



The Planning  
Inspectorate

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# **Report to Blackburn with Darwen Borough Council**

by **Stephen J Pratt** BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

29 October 2010

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

## **REPORT ON THE EXAMINATION INTO THE BLACKBURN WITH DARWEN CORE STRATEGY DEVELOPMENT PLAN DOCUMENT**

Document submitted for examination on 13 April 2010

Examination hearings held on 17-26 August 2010

File Ref: PINS/M2372/49/3

## ABBREVIATIONS USED IN THIS REPORT

AMR	Annual Monitoring Report
Appx	Appendix
BwD	Blackburn with Darwen
BwDBC	Blackburn with Darwen Borough Council
BC	Borough Council
CS	Core Strategy
DCLG	Department for Communities & Local Government
DPD	Development Plan Document
dw/yr	dwellings per year
EIP	Examination in Public
ELR	Employment Land Review
GONW	Government Office for the North-West
GTAA	Gypsy & Traveller Accommodation Assessment
HA	Highways Agency
ha	hectares
HBC	Hyndburn Borough Council
IDP	Infrastructure & Delivery Plan
JLMWCS	Joint Lancashire Minerals & Waste Core Strategy
JLSP	Joint Lancashire Structure Plan
LAA	Local Area Agreement
LCC	Lancashire County Council
LDF	Local Development Framework
LDS	Local Development Scheme
LSP	Local Strategic Partnership
LTP	Local Transport Plan
M&WDF	Minerals & Waste Development Framework
NE	Natural England
NHPAU	National Housing & Planning Advice Unit
NLA	Nevin Leather Associates
NWRA/4NW	North-West Regional Assembly (4NW)
NWRDA	North-West Regional Development Agency
NWRSS	North-West of England Plan Regional Spatial Strategy to 2021
¶/para	paragraph
PLACE	Pennine Leaders & Chief Executives
PLMAA	Pennine Lancashire Multi-Area Agreement
PLPOG	Pennine Lancashire Planning Officers Group
PPG	Planning Policy Guidance
PPS	Planning Policy Statement
RPL	Regenerate Pennine Lancashire
SA	Sustainability Appraisal
SADMDPD	Site Allocations & Development Management DPD
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SHMA	Strategic Housing Market Assessment
SHLAA	Strategic Housing Land Availability Assessment
SPD	Supplementary Planning Document
SPG	Supplementary Planning Guidance

## **Non-Technical Summary**

This report concludes that the Blackburn with Darwen Core Strategy Development Plan Document provides an appropriate basis for the planning of the Borough over the next 15 years. The Council has sufficient evidence to support the strategy and can show that it has a reasonable chance of being delivered.

A limited number of changes are needed to meet the legal and statutory requirements and ensure that the Core Strategy is sound. These can be summarised as follows:

- Amend the text to take account of the revocation of the North-West Regional Spatial Strategy (NWRSS);
- Amend the spatial strategy to set out the approach to releasing urban extensions;
- Amend the employment land provision figure, to reflect the latest position, and take account of the revocation of the NWRSS, and clarify the approach to employment development outside the Borough;
- Amend the housing provision figure and phasing, to more accurately reflect the current shortfall in provision and take account of the revocation of the NWRSS; and specify the overall target and proportions of affordable housing;
- Amend the Environmental Strategy policy to take account of ground stability and previous mining activity;
- Clarify the approach to the Green Belt, in particular, the approach to reviewing and amending Green Belt boundaries;
- Various other changes to ensure the strategy, policies and accompanying text are soundly-based.

All the changes recommended in this report are based on proposals put forward by the Council in response to points raised and suggestions discussed during the examination. These changes do not alter the thrust or basis of the Council's overall strategy.

## Introduction

- i. This report contains my assessment of the *Blackburn with Darwen Core Strategy* (CS) Development Plan Document (DPD) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004. It considers whether the Core Strategy is compliant in legal terms and whether it is sound. Planning Policy Statement PPS12 (¶ 4.51-4.52) makes clear that to be sound, a DPD should be justified, effective and consistent with national policy.
- ii. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the submitted draft Core Strategy (April 2010) [0.1a], together with the accompanying post-publication changes [0.1d]. Since I have formally accepted these changes, they are embedded in the submission version of the CS and do not require any further recommendation or endorsement.
- iii. Blackburn with Darwen Borough Council (BwDBC) published two further schedules of Further Proposed Changes after submitting the CS to the Secretary of State [ED1.22; ED1.35a]. These further changes address other points raised in the representations and raised by me, as well as dealing with the implications of the revocation of the North-West Regional Spatial Strategy (NWRSS) announced by the Secretary of State<sup>1</sup> on 6 July 2010. Other changes were suggested during the course of the hearing sessions, and composite schedules of significant and non-significant changes were published at the end of the hearing sessions [ED3.16a/b].
- iv. My report focuses on those changes that are needed to make the CS sound, identified in bold in the report **[SC]**. **All these changes have been put forward and agreed by the Council** and are presented in Appendix A. None of these changes materially alters the substance of the plan and its policies, or undermines the sustainability appraisal and participatory processes undertaken.
- v. Many of the other changes put forward by the Council are factual updates, corrections of minor errors or other minor amendments made in the interests of clarity and in response to points raised by representors. As these changes do not directly relate to soundness, they are not generally referred to in this report, but they improve the clarity and coherence of the CS. These changes **[MC]** are shown in Appendix B. I am also content for the Council to make any additional minor changes to page, figure, paragraph numbering etc and to correct any spelling errors prior to adoption.
- vi. All of the changes that the Council has put forward have been publicised on the Council's web-site and notified to all representors. I have taken account of any responses to these changes made in writing or at the hearing sessions.
- vii. References in my report to documentary sources are provided thus [ ], quoting the reference number in the examination library.

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<sup>1</sup> *Parliamentary statement by Rt Hon Eric Pickles MP (Secretary of State for Communities & Local Government)* [dated 6 July 2010; DCLG]

## Assessment of Soundness

### Overview

1. The Blackburn with Darwen Core Strategy (CS) is an ambitious plan, setting out the Council's strategy to deliver the economic transformation required to rebalance the housing market and enable the Borough, and Blackburn in particular, to fulfil its role in Pennine Lancashire as a main service and employment centre. After setting the scene and describing a spatial portrait of the Borough, highlighting the key issues to be addressed and eight "character areas", the CS sets out a vision for the future of the area, with associated strategic objectives. It then establishes a "targeted" growth strategy, focusing on the regeneration of the urban areas, but with the flexibility to enable other development opportunities which help to deliver the key transformational objectives of high-value employment and executive housing. The CS then sets out a series of targeted growth spatial interventions, covering business development, housing, public services, environment, quality of place, and access to jobs and services. Finally, the CS considers the spatial implications of its strategy. The CS is supported by an extensive evidence base, including an Infrastructure & Delivery Plan [0.1b].

### Main Issues

2. Taking account of all the representations, written evidence and the discussions at the examination hearings, I have identified nine main issues upon which the soundness of the plan depends.

#### *Vision and strategic objectives*

#### **Issue 1 – Are the Vision and Strategic Objectives soundly based and appropriate for this Borough, consistent with national policies, reflecting community views and locally distinctive, and do they provide a sound basis for the overall spatial strategy and strategic policies in the Core Strategy?**

3. The basis for the Council's Vision is set out in the supporting documents [ED1.24b; 0.5: p.357-358]. These show that, from the initial stages, the Vision has been informed by engagement with stakeholders and the community and influenced by feedback from consultation. The LSP has been closely involved throughout the development of the Vision in the CS, which aligns well with the vision in the Sustainable Community Strategy (SCS). The Vision and strategic objectives are locally distinctive, dealing with the role of Blackburn and Darwen, responding to the identified need for economic growth, to attract and retain higher-skilled people, provide high-value employment and a better choice of housing, deal with the relationship between the towns and the surrounding countryside, and increase the overall levels of development and activity in the inner urban areas of the Borough.

