



Replacement Pendle Local Plan 2001-2016

Written Statement
Adopted May 2006

Putting people first



PLANNING POLICY AND CONSERVATION | PLANNING & BUILDING CONTROL

Replacement Pendle Local Plan 2001-2016

Planning Policy and Conservation

Planning and Building Control

Town Hall

Market Street

Nelson

BB9 7LG



FOREWORD

Welcome to the Replacement Pendle Local Plan 2001 – 2016. This Plan replaces the Local Plan adopted in 1999 and sets out the local land use planning framework for the Borough of Pendle.

The preparation of the Replacement Local Plan began in June 2002 with the publication of a Key Issues Report and a borough-wide questionnaire. Following this the Replacement Local Plan has been the subject of two periods of formal public consultation. Any outstanding objections were considered at a Public Inquiry between September and November 2005. The Inspector's binding recommendations are incorporated into this final adopted Local Plan.

I should like to thank all of those who took the opportunity to get involved in this planning process. The many comments and suggestions received from individuals, interest groups and developers have helped shape this adopted Local Plan. In particular your involvement has helped make the Plan a robust planning document to guide land use decisions in Pendle so that its towns, villages and countryside can be better places to live, work and relax in.

Together with the Community Strategy, the Replacement Local Plan will help make Pendle a place with a future for everyone.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'S Barnes', with a horizontal line underneath.

Stephen Barnes

Chief Executive - Pendle Borough Council

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Welcome to

Pendle

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INTRODUCTION





BACKGROUND

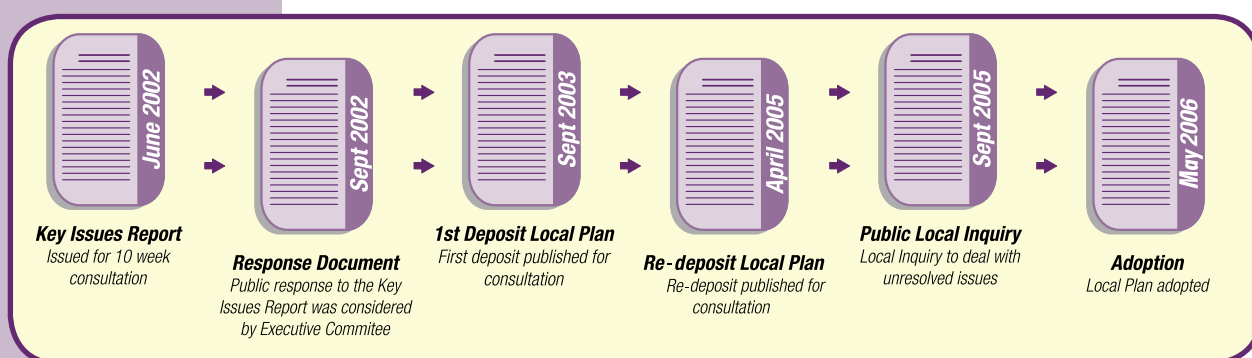
0.1 A Local Plan sets out the local planning authority's detailed policies and proposals for the future development and use of land. The Local Plan is a statutory document, which means the Council are legally required to produce one. The Local Plan is the first point of reference when dealing with planning applications. The Local Plan must take account of Government policy on planning and must be in line with policy set at both the Regional and County level. In addition the Local Plan should translate the aims of other Council Strategies into landuse proposals or controls. In particular, the Local Plan should be clearly linked to the Community Strategy and Council Vision.

0.2 The previous Local Plan for Pendle was adopted in January 1999. It covers the period 1991 - 2001 and is now out of date. There are a number of reasons why the Local Plan must be reviewed:

1. A Regional Spatial Strategy for the North West is now in place.
2. The Joint Lancashire Structure Plan covering the period 2001-2016 has been prepared.
3. More recent Planning Policy Guidance Notes and Planning Policy Statements have emerged from national Government, such as PPG3 (Housing), PPG25 (Flood Risk), PPG13 (Transport), PPS1 (Delivering Sustainable Development), PPS22 (Renewable Energy), PPS7 (Sustainable Development in Rural Areas), PPS6 (Town Centres) and PPS9 (Biodiversity and Geological Conservation).
4. Changing local circumstances, such as the preparation of Area Development Frameworks for parts of Nelson, Brierfield and Colne.
5. The introduction of Parts 1, 2 and 3 of the Planning and Compulsory Purchase Act and the Transitional Arrangements Regulations that apply to Local Plan making.

