be informed by sub-regional biodiversity maps and frameworks of statutory and local wildlife sites.**

**Local authorities should:**

- **develop a more detailed representation of this spatial information for use in their Local Development Frameworks; and**

- **develop functional ecological frameworks that will address habitat fragmentation and species isolation, identifying and targeting opportunities for habitat expansion and re-connection. Active arrangements will be needed to address ecological cross-boundary issues within areas such as the Pennines, Solway Firth, the Mersey Estuary, the Lune Estuary, the River Dee Estuary and the Cheshire Meres and Mosses, as well as including biodiversity policies in any developing Marine Spatial Planning System in the Irish Sea.**

**Plans, strategies, proposals and schemes should protect and enhance the region’s geological and geomorphological resources including statutory and local sites by contributing to the delivery of national, regional and local geodiversity objectives and targets.**

#### **Policy EM1 (C): Historic Environment**

**Plans, strategies, proposals and schemes should protect, conserve and enhance the historic environment supporting conservation-led regeneration in areas rich in historic interest, and in particular exploiting the regeneration potential of:**

- **the maritime heritage of the North West coast including docks and waterspaces, and coastal resorts and piers;**
- **the Pennine textile mill-town heritage that exists in East Lancashire and Greater Manchester; and the textile mill-town heritage of East Cheshire;**

- **Victorian and Edwardian commercial developments in Liverpool and Manchester city centres;**
- **the traditional architecture of rural villages and market towns of Cumbria, Cheshire and Lancashire;**
- **the historic Cities of Carlisle, Chester and Lancaster; and**
- **the Lake District Cultural Landscape.**

**Policy EM1 (D): Trees, Woodlands and Forests**

**Plans, strategies, proposals and schemes should:**

- **support the aims and priorities of the North West Regional Forestry Framework and sub-regional forestry strategies;**
- **encourage a steady targeted expansion of tree and woodland cover and promote sustainable management of existing woodland resources to enable the delivery of multiple benefits to society;**
- **support the continued role of community forestry;**
- **identify and protect ancient semi-natural woodland and veteran trees.”**

17. It is agreed that policy EM6 requires a strategic and integrated approach to the long term management of flood and coastal erosion risk by:-

- **“taking account of natural coastal change and the likely impacts of climate change, to ensure that development is sited or re-sited carefully to avoid:-**
- **the risk of future loss from coastal erosion, land instability and flooding;**

- **unsustainable coastal defence costs;**
- **damaging existing defences and the capacity of the coast to form natural defences or to adjust to future changes without endangering life or property;**
- **making provision for mitigation of and adaptation to natural coastal change and the predicted effects of climate change over the medium to long-term (100 years) and supporting a ‘whole shoreline approach’ being taken to coastal risk management;**
- **minimising the loss of coastal habitats and avoiding damage to coastal processes; and avoiding adverse impacts now and in the future on coastal sites of international nature conservation importance;**
- **promoting managed realignment as a tool for managing flood and coastal erosion risk and delivering biodiversity targets and compensatory habitat requirements under the Habitats Directive.”**

18. It is agreed that Policy EM7 deals with minerals extraction and states:-

**“Plans and strategies should make provision for a steady and adequate supply of a range of minerals to meet the region’s apportionments of land-won aggregates and requirements of national planning guidance. This will take into account:-**

- **the national significance of the region’s reserves of salt, silica sand, gypsum, peat and clay (including fireclay);**

- **the need to maintain land banks of permitted reserves of certain minerals as identified in relevant government guidance including silica sand and materials for the cement industry;**
- **the contribution that substitute, secondary or recycled sources, or imports from outside the region, should make;**
- **the potential supply marine dredged aggregate in contributing towards overall regional aggregate needs, applying the principles of sustainable development alluded to in relevant government guidance and reflect any future Marine Spatial Planning arrangements.**