4. Both the Vision and objectives reflect the particular features of the Borough, including the low-wage economy, deprivation, poor housing and the unbalanced housing market. The Vision provides the spatial context to address these key issues, along with the need to transform the local economy and rebalance the housing market. It also provides a clear sense of how the Borough will develop and how it will be different by the end of the plan period in 2026. It addresses the role of the Borough in the region, the roles of the main towns and rural area, the expected change in the Borough's economy and socio-economic make up of the population, the broad location of new employment and housing development, and the pattern of services, balanced with the protection of the local heritage and environment.

5. The overall Vision and objectives not only fit well with the SCS, but also reflect key elements of the Pennine Lancashire Multi-Area Agreement (PLMAA) and Local Area Agreement (LAA). The Vision also addresses key cross-boundary issues, including future employment land just over the Borough boundary in Hyndburn. The strategic objectives are clear, specific and locally distinctive, and reflect the range of issues relevant to the implementation of the plan, including economic growth, physical and social regeneration, and environmental protection and enhancement. Links between the strategic objectives and each policy in the CS are set out in accompanying diagrams and tables (Fig 7; [0.8a p.26-27]), clearly illustrating how the policies and spatial interventions will meet the objectives. The extent to which the objectives are being met will be monitored in the Annual Monitoring Report (AMR).

6. The Council has justified the Vision and strategic objectives in the CS [ED1.24b]. Points raised by other representors merely seek to improve aspects of the Vision and objectives, rather than affecting soundness. Consequently, I consider the Vision and Strategic Objectives provide a sound, relevant and locally distinctive basis for the spatial strategy, and **no further changes** are needed to this part of the plan in the interests of soundness.

### ***Spatial Strategy – A Targeted Growth Strategy***

#### **Issue 2 – Is the Spatial Strategy soundly based, effective and deliverable, appropriate for the Borough, supported by robust and credible evidence, and consistent with national policy?**

7. Policy CS1 clearly sets out the spatial strategy of “targeted growth”, outlining the spatial interventions required and shown on the accompanying Key Diagram. It addresses several key issues, establishing the overall aims of the strategy, indicating where development will take place, establishes the roles of the towns, villages and countryside, and sets the balance between regenerating the inner urban areas and other more “market-led” development. The accompanying text explains the strategy in more detail, and specifically refers to further information on the infrastructure required to deliver the strategy. Supporting documents [ED1.24c; 0.8a; p.3-6] explain the origins of each element of the strategy, reflecting feedback from earlier consultation, and confirm that the strategy is consistent with national policy. The spatial strategy fits well with the Government’s wider objectives for spatial planning and community development and coordinates with the SCS and objectives of the LSP.

8. The spatial strategy also reflects other sub-regional and regional priorities, including the PLMAA [3.2] and other cross-boundary strategies. These include the need for an overall growth strategy, the role of Blackburn as a principal economic driver, the need to balance regeneration of the inner areas with “aspirational” development to support economic growth, the importance of the physical setting of the area, and the need to improve connectivity to adjoining towns and city regions. The overall spatial strategy evolved from a consideration of six alternative strategic options originally presented at the Issues & Options stage [6.3.1]. These strategies were developed through stakeholder engagement and an assessment of baseline evidence, and were subjected to Sustainability Appraisal at all stages.

9. The spatial strategy has a key role as a “place-making” “spatial” strategy in guiding the Council’s activities and those of the LSP and other agencies. It also has a key role in informing the preparation of subsequent DPDs and making development management decisions, by providing strategic guidance and spatial direction about the likely scale, broad location, timing and implementation of new development during the plan period. Policy CS1 not only provides a firm basis for subsequent policies in the CS, but also provides an element of flexibility, responding to market conditions, while establishing a clear preference for development which contributes to

urban regeneration. This section of the CS clearly identifies the key physical, social and green infrastructure and cross-cutting services required to deliver the plan, covering accessibility, health, climate change and worklessness, along with capacity issues and solutions. Further details are given in the Infrastructure & Delivery Plan (IDP) [0.1b], resulting from full engagement with infrastructure service providers.

10. The spatial strategy confirms the broad focus for large-scale development in Blackburn, smaller-scale development in Darwen, and very limited development in the rural area. It focuses the majority of new development in the existing urban areas, particularly in the inner urban areas and on brownfield and derelict land. It also balances brownfield and greenfield development, and sets out the approach to amending Green Belt boundaries and the possibility of urban extensions. This reflects the strategy in the former NWRSS and the objectives in the PLMAA, but is also justified notwithstanding the revocation of the NWRSS. Supporting evidence in the SHLAA [5.6] and ELR [5.1] helps to demonstrate the effective delivery of the strategy, and also recognises the capacity constraints of the M65 and its junctions. The spatial strategy also addresses connectivity and cross-boundary issues, and provides the flexibility to respond to a variety of changing circumstances in the future, recognising the possibility of some urban growth if suitable sites are not available within the existing urban area. Concerns about the possible adverse impact of the Central Lancashire Growth Point on the delivery of housing in the Borough do not seem to have materialised, due to the limited interaction and contrasting economic fortunes which shape the respective housing markets.

11. As a result of discussions with key stakeholders (including the Highways Agency), the Council has agreed amendments to the text accompanying Policy CS1 (¶ 6.25) confirming that more detailed assessment of the impact of specific sites (including traffic/highway issues related to the M65 corridor/junctions) will be undertaken as part of the subsequent SADMDPD. In order for the plan to properly address this issue and enable economic regeneration, I consider this amendment **[SC2]** is necessary to provide a sound plan. Arising from discussions at the hearing sessions, a further amendment to Policy CS1 would more accurately explain the approach to releasing urban extensions **[SC1]**. This will ensure that the plan is sound in terms of the clarity and coherence of the spatial strategy.

12. The Council also proposes other minor changes to clarify the strategy **[MC23-24]**. However, the suggestion to extend the area of the diagrammatic urban extension south of Blackburn (Gib Lane) shown on the Key Diagram could result in a fundamental change to the strategy, which has not been subject to full SA or consultation. Such a major change would not be justified at this stage, but the Council confirms that a smaller potential development site could be considered when preparing the SADMDPD [ED3.8].

13. The Coal Authority seeks a specific reference in this part of the CS to the need to ensure that mineral resources are safeguarded and not sterilised by other forms of development, reflecting national policy in MPS1 (¶ 13). However, this is already covered by Policy CS1 of the Joint Lancashire Minerals & Waste Core Strategy (JLMWCS), which not only forms part of BwDBC's LDF, but has been prepared jointly with LCC and formally adopted by BwDBC. Reference to the Lancashire M&WDF is already provided in the submitted CS (¶ 1.3), and the Council proposes a further minor change to clarify the position **[MC3]**. The Council explains that, when considering site allocations and making development management decisions, all plans in BwDBC's LDF have to be read together, including the JLMWCS [ED1.32]. The duplication of Policy CS1 of the JLMWCS in this CS would lead to unnecessary repetition, and so no further changes are needed to ensure the CS is sound.