PREPARING THE LOCAL PLAN

0.3 The Local Plan together with the Regional Spatial Strategy for the North West (RPG13), Joint Lancashire Structure Plan and County Minerals and Waste Plan (or Local Development Framework) forms the Development Plan for Pendle. The process of preparing the Replacement Pendle Local Plan (2001-2016) is detailed below:



FORMAT OF THE LOCAL PLAN

0.4 This Pendle Local Plan replaces the existing Local Plan (1991 - 2001). The Local Plan is based on a Strategy and a set of landuse policies.

0.5 The Strategy sets out the overall direction of the Plan and the aims which the Council wants to achieve. Each Policy is designed to implement those aims through landuse planning decisions. Policies are grouped under topic headings. Each Policy is followed by a clear justification which elaborates on the policy, provides explanation of terms used in the policy wording and highlights the national, regional and county policy context. The Local Plan also contains a Proposals Map.

Topics included in the Local Plan are:

- Environment
- Housing
- Employment
- Town Centres and Retail Development
- Transport
- Community, Recreation and Leisure

0.6 The Planning and Compulsory Purchase Act introduced fundamental changes to the Development Plan system. The primary changes involve the abolition of County Structure Plans and Local Plans and the creation of Local Development Frameworks (LDF). These are to be prepared by the Local Planning Authority.

0.7 In December 2002 the Office of the Deputy Prime Minister issued a statement on the transitional arrangements for the move from the current system of development planning to that introduced through the new Act. In this statement the Government encourages Local Planning Authorities to take account of the principles of the proposed new system. The Transitional Arrangements Regulations provide further advice. The table below identifies those key principles and the way they have been interpreted in the preparation of this Plan.

Table 1 – Transitional Arrangements

ODPM Local Development Document Principles	Pendle Local Plan Response
Set out a clear strategic vision for the Plan area	Pendle Borough Council have prepared a vision as part of the Council's Community Strategy. This vision is used as a basis for the direction of land-use policy in the Local Plan.
Write more succinct text and policies	Policy in this Local Plan is written in a concise manner. Previous Policy which lacks direction or brings little to development control decisions has been removed.
Cut out unnecessary or repetitive policies	Guidance is contained in PPGs, PPSs, RSS and the Joint Lancashire Structure Plan. This policy will be referenced, but not repeated. In some instances this policy will be built on to provide local policy appropriate to Pendle.
Provide greater local focus in policies	Only policy advice which affects Pendle will be included.
Achieve effective community participation in developing policies	This Local Plan has been placed on two periods of formal Deposit. Local Plan policies are based on the response to the Key Issues Report and a number of research studies which have involved public participation. See Community Involvement Matrix .





COMMUNITY INVOLVEMENT MATRIX

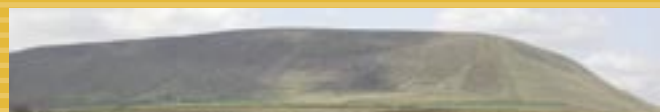
0.8 One of the key aims of the Government's changes is to increase community involvement in the plan making process. This matrix outlines the level of community involvement which has taken place during the preparation of the Local Plan.