**Minerals extraction forms an exception to the sequential approach set out in the Core Development Principles.**

**Plans and strategies should:-**

- **include criteria-based policies to indicate the circumstances under which extraction might or might not be permitted;**
- **include opportunities for the transportation of minerals by pipeline, rail or water, including the maintenance of existing wharves and railhead facilities, the provision of new ones, and of facilities for on-shore processing and distribution of hydrocarbons;**
- **safeguard mineral resources from other forms of development and, where appropriate, reserve highest quality minerals for applications that require such grades;**

- **identify and protect sources of building stone for use in repairing and maintaining historic buildings and public realm improvements; and**
- **ensure sensitive environmental restoration and after care of sites including improved public access where they are of amenity value.”**

19. It is agreed that Policy EM15 seeks to promote a framework for sustainable energy in the North West and states :

**“Plans and strategies should promote sustainable energy production and consumption in accordance with the principles of the Energy Hierarchy set out in Figure 9.2 and within the Sustainable Energy Strategy. In line with the North West Sustainable Energy Strategy the North West aims to double its installed Combined Heat and Power (CHP) capacity by 2010 from 866 MWe to 1.5 GW, if economic conditions are feasible.**

**All public authorities should in their own proposals and schemes (including refurbishment) lead by example to emphasise their commitment to reducing the annual consumption of energy and the potential for sustainable energy generation, and facilitate the adoption of good practice by the widest range of local stakeholders.”**

20. It is agreed that Policy EM16 seeks to promote energy conservation and efficiency and states :

**“Local authorities, energy suppliers, construction companies, developers, transport providers and other organisations should ensure that their approach to energy is based on minimising consumption and demand, promoting maximum efficiency and minimum**



**waste in all aspects of local planning, development and energy consumption. To support this, Distribution Network Operators and local planning authorities should make effective provision for required energy network upgrades in terms of distribution connections and substations.**

**Plans and strategies should actively facilitate reductions in energy requirements and improvements in energy efficiency by incorporating robust policies which support the delivery of the national timetable for reducing emissions from domestic and non-domestic buildings.”**

### **Local Planning Policies**

#### **Replacement Joint Lancashire Structure Plan 2001-2016**

21. It is agreed that the Replacement Joint Lancashire Structure Plan 2001-2016 was adopted on the 31 March 2005 and was saved for a period of three years from the date of its adoption i.e. until 31 March 2008. It is agreed that the Plan was superseded by the Regional Spatial Strategy ‘The North West of England Plan, Regional Spatial Strategy to 2021’ albeit that policy 29 concerning ‘gypsies and travellers’ has been retained. It is agreed that this policy is of no relevance to the application proposals.
22. It is agreed that in July 2006, LCC adopted its ‘Landscape and Heritage Supplementary Planning Guidance’ (SPG) to supplement policies 20 and 21 of the Replacement Joint Structure Plan. Although these policies are no longer ‘saved’ LCC continues to use the SPG for development control purposes.

#### **Lancashire Minerals and Waste Local Plan 2006**

23. It is agreed that the Lancashire Minerals and Waste Local Plan 2006 was adopted in December 2001. It is agreed that a number of policies from this plan have been 'saved' until such time as the new complete Local Development Framework for Minerals and Waste is in place.

24. It is agreed that the concept of sustainable development forms the strategic basis for the Plan which is encapsulated within the following strategy:-

**“To make an appropriate contribution to meeting necessary local, regional and national supplies of minerals and facilities for treating and disposing of waste, commensurate with the need to conserve where possible create opportunities to enhance the environment and quality of life of the residents of Lancashire.” (para 2.22)**

25. It is agreed that Policy 2 deals with quality of life and seeks to ensure the full consideration of environmental impacts. Policy 2 states:-

**“Proposals for minerals or waste developments will be permitted only if it is demonstrated to the satisfaction of the mineral and waste planning authority that all material impacts, by reason of traffic, visual impact, noise, dust, blasting, landfill gas, pollution, odour or other factors leading to loss of or damage to amenity which would adversely affect people, can be eliminated or reduced to acceptable levels and in assessing the proposals account will be taken of the extent to which those factors can be controlled in accordance with current best site practice and recognised standards.”**