14. Consequently, with the further changes already referred to, I consider the overall spatial strategy of targeted growth provides a sound and appropriate strategy for the future development within the Borough.

### ***Business and employment development***

#### **Issue 3 – Are the strategy and policies for the economy and provision of employment land soundly based, effective, deliverable and appropriate for this Borough, supported by robust and credible evidence, and consistent with national policy and sub-regional strategy?**

15. The CS proposes a transformational strategy aimed at securing significant change in the local economy. This is focussed on the spatial intervention identifying the need to deliver economic growth, particularly higher-value employment development, without recourse to major additional “traditional” business development at motorway junctions or large-scale growth outside the urban area. The strategy also needs to ensure that employment development is as accessible as possible by non-car means, and provide economic transformation in a more sustainable pattern of development. Its two key elements, more emphasis on creating a sustainable network of town centre, edge-of-centre and gateway locations for higher value employment, and protecting and re-using existing employment sites, are the key to achieving this economic transformation. Whilst this strategy aligns with the now revoked NWRSS, it accords with national policy in PPS4 (EC1.3/2.1) and with the Pennine Lancashire Economic Strategy [3.2], and is fully justified in the Council’s supporting evidence [ED1.24(d)].

#### *Overall target of employment land provision (Policy CS3)*

16. As submitted, Policy CS3 gives no indication of the proposed amount of additional employment land needed or to be provided. The accompanying text quotes a figure of 35.2ha as an extra allocation required, based on evidence from the ELR [5.1]. However, this essentially reflects the approach of the former NWRSS, for the period 2005-2021 with a base date of 2008. Following the revocation of the NWRSS and after discussions with other participants, the Council has recalculated the employment land requirement, based on more up-to-date information in the 2009 AMR [5.22] and covering the full plan period from 2011-2026. The resulting total figure of employment land required (105.5ha, including a 20% “flexibility” factor) is proposed to be added to Policy CS3, along with additional supporting text to clarify the approach [**SC4-7**]. Although this revision seems significant, it does not alter the underlying strategy, but rather expresses the position in a more accurate and up-to-date way. Taking account of employment development already committed and existing land available, just over 28ha of new employment land needs to be found over the remaining plan period. In order to ensure that the plan accurately portrays the current position and provides sufficient guidance about the overall amount of employment land required for subsequent DPDs and development management decisions, I consider these changes are needed in the interests of soundness.

17. The second key aspect of employment land provision relates to the position of employment land outside the Borough, at Whitebirk (*Lantern Park*), just over the boundary in Hyndburn. This 35ha greenfield site is very closely related to Blackburn, being accessed from the M65 (J6), and is likely to provide jobs and accommodation for employees and firms in the Blackburn area. The precise details of whether and how much of this committed land in Hyndburn is taken into account in making provision for new employment land in BwDBC’s area is a matter to be addressed in BwDBC’s forthcoming SADMDPD and through further joint working at Pennine Lancashire sub-regional level (PLACE).

18. The committed employment land at Whitebirk is a *Prestige Employment Site*, which in the former Joint Structure Plan (JLSP) was considered not to form part of each district's employment land supply, due to the regional significance of these sites in providing land for new businesses coming into Lancashire. However, in reality, these sites have and will provide land for local firms to expand and will undoubtedly employ some local people, avoiding the need to find alternative land elsewhere in the Borough. Such sites have a key role to play in the economic transformation of the Borough, particularly in providing land for higher-value investment and employment. It is therefore reasonable for an element of such sites to count towards the supply of new employment land within BwDBC's area, even though the committed employment land at Whitebirk technically lies within Hyndburn district. This reflects the proximity and spatial relationship of the land to the Blackburn urban area, the need for the CS to address cross-boundary issues, and the limited availability of such land within the BwD area identified in the ELR and other sub-regional reports [3.4]. Hyndburn BC is content with this approach, even though it differs slightly from the approach in the publication version of their CS [ED3.2]. I also note that other sites close to the Borough boundary (eg. Salmesbury – BAE Systems) have been referred to in the CS.

#### *Types of employment land (Policy CS2)*

19. Policy CS2 highlights the key components of the proposed employment land provision, based on identifying *Prestige Employment Sites, Town Centre sites, Urban hub/Gateway sites, Neighbourhood Opportunity sites* and *Rural Renaissance sites*, examples of which are included in the accompanying text and shown on the Key Diagram. The need for these specific types of employment sites is supported in the ELR and Pennine Lancashire Economic Strategy [3.2], as well as in other sub-regional reports [3.4], and the nature of each type of site is explained in the policy and accompanying text. This policy effectively addresses the qualitative aspects of future employment land supply. It also gives the flexibility to provide these sites when they are required, and confirms that some sites may come forward sooner than others. The detailed work of identifying specific sites will be undertaken in the forthcoming SADMDPD, with full consultation with stakeholders and the local community.

20. There has been some concern about the possible over-reliance on employment sites adjacent to the M65, particularly given the capacity of this motorway and its junctions in highways and traffic terms. However, the Council has agreed a Joint Statement with the Highways Agency [ED1.18] which overcomes this concern. Much of this land is already committed and, in the future, the employment strategy looks to provide a range of sites, not only readily accessible to the strategic road network, but also at accessible locations within or close to the town centres. Nevertheless, *Prestige Employment Sites* have specific economic and accessibility requirements which will have to be addressed when making specific land allocations at the SADMDPD stage. Future work on the longer-term capacity of the M65 (including site-specific assessments, potential improvements and demand management) will ensure that highways and traffic implications are fully addressed at the right time.

21. *Prestige Employment Sites* are central to the strategy of economic transformation. They are supported in district-wide and sub-regional economic reports, including the PLMAA & RPL, and carry forward an approach that has been developed in partnership with other Councils in the sub-region. The nature of the sites referred to fully reflects the sub-regional typology, with the key locations described in the text and shown on the Key Diagram. I therefore consider Policy CS2 and the accompanying text provides sufficient guidance about the nature, location, timing and implementation of the various types of employment land envisaged in the CS.

22. One outstanding matter relates to possible longer-term development in the Whitebirk area. The CS makes specific reference to the possibility of further employment development adjoining the Borough boundary in Hyndburn (*Whitebirk 2*). This land is currently in the Green Belt and would require a review of the Green Belt boundary at sub-regional (Pennine Lancashire) level. This would include a detailed assessment of the need for strategic employment land and confirmation that this is the only viable option, along with transportation, environmental and landscape issues. The process of evaluating this possibility is set out later in the CS (¶ 10.23), and has been agreed with HBC. The Council's suggested clarification in para 7.10 would ensure that the plan is sound in this regard [**SC3**]. It is also important to note that the BwD CS makes no commitment to allocate this land, or relies on it coming forward as part of its overall strategy. It will be for HBC's CS to address this matter, along with joint working at Pennine Lancashire level (PLMAA/PLACE/PLPOG) [ED3.6]. However, in order to properly address potential cross-boundary issues, I consider it is wholly appropriate for the BwD CS to refer to this longer-term possibility.

23. The question of including a map showing the general location of this area (along with other Strategic Employment Sites mentioned in the PLMAA) [**MC9**] is not a matter of soundness, but would provide a helpful illustration of the position (CS; Figure 4). Previous concerns about the role of the Freckleton Street Knowledge Zone have been addressed by post-publication changes [0.1d].

*Protection and re-use of existing employment land (Policy CS4)*

24. Early consultation on the CS stressed the importance of local employment and manufacturing to social and economic inclusion, and the environmental constraints preventing large-scale expansion of the urban area of the Borough. The CS addresses this issue by protecting important local employment sites from pressure for alternative uses, and regards sites which fall vacant as a source of land for new higher-value employment. This approach is supported and informed by the ELR [5.1], and accords with national guidance in PPS4 (Policy EC2). However, Policy CS4(3) clearly sets out the approach to considering alternative land uses and provides the flexibility for existing employment land to be redeveloped for other uses where employment use is not economically viable or if the site is incapable of being developed for this purpose. More detailed criteria, reflecting the "toolkit" in the ELR, will be considered in the SADMDPD.

25. There is some concern that the recent economic recession has reduced the demand for, and viability of, employment development, but it is important for the CS to take a longer-term view. Once an existing employment site is lost to another use, it is not available for employment use, and this loss could impact on the overall strategy, by needing to identify replacement land. Moreover, it is important to safeguard suitable land for smaller-scale "traditional" employment uses in the interests of the local economy and inclusivity. In these circumstances, the essence of the test in the CS of *no realistic prospect of re-use or redevelopment for employment purposes* seems both reasonable and appropriate, particularly given the post-publication minor changes to Policy CS4 and the accompanying text [0.1d], which have clarified the approach. The Council confirms that decisions about the future use of specific existing employment sites will be made in the SADMDPD [ED3.7].

26. Consequently, I consider that Policy CS4 is soundly based and fully justified in the evidence base, and would neither represent an unduly onerous test for prospective developers nor unnecessarily restrict the supply of such sites for alternative uses, including housing uses.

## **Housing**

### **Issue 4 – Does the Core Strategy make appropriate provision for the effective delivery of new housing, including affordable housing, in terms of the amount, distribution, location, phasing, size and tenure of new housing development, having regard to national policy, and is it fully justified and supported by an up-to-date, credible and robust evidence base?**

27. The delivery of new housing of the right type in the right locations and at the right time will be a key factor in implementing the targeted growth strategy and achieving the transformation in the provision of new housing envisaged by the Market Progression Model in the Pennine Lancashire Housing Strategy [3.1]. The main elements of the housing strategy of the CS seek to deliver regeneration, using housing as an economic driver for economic growth by providing “aspirational” housing, and forming part of the urban renaissance of Blackburn and Darwen town centres. These key elements of the housing strategy are underpinned by national and sub-regional housing policies, and are explained further in the Council’s evidence [ED1.24e]. I also note that the Pennine Lancashire Housing Strategy (March 2009) is shortly to be “refreshed”, to reflect changing economic and investment conditions.

#### *Overall provision of housing (Policy CS6)*

28. As originally submitted, Policy CS6 only sets out the annual average of net additional dwellings phased over three periods within the plan period. There is little indication of the total number of dwellings to be provided, and little account is taken of the historic shortfall in housing provision since 2003. The question of housing clearance and demolitions is also not as clear as it could be. Following the revocation of the NWRSS and after discussions with other participants, the Council has reassessed the overall level of housing provision and intends to confirm the overall figure as 9,365 net additional dwellings (2011-2026), phased over three periods (ranging from 530-720 dw/yr), along with minor changes to the housing trajectory and accompanying text [**SC8/SC10-SC13**]. I consider these changes would clarify the position and more accurately portray the scale of housing provision needed over the plan period, and ensure that the plan is sound in this regard.

29. The Council confirms that the overall level of housing provision is based on figures included in the former NWRSS [ED1.28]. These figures were scrutinised during the EIP in 2006 and were endorsed by the Secretary of State when approving the NWRSS in 2008. GONW, 4NW and the Council supported the figure for BwDBC during the preparation and examination of the NWRSS, and I share their view that, when the NWRSS was approved, these housing figures were robust, appropriate and supported by evidence, and remain an important material consideration.

30. Since that time, a Joint BwD/Hyndburn SHMA (2009) has been prepared [5.7], which reviews more recent information and confirms that the former NWRSS housing figure reflects current needs and allows for economic growth. More recent reports from NHPAU & NLA [ED2.18b-e; 5.26] to inform the Integrated Regional Strategy consider a range of housing requirements taking into account the 2006-based household projections, combined with economic growth scenarios. Although these reports suggest a slightly higher annual housing requirement for BwD, they only give part of the overall picture, and consequently, would not in themselves justify amending the proposed housing figure for this Borough. Moreover, although the recent number of completions has been below target, given the current level of housing need and economic conditions, there is no firm or conclusive evidence to justify any reduction in the overall housing requirement figure. Ongoing work at Pennine Lancashire level will ensure that the housing strategy remains up-to-date.

31. As regards phasing, the CS responds to the need to avoid an over-supply of housing in the earlier years of the plan, in line with the Market Progression Model [3.1], reflecting the timescale needed to implement the required transformational projects. It also reflects the conclusions of the SHMA [5.7], which confirms the current fragile nature of parts of the housing market. I therefore consider the approach to phasing the provision of new housing, to be addressed in more detail when making specific land allocations in the SADMDPD, is soundly based and appropriate for this Borough. As amended, it also addresses the need to take account of the shortfall in housing provision during the earlier years of the former NWRSS period, in line with earlier regional advice from GO-NW.

32. As regards demolitions, housing clearance is expected to continue within the range of 315-750 dwellings over the plan period. Revised figures indicate the total housing requirement, including replacement for demolitions, taking the mid-point of the range, of between 2,760-3,795 dwellings over the three phases of the plan. However, these figures are not built into the total housing requirement figure in Policy CS6, since this latter figure relates to net additional dwellings (after taking account of the varying rate of demolitions). I am satisfied that this is a reasonable and appropriate approach in these circumstances.

33. I therefore conclude that the housing figure set out in the CS is robust and soundly based, and no more recent housing projections or demographic evidence justify any changes, upwards or downwards, to the proposed figure. If any such evidence emerges in the future, this can be considered as part of the monitoring process and feed into a subsequent review of the CS. In the meantime, it provides an appropriate and soundly based figure for the current CS. The proposed housing strategy also takes into account other housing strategies and initiatives, including the Pennine Lancashire Housing Strategy and former "Elevate"/ RPL housing renewal programme. Consequently, the requirements set out in PPS3 (¶ 33) have been met and, as amended, Policy CS6 and the accompanying text provide sufficient guidance on the amount and timing of proposed housing development over the plan period.

34. Of course, there is no absolute guarantee that the housing target will be delivered, since this depends on a range of economic and market factors, but the plan contains the flexibility to accommodate a range of types and locations of new housing. A more permissive housing strategy could result in a less sustainable pattern of development, with more development on greenfield land and the associated environmental and social consequences. Moreover, delivery of new housing would not be significantly affected by recent Government statements<sup>2</sup> about excluding residential gardens from the definition of previously developed land and removing the minimum density for new residential development. BwDBC's SHLAA does not include a significant number of plots within existing residential curtilages and assesses potential density on a site-by-site basis.

35. Significantly, the latest assessment of 5-year housing land supply [5.25] confirms a healthy provision of identified housing sites, whilst in the longer-term, the SHLAA [5.6] confirms that the overall housing provision figure can be met from priority sites, supported by aims in the PLMAA [3.2] focussing on delivering housing growth. Despite some criticism, I am satisfied that the SHMA & SHLAA were prepared in line with national guidance. Any minor errors relating to specific sites do not affect the overall conclusions about the need for, and potential supply of, housing land.