26. It is agreed that Policy 7 deals with development in the open countryside and states:

**“Proposals for minerals or waste developments in the open countryside will be permitted only if:**

- i) they are in scale and keeping with the features of the Landscape Character Tracts within which they are sited; and**
- ii) they would not have an unacceptable adverse impact on the local character of the landscape and would safeguard key landscape features.**

**Restoration proposals should aim to re-create the local character of the landscape, and have regard to the potential to improve the landscape.”**

27. It is agreed that Policy 16 deals with nationally important nature conservation sites and states :

**“Proposals for minerals development which would be likely to adversely affect the special interest of a Site of Special Scientific Interest, a National Nature Reserve or a limestone pavement subject to a Limestone Pavement Order will be subject to the most rigorous examination and will not be permitted unless it can be demonstrated that exceptional circumstances exist which outweigh the conservation considerations reflected in the designation and that the development would be in the public interest.”**

28. It is agreed that Policy 24 deals with flood risk and states :

**“Proposals for minerals or waste developments will not be permitted where:**

- i) there will be an unacceptable risk from flooding (including tidal inundation) affecting the site of the development; or**
- ii) the proposal will create an unacceptable risk of flooding elsewhere, unless appropriate flood alleviation measures are provided.”**

29. It is agreed that Policy 25 deals with coastal protection and the open coastline and states :

**“Proposals for minerals or waste developments in coastal locations will only be permitted where it can be demonstrated that:**

- i) a coastal location is required; and**
- ii) there will be no adverse effect on the natural or historic landscape, nature conservation value or recreational value of the coastal area; and**
- iii) there would be no direct risk from flooding, erosion or land instability; and**
- iv) the development would not increase the risk of flooding, erosion or land instability elsewhere.”**

30. It is agreed that Policy 31 deals with the public rights of way and states:-

**“Proposals for minerals or waste developments which would have an unacceptable adverse impact on the amenity and recreational value of a Public Right of Way will not be permitted unless:-**

- i) adequate arrangements are made in advance of the development first commencing, to protect the existing route or provide acceptable alternatives, both during and after working; or**

- ii) **it can be demonstrated that there is a need for the minerals or waste development which cannot be met from a less damaging alternative site or source of supply.”**

31. It is agreed that Policy 32 of the Plan deals with recreational facilities and states:-

**“Proposals for minerals or waste developments will not be permitted if they would have an unacceptable adverse impact on the recreational value of managed access areas, recreational routes, country parks, water-based or other recreational facilities or picnic areas, unless it can be demonstrated that there is a need for the development which cannot be met from a less damaging alternative site or source of supply”**

32. It is agreed that Policy 37 deals with the strategic road network and states :

**“Proposals for minerals or waste developments will be permitted only if they would not:**

- (a) give rise to any unacceptable traffic or road safety problems on the strategic road network or on the access routes between the site and that network; and**
- (b) give rise to unacceptable effects on amenity by reason of the use of those access routes by the traffic which they are likely to generate.**

**In considering proposals particular regard will be had to:**

- i) the location and layout of the access from the site to the public highway;**
- ii) the ability of the local road network to accommodate the weight, volumes and movements of the generated traffic;**
- iii) the impact of the traffic movements on residential amenity.”**

33. It is agreed that the Plan specifically deals with the Preesall Saltfield and sets out the history of mining in the area at para 10.25. It makes the point that the mining of salt in the area has led to the creation of large underground voids which are filled with saturated brine. Although unlikely to collapse, the Plan adopts a precautionary approach when it comes to permitting surface development in the areas of these cavities (para 10.28).

34. It is agreed that Policy 71 seeks to protect the surface of the former Preesall saltfield from development and states:-

**“The surface of the Preesall Salt Field shown on Insert Map 8 will be protected from development which may be adversely affected by land instability due to the existence of underground cavities.”**

35. It is agreed that Policy 72 dealing with salt provision, states:-

**“Proposals for the extraction of salt or brine will be permitted, provided that:-**

- a) it is demonstrated that the need for the development overrides any adverse impact which it may have on people and the environment; and**
- b) the proposal makes adequate provision for the protection of existing development in or adjacent to the development area; and**

**c) the provisions made for the long term safety of cavities are adequate.”**

36. It is agreed that the Plan acknowledges that areas of unwanted salt deposits remain in the Preesall area which may be worked at some time in the future. It is agreed that proposals for the extraction of salt or brine may therefore be permitted providing that there is an overriding need for the mineral.

**Lancashire Minerals and Waste Development Framework**

37. It is agreed that the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document was adopted in February 2009.

38. It is agreed that the Plan seeks to:-

- safeguard Lancashire’s Mineral Resources (Policy CS1);
- minimise the need for mineral extraction (Policy CS2);
- meet the demand for new minerals (Policy CS3);
- identify sites and areas for mineral extraction (Policy CS4);
- achieve sustainable minerals production (Policy CS5).

**Wyre Borough Local Plan**

39. It is agreed that the Wyre Borough Local Plan was adopted in July 1999. It is also agreed that a review of the Local Plan was commenced and in 2004 the ‘Local Plan Review 1<sup>st</sup> Deposit Draft’ was published for consultation. The Review has, however, been abandoned in favour of the new Local Development Framework for which further details are given below. A number of the Local Plan policies have been ‘saved’ until such time as the new Local Development Framework is in place.

40. It is agreed that the Wyre Borough Local Plan aims ‘to encourage and guide investment and development in the Borough in a manner which is consistent with the changing social and economic needs and aspirations of the growing community of Wyre, in locations which reflect the concept of sustainable development, and in a form which represents the careful qualitative balance between development and the particular characteristics of the local environment’ (para 1.54).
41. On the Proposals Map, it is agreed that the application site includes land designated as:-
- Countryside Area (Policy SP13);
  - Defined Open Coastline (Policy ENV2);
  - Site of Special Scientific Interest (Policy ENV4) (not saved);
  - County Heritage (Policy ENV5) (not saved).
42. It is agreed that parts of the Proposals Map have been superseded by the adoption of the Fleetwood – Thornton Area Action Plan which is described in the next Section. It is agreed that the relevant policies of the Local Plan are Policy SP13, SP14, ENV2, ENV7, ENV13-16, EMP12, and TREC12.
43. It is agreed that Policy SP13 deals with ‘development in the countryside’ and states:-

**“Unless otherwise justified by the Policies of the Plan, development in that area designated as the countryside on the Proposals Map will not be permitted except for:-**

- a) the essential requirements of agriculture or forestry, suitable forms of tourism and related activities, or other uses appropriate to a rural area; or**



- b) fulfilling local housing need in accordance with housing Policies H14 and H15 of this Local Plan; or**
- c) The re-use or refurbishment of listed buildings or institutional buildings and associated facilities set within their own grounds; or**
- d) the conversion of rural buildings, such as barns, mills and stables (in accord with Policies H6 and EMP13); or**
- e) the development of a single infill plot within an established built up frontage of not less than five dwellings but only provided that it can be clearly demonstrated that such development would not have any detrimental effect on the character of that group or the locality.**

**All proposals for development will be considered with regard to issues of amenity, scale, design and materials and should not prejudice the provisions of other Policies of the Plan.”**

44. It is agreed that the justification for this policy states that it ‘is a fundamental part of the Local Plan strategy that policies for the control of development outside settlements should restrict proposals to those which are actually required to support the area’s predominant land uses’ and that ‘the overriding intention of such policies is thus to redirect investment and development to the settlements and, in doing so, to protect the inherent qualities and rural characteristics of the countryside’. It goes on to state that ‘within the context of protecting the countryside, however, this policy acknowledges that certain forms of development may be necessary if the rural economy is it to remain viable and the character of the countryside, as we know it, is to be maintained’ and that ‘in many cases, the use proposed will be considered appropriate to the rural area if it provides for a particular rural need or addresses a recognised social, economic or environmental need’ (p.24).