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<sup>2</sup> *Statement of Greg Clark MP (Minister of State for Decentralisation)* [dated 9 June 2010; DCLG]

36. I therefore conclude that, in the interests of soundness, no further changes are needed to Policy CS6 or the accompanying text relating to the overall housing provision figure other than those already proposed [**SC8/SC10-SC13**].

*Locations for new housing (Policy CS5)*

37. Policy CS5 sets the framework for where new housing development will take place during the plan period. It focuses new housing in the inner urban area, within the boundary of the rest of the urban area, and the town centres, as identified on the Key Diagram. It also confirms that some housing development will take place in planned small-scale urban extensions, as shown on the Key Diagram, with preference for land not in the Green Belt. Policy CS5 also has to be read together with the spatial housing diagram and the spatial strategy set out in Policy CS1. Specific sites for new housing, including executive/"aspirational" housing and the proportions of development in each part of the Borough, along with the impact, mitigation and cumulative impact of new housing, will be identified in the SADMPD, following from work undertaken on the SHLAA [5.6]. Following the future demise of the *Housing Market Renewal Intervention Area*, the Council proposes to replace this term with "inner urban areas" of Blackburn and Darwen [**SC9**], a change necessary to ensure the longer-term soundness of the locational strategy.

38. The supporting evidence [0.8.a: p4; 6.3.1-6.3.3] fully justifies the preference for locating new housing within the inner urban areas, reflecting the spatial strategy and the key issues which illustrate the need for regeneration and renaissance in these areas and reflect the indicators of deprivation, housing market and physical environment. This locational preference also reflects the Pennine Lancashire Housing Strategy. However, Policy CS5 provides the flexibility to accommodate new housing development outside the inner urban areas, with specific criteria relating to market conditions. Some consider this to be too onerous, but I consider it is vital for new development to be directed to the inner urban areas if the aims of regeneration are to be met. Further details will be drawn up in the subsequent Housing SPD.

39. The strategy also gives sufficient priority to housing development on brownfield land, reflecting the 65% target included in the former NWRSS and in line with national policy in PPS3 (¶ 36). A higher target could prevent higher-quality market housing from coming on stream in more attractive locations, including on greenfield sites. Having regard to all the evidence submitted on this topic, I am satisfied that the locational housing strategy is soundly based, justified by the evidence and appropriate for this Borough.

40. Several representors are concerned about the basis and justification for possible urban extensions, particularly south of Blackburn and to the east of Darwen. South of Blackburn, the principal area of interest lies around Gib Lane, in the area between the existing urban boundary and the M65 motorway. I have already referred to this area under Policy CS1 and will return to it when dealing with the Green Belt issues. Other possible urban extensions around Blackburn could come forward on land north-east of Blackburn, including the release of Safeguarded Land at Parsonage Road, along with land at Whitebirk (for employment) just beyond the Borough boundary.

41. As regards possible urban extensions to the east of Darwen, this originates from the identification of three areas of Safeguarded Land in the adopted Local Plan [4.7], including land at Ellison Fold, Cranberry Lane/Kirkhams Farm and Pole Lane. These sites have been assessed in the SHLAA, remain suitable for new housing, and will be investigated further in the SADMPD. Concerns about Moorland High School and the associated recreation ground are largely premature or unfounded. The "Square Meadow" is designated as Protected Open Space under saved Local Plan Policy TRL1

and whilst some of the school site may become available for development in the future, other parts fall within the Green Belt. The Council's Briefing Note [ED3.13] sums up the current position, and no further references or changes are needed to the CS to reflect this situation. Similarly, land at Ellerslie, Bury Fold Lane is currently outside the existing urban area, but the Council's Briefing Note [ED3.9] confirms that it could come forward as a small urban extension as part of work on the SADMDPD.

42. There has been concern about the mechanism for releasing urban extensions. The Council confirms that these will be pro-actively planned through their identification in the SADMDPD, with first preference being given to sites within the urban area that are available for upper-market housing. When this land has been exhausted, urban extension(s) will be considered, as identified in the SADMDPD. The Council's proposed changes to Policy CS1 **[SC1]** clarify this position. Given the changes already made to Policy CS1, I am satisfied that the amended Policy CS5, accompanying text and diagrams **[SC9]** provide sufficient guidance about the location and distribution of new housing development within the Borough.

#### *Types of Housing and Existing Housing Stock (Policies CS7 & CS9)*

43. Policy CS7 promotes the full range of new housing over the plan period, but emphasises the need for housing that widens choice in the inner urban areas, meets the needs for people on low incomes and high wage earners, and is appropriate for town centres. This helps to give priority to certain types of housing, in order to rebalance the housing market towards the needs of existing and future residents, in line with PPS3 (¶ 21) and the conclusions of the SHMA [5.7] and Housing Needs Study [5.5]. Widening the choice of housing in the inner areas will be supported by the locational preferences in Policy CS5 and by the mix of housing sought by Policy CS7, as well as providing the framework for other direct action by the Council and its regeneration partners. The needs of people on lower incomes will be met by providing affordable housing, while clearance and resistance to new terraced housing will help to reduce the proportion and amount of this currently over-represented type of housing. The identification of specific sites in the SADMDPD for higher-market executive housing both within and outside the inner urban areas will help to meet this objective. Overall, the aim to widen choice in the inner urban areas, and the introduction of upper-market housing into the urban areas will help to develop mixed and sustainable communities, in line with national housing policies. Some of the figures are to be updated **[MC51]**, but no further changes to this policy are needed in the interests of soundness.

44. Policy CS9 aims to provide a sustainable approach to the existing housing stock, supporting strong communities and helping to ensure that a balanced quantity and mix of housing stock is provided to meet the needs of existing and future residents following regeneration activities. It reflects the comparatively high (17.2%) proportion of existing unfit housing stock, and helps to ensure the right mix of type, size, tenure and quality of housing in the Borough. It also reflects the objectives of local strategies and *Elevate* initiatives, which remain appropriate, and establishes a framework for future activities of the Council and other agencies. It is sound without any further changes.

#### *Affordable Housing (Policy CS8)*

45. Policy CS8 confirms that all new residential development will be required to contribute towards meeting the identified need for affordable housing, with an overall target of 20% provision, either on-site, on an alternative site, or as a commuted sum. It also sets out the criteria to be used when considering the provision of affordable housing, including the availability of grant and evidence of economic

viability and market conditions. The accompanying text explains the justification and approach for the policy, and is supported by evidence including the Housing Needs Survey [5.5], SHMA [5.7] and an unchallenged Economic Viability Assessment [5.9]. A further proposed change to the accompanying text **[SC14]** confirms that the "open book" approach will be used to assessing the economic viability of making provision for affordable housing. This proposed change also confirms the 60:40 split between social rented and intermediate housing, along with the numerical target of 120 new affordable houses/year, totalling some 1,800 dwellings over the plan period. These changes adequately clarify the position and broadly meet the requirements of PPS3 (¶ 33), particularly given that further details of affordable housing provision will be included in the SADMDPD and subsequent Housing SPD.

46. The overall scale and need for affordable housing is fully supported in the accompanying evidence [5.5/5/7], and the overall numerical target represents a realistic estimate of the number of affordable dwellings that will be provided, depending on the availability of grant, along with other economic viability and market factors. The 20% target is recommended in the SHMA and endorsed in the Economic Viability Assessment [5.9]. This target is deliverable and could be greater, subject to the availability and level of grant funding. Detailed provision will be considered on a site-by-site basis, in line with the SADMDPD and Housing SPD.