45. It is agreed that Policy SP14 deals with ‘standards of design and amenity’ and states:-

**“The council will seek to apply consistent principles and high standards of design and amenity for all types of development. Where development proposals generally accord with the principles of the development strategy and with other relevant Policies and Proposals of this Plan the following criteria will therefore also need to be satisfied:-**

- a) the proposal should be compatible with adjacent existing land uses and any other relevant adjacent proposal of this Plan;**
- b) the development should be acceptable in the local landscape in terms of its scale, mass, style, siting and use of materials, including any associated advertisement matter;**
- c) any development proposal should respect and accommodate existing important features of the site such as preserved trees, biological and heritage features and public footpaths;**
- d) the proposal should enjoy satisfactory access, parking and servicing facilities which should not prejudice the provision of such facilities for neighbouring properties on an individual basis or as a joint arrangement;**
- e) the traffic associated with the development should not have any adverse impact on the local environs nor on the local highway network generally;**
- f) suitable landscaping and/or screening should be employed to satisfactorily ameliorate the impact**

- of the development and any necessary associated activities (for example parking, external storage);**
- g) where appropriate, and particularly in those developments where access is intended for the general public, adequate provision should be made in the design for the special access needs of the physically impaired and for the safety and convenience of other vulnerable groups;**
  - h) the inter-relationship between buildings and open spaces in any layout should act to minimise the opportunities for criminal activity, consistent with good layout and architectural design.”**

46. It is agreed that Policy ENV2 deals with the ‘open coastline’ and states:-

**“Except for the purposes of fisheries, sea defence, coastal protection, navigation, informal recreation and amenity, or for development of the off-shore hydro-carbon, or renewable energy industries proposals for development will only be permitted where there is no detrimental effect on the open character of the defined open coastline, as shown on the Proposals Map.”**

47. It is agreed that Policy ENV7 deals with ‘trees on development sites’ and states:-

**“Proposals for development that are likely to affect trees within a site will only be approved in those circumstances:**

- a) Where the scheme includes measures for the selection, retention and protection of those trees which are healthy and have (or would have) a public amenity benefit, and**

- b) **Where appropriate, new trees of a suitable species are proposed for planting in a scheme to be agreed with the local planning authority, and**
- c) **Where the setting and character of trees (including where possible any trees adjacent to the site) is taken into account in considering the development of sites containing trees, and**
- d) **Where development is sited so as to avoid damage to existing trees by ensuring adequate spacing, and**
- e) **Where the proposals do not conflict with any other provisions of the local plan, and**
- f) **Where the proposal does not have an adverse effect on the integrity of an ancient woodland.”**

48. It is agreed that Policy ENV 13 deals with ‘development and flood risk’ and states:-

**“Development in areas at direct risk from flooding will only be permitted where:-**

- a) **it would not cause or exacerbate flooding in other areas; and**
- b) **a satisfactory standard of flood protection already exists; or**
- c) **mitigation measures will be included in a scheme.”**

49. It is agreed that Policy ENV14 deals with ‘development and flood defences’ and states:-

**“Development will not be permitted where it would adversely affect the integrity and continuity of tidal and fluvial defences, or access arrangements to either**

**watercourses or the coast for essential maintenance, or improvement and emergency purposes.”**

50. It is agreed that Policy ENV15 deals with ‘surface water run off’ and states:-

**“Development which will generate increased rates of surface water run-off will not be permitted where it would lead to adverse impacts such as an increased risk of flooding, river channel instability, or damage to habitats. Developers will be expected to cover the cost of assessing surface water drainage impacts and any appropriate mitigation works, including long-term maintenance.”**

51. It is agreed that Policy ENV16 deals with ‘ground water protection’ and states:-

**“Development proposals will not be permitted where they are likely to have an adverse impact upon the quality or supply of ground water resources and planning conditions or planning obligations cannot be applied to secure water quality.”**