47. As regards the requirement for all housing developments, whatever the size of site, to contribute to affordable housing provision, the Economic Viability Assessment concludes that there is no logic for a specific threshold, particularly given the scale of housing need and the evidence in the SHMA. On smaller sites, where affordable housing cannot be made on-site, provision could be made on other sites, or commuted sums provided towards provision elsewhere. Since the provision of affordable housing will be assessed in detail at the site-specific stage, this is not an unduly onerous requirement. However, I was interested to learn that a 15-dwelling threshold is to apply in neighbouring Hyndburn, which has a greater level of need for affordable housing. In this case, using the same SHMA evidence, the same consultant finds no justification to apply a site threshold in terms of economic viability (apart from focusing grants) [ED3.11], but this is a matter to be considered when the Hyndburn CS is examined. For BwD's CS, I am satisfied that the proposed threshold and level of provision is appropriate, soundly based and justified in the accompanying evidence. Subject to the proposed change **[SC14]**, this aspect of the plan is sound.

#### *Accommodation for Gypsies & Travellers (Policy CS10)*

48. Policy CS10 confirms that, if there is a proven need for additional gypsy or traveller accommodation within the Borough, a subsequent DPD will identify sites, and sets out some basic criteria to be used. A later proposed change confirms that need and specific sites will be addressed in the SADMDPD, using evidence produced to inform a review of the former NWRSS **[SC15]**.

49. In my view, this provides the bare minimum of policy and strategic guidance for the provision of additional gypsy and traveller accommodation. There is no indication of the scale of provision, and much detail is left for the SADMDPD. However, the circumstances in this part of the North-West Region are unusual, in that the EIP Panel examining the original NWRSS recommended that further work should be undertaken to assess the need for gypsy and traveller accommodation at regional level. A GTAA was prepared and a revised policy was subject to an EIP in March 2010, but this was not approved before the NWRSS was revoked. BwDBC submitted representations to the EIP, with its own analysis of the GTAA, and proposed a revised figure for this Borough [ED1.16].

50. Since the requirements at district level for additional gypsy and traveller accommodation are not finally established, it is inevitable that the CS should be vaguer than might otherwise be expected. Furthermore, since the hearing sessions closed, the Government has announced that Circulars 01/2006 & 04/2007 are to be revoked and the level of pitch provision should be determined locally<sup>3</sup>. Since this matter is to be addressed in the SADMDPD and may be subject to further joint working at Pennine Lancashire level, I consider the plan is not unsound in this regard. Apart from the proposed change **[SC15]**, no further changes to Policy CS10 are needed in the interests of soundness.

### **Public Facilities**

#### **Issue 5 – Does the Core Strategy provide an appropriate, effective and soundly based framework for the provision of a range of public facilities and services, including retail development, and is the proposed retail hierarchy soundly based, fully justified and consistent with national policy?**

51. Policy CS11 aims to expand and enhance the range of public services and facilities, specifying the main locations for such facilities and those that provide opportunities to develop community hubs. I consider it provides a sound framework for activity already taking place (including new schools and health facilities), informs the potential allocation of new sites for public facilities in the SADMDPD, and guides the initiation of projects by the Council and other providers, including the LSP and other agencies. No further changes are needed in the interests of soundness.

52. Policy CS12 establishes the retail hierarchy within the Borough, focusing on the role of Blackburn town centre as the main shopping centre for the sub-region. It also sets out the role of other town, district and local centres, and identifies the main locations for future retail development. The hierarchy of centres is based on that in the former NWRSS (Policy W5), and the Council confirms [ED1.24g] that the evidence base for the NWRSS remains sound, and is supported by the PLMAA [3.2], Transformational Agenda [3.3] and retail studies and town centre health checks [5.10/5.11], which also support the local hierarchy. By setting out policies for centres, defining a network and hierarchy of centres, including those that will accommodate growth, Policy CS12 broadly reflects national policy in PPS4. More details, including the boundaries of centres and definition of primary retail frontages, along with site allocations and criteria-based policies covering types of retailing and town centre uses, will be addressed in the SADMDPD.

53. However, as submitted, neither Policy CS12 nor the accompanying text give any indication of the scale of, or need/capacity for, new retail development which may be required during the plan period. However, following debate at the hearings, the Council agreed a change **[SC16]** to include details of the results of the 2005 Retail Study [5.11]. For Blackburn, up to 2016, this indicates a quantitative need for some 2000-2800 sq m of food goods retail floorspace and an extra 31,380 sq m of non-food retail floorspace, along with 613-920 sq m of new retail floorspace in Darwen. This would give some indication of the likely scale and type of additional retail floorspace needed in these towns at that time, although new retail developments since 2005 may have taken up some of this requirement. The Council anticipates updating the 2005 Retail Study to inform the SADMDPD, which will identify how these requirements will be met. I consider this change would ensure the plan is sound in terms of indicating the likely broad scale and nature of future retail development that is likely to take place in the Borough and provide the framework for the SADMDPD.

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<sup>3</sup> Ministerial statement by Rt Hon Eric Pickles (Secretary of State for Communities & Local Government) [dated 29 August 2010]

## **Environment**

### **Issue 6 – Does the Core Strategy provide an appropriate, effective and soundly based framework for protecting and enhancing the environment, fully justified with robust, up-to-date and credible evidence, and consistent with national policy?**

54. This section of the CS sets out a framework for protecting and enhancing the environment, aiming to secure a step-change in the protection, enhancement and management of environmental assets.

55. The Environmental Strategy set out in Policy CS13 covers a wide range of environmental issues, including climate change, flood risk, landscape, habitats, built heritage and other environmental resources, derelict land and air/water quality. It encompasses biodiversity and concerns about ecological habitats, and provides the foundation for ecological frameworks/networks and green infrastructure more fully covered in Policies CS15 & CS19. It provides an appropriate balance between development and environmental impact by establishing the concept of “net environmental impact”, balancing the environmental effects of development against its economic and social impact, along with the necessary mitigation measures. The strategy is consistent with national policy on protecting the environment (PPS1; PPS7; PPS9; PPS25), and is supported by local and regional evidence-based documents, reports and statements [ED1.24f; 5.12]. Most elements of the policies in the revoked NWRSS are covered by national policies, as confirmed in the Council's statements [ED1.16], and more detailed criteria-based policies following from the Environmental Strategy, including policies/targets on climate change, will be addressed in the SADMDPD.

56. The only outstanding issue relates to the need to consider ground instability, including land affected by previous mining activity. To remedy this omission, the Council proposes to add these factors to Policy CS13(3/4) and refer to past mining activity in the accompanying text [**SC17-19**], without duplicating policies in the JLMWCS. Subject to these further changes, I consider the policy has sufficient regard to environmental issues and assets, provides a sound basis for managing the environmental impacts of new development, and adequately addresses key environmental factors such as climate change.

57. Policy CS14 sets out the approach to the Green Belt, highlighting the possible need for a strategic and local review of Green Belt boundaries. Having considered the representations and following discussions at the hearings, the Council proposes a number of substantive changes to the policy and accompanying text [**SC20-22**], as set out in its Briefing Paper [ED1.15]. However, these changes essentially clarify the approach to the Green Belt, without altering the underlying strategy of maintaining the general extent of the Green Belt within the Borough.