52. It is agreed that Policy EMP12 deals with ‘diversification of the rural economy’ and states:-

**“Proposals which would facilitate the diversification of the rural economy will be approved where:-**

- a) the scale and nature of the activity is not detrimental to the character of the area; and**
- b) any new buildings are shown to be necessary and appropriate to a rural location; and**

- c) **the proposed use does not conflict with adjacent land uses nor adversely affects the economic viability of a farming or other unit; and**
- d) **the proposal fully satisfies Policy SP14.”**

53. It is agreed that the justification for this policy considers that ‘encouraging appropriate new employment uses into the rural area to provide alternative sources of job creation is essential to ensure its economic well being’ but that ‘if such development is permitted, strict control will be exercised in terms of its scale, location and design. The buildings will be expected to reflect the local style and relate well to other existing buildings and the character of the rural area’ (p.89)

54. It is agreed that Policy TREC12 deals with ‘public rights of way’ and states:-

**“In order to ensure that public access to the countryside is maintained and enhanced, the Borough Council, as local planning authority, will, through its responsibility for controlling the development and use of land, safeguard all public rights of way including footpaths, bridleways, byways and unclassified county roads.**

**Proposals will not be permitted which:-**

- a) **adversely affect any existing right of way, and the public’s enjoyment of it unless a satisfactory alternative is provide; or**
- b) **detract from the character of any existing right of way; or**
- c) **do not accord with the need to improve and provide access to the countryside for the disabled.”**

55. It is agreed that the Fleetwood-Thornton Area Action Plan (AAP), adopted in 2009, looks ahead to the year 2021, setting out a comprehensive vision and spatial strategy for the Fleetwood-Thornton area. The Plan area is restricted by the west side of the Wyre Estuary but includes the site of the Fish Dock on which the Seawater Pump Station is proposed and the route of the brine pipeline. It is agreed that the Proposals Map shows the site of the Seawater Pump Station as being in the Fleetwood Docks Mixed Use Development Area and that the following policies are relevant to the Project.

56. It is agreed that Policy 2 states:-

**“Housing Provision and Choice**

**1. Land for 1,300 dwellings is allocated as shown on the Proposals Map as follows:-**

- a) Fleetwood Docks Mixed Use Development Area (FD1) – planning permission for 380 dwellings (reference 04/00240/OUT/MAJ).**
- b) Former Power Station Site (PS1) – planning permission for 558 dwellings (reference 07/00824/FUL/MAJ).**
- c) Fleetwood Docks Mixed Use Development Area (FD2) – land is allocated on the Proposals Map for 120 dwellings.**
- d) Land to the west of the former power station site (PS2) – allocated on the Proposals Map for 242 dwellings.”**

57. It is agreed that Policy 3 states:-

**“Industry and Business**

1. In order to protect and consolidate the Fleetwood fishing and port related industries and specialist industrial sector at the Hillhouse site, employment development for B1, B2 and B8 uses (business, general industrial and storage and distribution) will be permitted in the following areas as identified on the Proposals Map:-
  - i) Fleetwood Docks Mixed Use Development Area (E1);
  - ii) Fleetwood Docks Employment Area (E2);
  - iii) Hillhouse Secure Site (100,000m<sup>2</sup> of gross floor space net of demolition) (E3);
  - iv) Red Marsh Industrial Estate (E4);
  - v) Burn Hall Industrial Estate (E5);
  - vi) Lancashire Waste Technology Park (E6);
  - vii) Land East of Fleetwood Road (E7).”