58. The proposed changes relate to three main aspects. Firstly, the text of Policy CS14 is amended to “consider” the extension of (rather than extend) the Green Belt in the Gib Lane area between the urban boundary and the M65. At the hearings and in line with national guidance in PPG2 (¶ 2.6), the Council confirmed that exceptional circumstances would be needed before amending any Green Belt boundaries, either at local or strategic level. In considering this issue, three factors would be important: the need for an urban extension in this locality, with preference given to non-Green Belt sites and Safeguarded Land; the need to consider development needs beyond the current plan period; and the need to establish an enduring defensible Green Belt boundary. This is a soundly based approach, reflecting national policy in PPG2, and is confirmed in the Council's briefing note [ED1.15].

59. Secondly, the supporting text is to confirm that the PLMAA [3.2] provides the basis for ongoing consideration of Green Belt issues within the sub-region, with local work to consider smaller-scale changes. Thirdly, additional text (¶ 10.23) establishes the framework for future consideration of Green Belt issues to inform more detailed work in the SADMDPD and supplement the terms of reference in the PLMAA. This will establish a sound framework for the approach to be taken in future work. These proposed changes overcome the omissions in the earlier version of the CS and satisfactorily clarify the approach to further work on Green Belt boundaries and related issues. Issues relating to *Major Developed Sites in the Green Belt* (there are currently four such sites covered by Local Plan Policy RA4) and the identification of *Safeguarded Land* will be addressed in the SADMDPD. No further changes are therefore needed to ensure the soundness of the CS in relation to Green Belt issues.

60. Policy CS15 provides the strategic framework for protecting, enhancing and managing the Borough's ecological assets, including ecological, biodiversity, geodiversity and other similar sites of international, national and local importance. The Council's statements [ED1.24f; ED1.31] provide a full explanation of the basis, evolution and justification of this policy, and satisfactorily respond to detailed criticisms from Natural England and wildlife groups. The policy and accompanying text is consistent with national policy in PPS9 and the associated Practice Guide and Circulars, reflects studies undertaken at county-wide and regional level (including Local Biodiversity Action Plans). It directly follows from the Environmental Strategy established in Policy CS13, and helps to establish and protect the networks of ecological assets and green infrastructure referred to in Policy CS19. It will ensure that protected habitats and species are properly safeguarded and set out the framework for more detailed work in subsequent DPD/SPDs and for making development management decisions. The designation of specific heritage/nature sites will be addressed in the SADMDPD. Consequently, I consider this provides a sound framework for protecting, enhancing and managing the Borough's ecological assets and gives sufficient strategic guidance for subsequent DPD/SPDs.

### **Quality of Place**

**Issue 7 – Does the Core Strategy provide an appropriate, effective, comprehensive and soundly based framework for ensuring the quality of places in this Borough, including the design of new development and protection of the built, cultural and natural heritage, which is fully justified and supported by robust, up-to-date and credible evidence, and consistent with national policy?**

61. Policy CS16 aims to create a high standard of design in new development and to respect and reinforce local character, setting out criteria to be used when designing and assessing new development proposals, including character, townscape, public realm, movement and legibility, sustainability, diversity and colour. These issues are key considerations in the design of developments in the Borough, and this policy acts as a strategic framework for more detailed development management policies in the SADMDPD and design guides. PPS1 (¶ 13) confirms that design considerations are a key principle to be addressed in development plans, and Policy CS16 is broadly consistent with this national advice. Rather than duplicating national policy, Policy CS16 adds a local dimension, reflecting the CS vision and objectives, which will be developed further in the SADMDPD and subsequent SPDs and design guides. I consider it provides a sound framework for subsequent DPD/SPDs and for making development decisions, without unnecessarily repeating national policy.

62. Two further issues arise. Firstly, although the presence of ground conditions and land stability issues, particularly as a result of coal mining, could influence the layout of new development, this is not a design issue in strategic terms, but one which is covered under other legislation and could be addressed in more detail in the SADMDPD. The Council has already proposed a reference to these issues in Policy CS13 [ED1.32] **[SC17]**, and so I consider no further reference is needed in Policy CS16. Secondly, concerns about the need to consider the built heritage (including archaeological factors) are more appropriately addressed under Policy CS17.

63. Policy CS17 sets out the strategic framework for protecting and enhancing the Borough's built and cultural heritage, including historical features, landscapes, views and cultural facilities. It helps to maximise the built and cultural assets within the Borough and improve its overall character and appearance. It supplements national policy in PPS5 by providing a local spatial dimension about priorities, respecting the Borough's distinctive cultural heritage and providing the framework for more detailed policies and designations in the SADMDPD. It also reflects other county-wide and local guidance on design and heritage, as well as including a commitment to produce a list of locally important buildings and features, which is currently lacking. There is some concern that the CS does not provide sufficient emphasis on protecting the Borough's architectural and archaeological heritage. However, much of this concern seems to stem from past decisions and policies which Policy CS17 aims to rectify, and does not mean that the policy is unsound. Overall, I consider Policy CS17 establishes a sound framework for protecting and enhancing the Borough's built and cultural heritage, with an appropriate balance between preservation and regeneration, without the need for any further changes.

64. Policy CS18 seeks to protect and enhance key features of the Borough's landscape, ensuring that development takes account of its landscape setting, as well as protecting key landscape features and promoting active use of the landscape. Although it adds little to national policy, it reflects the importance of the landscape setting in this Borough and applies a local perspective to respond to locally distinctive issues. It also provides a sound framework for the SADMDPD and reflects earlier LCC strategic work on landscape in the JLSP and associated SPG. No further changes are needed in the interests of soundness.

65. Policy CS19 sets the framework for protecting, enhancing, creating and extending networks of green and open spaces between major land uses and between urban and rural areas, connecting walking and cycling routes, enhancing the roles of canals (including the Leeds-Liverpool Canal) and waterways, as well as townscape improvements. It also sets out the functions of green networks and includes criteria for assessing new developments, including regeneration schemes. It follows directly from the Lancashire Green Infrastructure Strategy, reflects BwDBC's Open Spaces Strategy/Audit and proposed green infrastructure in the IDP. Other parts of the green infrastructure network (such as the West Pennine Moors) are referred to in the supporting text, and the policy includes reference to biodiversity, to be developed further in the Borough-wide Biodiversity Plan. This approach is consistent with national policy in PPS9 & PPG17, and provides the framework for making site-specific allocations in the SADMDPD and for making development management decisions. It is a spatial policy, to be implemented by a variety of delivery agencies, including the Council's own Green Infrastructure Group. In my view, it is a soundly based policy which requires no further changes.

66. Policy CS20 helps to ensure a cleaner, friendlier, greener, safer, smarter and wealthier quality of life for local communities. It also provides the strategic framework for future co-ordinated working related to the Borough's environment, based on BwDBC's Neighbourhood Agenda. It helps the Council's own departments, area agencies, management boards and other bodies to identify priorities and actions, linking with the LSP, and helps to create sustainable development. It will also help to ensure that local community needs are met, within the constraints of the Green Belt, in line with Policies CS1 & CS14. The policy is soundly based and no further changes are needed.

67. Policy CS21 essentially deals with contributions required to mitigate the impact of new development on infrastructure and services, setting out particular areas which may be considered. It will be implemented through more detailed policies in the SADMDPD, and by working in partnership with key delivery bodies. Although the situation regarding the Community Infrastructure Levy is only just emerging, the policy reflects the terms of Circular 05/2005 and has the flexibility to accommodate any subsequent changes in the approach to planning gain and mitigation. It is a soundly based policy and need no further changes.

### ***Access to Jobs and Services***

#### **Issue 8 – Does the Core Strategy provide an appropriate, effective and soundly based framework for providing access to jobs and services, including the provision of an efficient, safe and sustainable transport system to meet the needs of all transport users, which is fully justified and supported by robust, up-to-date and credible evidence and consistent with national policy?**

68. This section of the CS covers two main elements; firstly, the need to ensure that new development is located to minimise the need to travel, particularly by non-car means, by specifying key accessible locations and setting out the criteria for considering the accessibility of new developments (Policy CS22); and secondly, setting out measures to maximise communities' access to employment and tackle issues related to worklessness (Policy CS23). These policies help to ensure that an efficient, safe and sustainable transport system, meeting the needs of all transport users, is provided, and set the framework to address issues, interventions and investments that help to tackle access to jobs and worklessness, as well as providing the strategic policy framework for the SADMDPD. They are supported by key elements of the evidence base, including the LTP [4.1], PLMAA [3.2] and Lancashire Integrated Transport Strategy, along with other initiatives and programmes of BwDBC and other agencies, including the LSP. Consequently, I am satisfied that these policies are sound and need no further changes.

69. One issue arises in Policy CS22 relating to accessibility corridors. Neither the policy nor the accompanying text specifically refers to rail routes or the Leeds-Liverpool Canal. However, Policy CS22 is intended to cover the most accessible locations and broad corridors shown on the accompanying diagram, some of which include both bus and rail routes. Links to other towns and cities are covered by Policy CS1, whilst required improvements are addressed in the IDP. The Leeds-Liverpool Canal provides a useful route for pedestrians and cyclists, but this is not of the scale or type that warrants a specific reference in this policy, particularly since the multi-functional role of the canal as part of the Green Infrastructure network in recreational, heritage and tourism terms is already covered under Policy CS19 and is shown on the base map of the Key Diagram. I realise that the canal is mentioned in the LTP [4.1], but it is not identified as one of the main transportation corridors. The omission of a specific policy in the CS for the Leeds-Liverpool Canal (such as Policies

A5, A6 & R3 in the Hyndburn CS) is not crucial in terms of overall soundness, particularly since the need for a more detailed development management policy addressing the role of the canal will be considered in the SADMDPD.

### **Monitoring and Implementation**

#### **Issue 9 – Are the arrangements for monitoring the policies of the Core Strategy adequate, effective and soundly based, including the indicators, baseline information and targets/milestones used?**

70. The Council's supporting evidence sets out the arrangements for monitoring and implementing the CS [ED1.24j]. Each policy in the CS is accompanied by delivery and monitoring indicators, with clear outcomes/targets, indicators and milestones, along with the responsibility for, and means of, implementation. These are based on indicators and targets relevant for each policy, with milestones based on documents, strategies and programmes of the Council and other implementation bodies. They reflect the partnership working and engagement already undertaken as set out in the Infrastructure & Delivery Plan (IDP) [0.1b]. Further details are included in the IDP, and summarised in Section 6 of the CS, giving information about the delivery mechanisms and timescales of provision for physical, social and green infrastructure. The IDP is based on up-to-date and comprehensive information gained by engaging with implementation delivery partners. The key monitoring mechanism will be through the Annual Monitoring Report (AMR), using the specific indicators and targets for each policy, along with the monitoring indicators already used [5.22].

71. The IDP gives full details about the delivery and monitoring of the CS policies, outlining the key elements of infrastructure needed to deliver the plan, and indicating the flexibility provided by the policies and the circumstances in which the CS will need to be reviewed. The successful implementation of the spatial strategy is crucial in ensuring the delivery of sustainable development within the Borough. Key factors affecting the delivery of the strategy have been highlighted, including highways, listed buildings, employment land supply, M65 capacity, wider economic climate and investment, retail development, environmental quality, design of development and access to jobs and services. The SADMDPD will carry forward more detailed policies to enable further monitoring and give more clarity to CS policies.

72. Consequently, I am satisfied that the arrangements for monitoring and implementing the CS are effective, clearly set out and soundly based. The Council proposes to correct some of the individual indicators and targets in some of the policies, but no further changes are needed in the interests of soundness.

### **Other matters**

73. As submitted, there was some confusion about what constituted the Key Diagram, since the published version of the CS had several diagrams so notated. However, at an early stage, the Council confirmed that it was intended to have only one diagram as the Key Diagram (on page 27 of the CS), and that the other diagrams are intended to be illustrative, showing aspects of each targeted spatial intervention [1.5b]. Minor changes have already been made to correct this error. The Council also confirms that the submission Proposals Maps are only intended to show two changes as a result of adopting the CS; the removal of the *Primary Residential Areas* designation (previously under Local Plan Policy H3) and removal of the Policy H12 allocation (Royal Blackburn Hospital) following the completion of development, both Local Plan policies having been superseded by the CS [1.24j].

74. A wide range of matters were raised in the original representations and at the hearing sessions which do not go to the heart of the soundness of the CS. In many cases, they suggest "improvements" to the plan, particularly in terms of the clarity and coherence of the strategy and policies. In response, the Council proposes several minor changes to the text of the policies and accompanying text, which are set out in Appendix B. These require no comment from me, other than to generally endorse them in the interests of coherence, clarity and accuracy. Having considered all the other points raised in the representations and made during the hearing sessions, I find that there are no further changes needed to ensure that this CS is sound in terms of the requirements in PPS12 and associated guidance.

## Legal requirements

75. My examination of the compliance of the CS with the legal requirements is summarised in the table below. I conclude that the CS meets them all.

<b>LEGAL REQUIREMENTS</b>	
Local Development Scheme (LDS)	The Core Strategy is identified within the approved LDS (2008) [4.9d]. However, there has been significant slippage since the original proposed submission date (May 2008) due to prioritisation of work, including regeneration work and a major public inquiry at Preston. A draft revised LDS has been prepared (2010) [4.9e], which has now been submitted to GONW for endorsement [4.9f]. However, "real-time" information on the programme was published on the Council's web-site, in line with GONW advice and PPS12 (¶ 4.54-4.55). Delays in submitting the CS are not a fundamental failing in the process [0.8b;p.28].
Statement of Community Involvement (SCI) and relevant regulations	The SCI [0.5] was adopted in August 2006. Consultation has complied with the requirements therein, including consultation and engagement during the process of preparing the CS [0.8b;p.29].
Sustainability Appraisal (SA)	SA has been carried out at all stages during the preparation of the CS [0.2], including details of how the SA influenced the final plan and how mitigation measures are to be dealt with [0.8b; p.29].
Appropriate Assessment (AA)	Reports on Appropriate Assessment under the Habitat Regulations have been undertaken satisfactorily.
National Policy	The CS generally complies with national policy, except where indicated and changes are recommended [0.8a; p.3-13].
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS [4.8; 0.8b - p.28]. The CS has aligned its key spatial planning objectives, vision and objectives with those of the SCS, with the close involvement of the LSP throughout.
2004 Act and Regulations (as amended)	The CS complies with the Act and the Regulations, including the arrangements for publication and making available the necessary documents [0.8b; p.30].

## **Overall Conclusion and Recommendation**

**76. I conclude that with the changes proposed by the Council, set out in Appendix A, the Blackburn with Darwen Core Strategy DPD satisfies the requirements of s20(5) of the 2004 Act and meets the criteria for soundness in PPS12. I therefore recommend that the plan be changed accordingly, and for the avoidance of doubt, I endorse the Council's proposed minor changes, set out in Appendix B.**

*Stephen J Pratt*

Inspector

This report is accompanied by:

Appendix A – Schedule of Council's Proposed Changes required to make the plan sound

Appendix B – Schedule of Council's Proposed Minor Changes