58. It is agreed that Policy 5 states:-

**“Transport Network Improvements**

1. All planning applications for traffic generating development will be determined having regard to the Sustainable Transport Strategy.
2. All planning applications for developments likely to generate significant increases in traffic should be accompanied by a Travel Plan and a Transport Assessment, including any implications of deviating from the Sustainable Transport Strategy.
3. In considering planning applications for traffic generating development, appropriate contributions will be sought from developers



**towards sustainable transport measures, including safety measures and highway improvements in accordance with the Sustainable Transport Strategy. These contributions will be pooled and deployed as set out in the Strategy in consultation with the Highways Agency.**

- 4. Sustainable transport measures referred to in 3) above will include measures to improve public transport provision, cycling and walking, travel information, traffic and parking management and advice on Travel Plans and any other such means as deemed appropriate and/or supported by the Steering Group.**
- 5. The highway improvements referred to in 3) comprise the highway junctions on the Strategic Road Network (SRN) and Local Road Network (LRN) requiring improvement as a result of development proposed in this AAP, as set out in the Sustainable Transport Strategy.**
- 6. The Strategy establishes a Steering Group to:-**
  - i) administer contributions;**
  - ii) prioritise and manage the implementation of highway improvements; and**
  - iii) monitor the effectiveness of sustainable transport measures.**
- 7. All improvements to the highway networks should prioritise the need of pedestrians and cyclists.**
- 8. The former rail corridor to Fleetwood via Poulton and Thornton will be safeguarded to provide alternative means of access to and from the area.”**

### **Emerging Plans**

59. It is agreed that the emerging plans that are not yet part of the Development Plan comprise:-

- Lancashire Minerals, Waste and Development Framework; and
- Wyre Borough Local Development Framework.

### **Lancashire Minerals and Waste Development Framework**

60. As summarised above, it is agreed that the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD was adopted in 2009 and forms part of the development plan.

61. The Joint Authorities have prepared the detailed Site Allocations and Development Control Policies DPD which was subject to a public examination in Autumn 2011. Major changes to the DPD have been suggested and these were subject to public consultation in early 2012. It is anticipated that the public examination will be reconvened in the summer 2012.

### **Wyre Borough Local Development Framework**

62. It is agreed that Wyre Borough Council is preparing a Core Strategy DPD and a Site Allocations DPD. The Core Strategy Issues and Options document was published in March 2008 and identifies a number of spatial planning objectives for the Borough as follows:-

- ensuring opportunities for work are provided locally;
- providing homes to meet local needs;
- reclaiming contaminated land;
- enhancing green infrastructure and Wyre's natural environment;
- respecting local distinctiveness and promoting high quality design;
- ensuring accessibility to services;

- providing places for people to meet; and
- improving performance in sustainable buildings.

63. It is agreed that the Issues and Options document examines three broad spatial options for development as follows:-

- Option 1: Reducing inequality gaps
- Option 2: A range of jobs to reduce the need to travel
- Option 3: Responding to the communities of Wyre

64. Although priority is being given to the preparation of the Core Strategy, it is agreed that no policies have yet been formulated. WBC hope to complete the Draft Preferred Options Core Strategy document for consultation by April 2012 and have the Core Strategy adopted by October 2013.

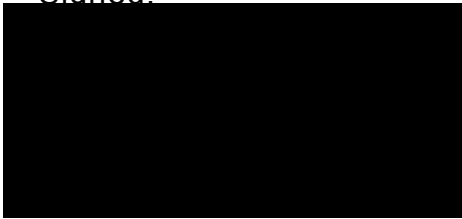
65. It is agreed that the preparation of the Site Allocations DPD is further behind the Core Strategy and that WBC do not expect to publish the Submission Draft until early 2014 and adoption towards the end of that year.

66. It is agreed that due to the fact that both the Core Strategy and Site Allocation DPD are at an early stage of preparation, little weight can be given to them.

**STATEMENT OF COMMON GROUND**

**This statement of common ground on the topic of Development Planning Policy has been prepared by Barton Willmore LLP, on behalf of Halite Energy Group limited, and agreed by Wyre Borough Council.**

Signed:



Adrian James  
on behalf of Barton Willmore LLP

Date: 29 May 2012

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Signed:



Councillor David Henderson  
Planning Committee Chairman  
on behalf of Wyre Borough Council

Date: 29<sup>th</sup> May 2012