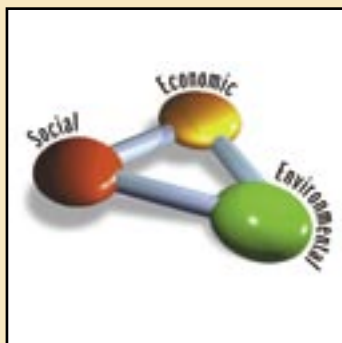
Local Plan Stage	Community Involvement	Stage Complete
Monitoring – e.g. Employment Land Availability, Retail Survey	Monitoring in-house, based on factual information from on the ground research and planning permissions. Documents released into public domain and considered by Committee. Up-dated where necessary.	✓
Research - e.g. Retail Capacity Study, Urban Capacity Study	In-house research or Consultant research. 6 week public consultation on adopted UCS. Documents available to public and considered by Committee. Up-dated where necessary.	✓
Key Issues Report	10 week public consultation on key issues. Leaflet/feedback questionnaire distributed to every household and business in the Borough. Borough wide exhibitions. Response document considered by Committee.	✓
1st Deposit Local Plan	6 week formal consultation period. Posters, leaflets and staff available to answer queries. Document considered by Elected Members prior to Deposit.	✓
Re-deposit Local Plan	6 week formal consultation period. Revised document considered by Elected Members prior to Re-deposit.	✓
Public Local Inquiry	Formal Inquiry to deal with representations.	✓





STRATEGY





BACKGROUND

0.9 A key aim of the Local Plan is to contribute towards the regeneration of Pendle. The future of Pendle hinges on achieving a balance between the economic, social and environmental well being of the Borough and providing an improved quality of life for its citizens. The Local Plan aims to achieve this balance under the ideal of sustainable development which seeks to meet current needs, as well as improving people's well-being without irreparably damaging the environment or, compromising the ability of future generations to meet their needs.

0.10 Under the umbrella of sustainable development the Local Plan contains policies which promote economic prosperity, encourage a cohesive and inclusive society and foster a high quality environment. Individual policies are linked to other policies and chapters and at the end of each policy chapter a Sustainability Balance diagram highlights the balance sought through the policies.

VISION

0.11 The Council, together with the Local Strategic Partnership, have endorsed a Community Strategy for Pendle. The Community Strategy is based on the following vision:

A Borough that provides a high quality of life for all its citizens and that is known regionally and nationally as a great place to live, learn, work and visit.

0.12 Achieving the vision will rely on promoting social cohesion and tackling the substantial levels of deprivation in the Borough through the following objectives:

Strand	1	Creating confident communities that are socially cohesive, tolerant and that consider the needs of all ages and cultures;
	2	Promoting the quality of the Borough's environment and seeking to achieve sustainable development;
	3	Creating a vibrant, competitive and healthy local economy that provides a wide range of employment opportunities;
	4	Providing high quality education that ensures that all the Borough's residents are able to achieve the best they can;
	5	Developing a Borough in which people can live and work without fear;
	6	Creating a vibrant housing market that will offer high quality and affordable housing for all;
	7	Offering people access to quality health and social care and opportunities to pursue a healthy lifestyle; and
	8	Offering an attractive range of cultural and leisure activities.

0.13 The Local Plan is one vehicle through which the Vision can be translated into action. The Vision, together with policy guidance from Planning Policy Guidance Notes (PPGs), Planning Policy Statements (PPSs), the Regional Spatial Strategy (RSS) (former RPG13) and the Joint Lancashire Structure Plan (JLSP) has helped shape the direction of future policy and establish clear aims and objectives for land use planning in Pendle. These aims and objectives are reinforced by the responses received to the Key Issues Report, prepared for consultation in June 2002 as the first stage in the Local Plan review.

0.14 The following sections present the aims and direction of the revised Local Plan policy. For each topic, a clear strategy background is presented, based on guidance and Policy from PPGs, PPSs, the RSS, the Joint Lancashire Structure Plan and relevant strategy documents. Following this, a table presents the findings of the Key Issues Report and the response which has helped formulate policy direction. This in turn will be linked to the Vision, whereby each element of policy can be traced back to one or a number of the relevant strands which encompass the Council Vision.

ENVIRONMENT

0.15 The Borough has a distinct environmental character, which should be recognised by all as an important asset. The planning process can help to increase the awareness of the importance of Pendle's environment, which contains sharp contrasts between remote upland moors and densely populated industrial valley landscapes and covers a historical timeframe ranging from prehistoric sites to modern textile mills.

0.16 Pendle Borough Council have produced a Local Agenda 21 Strategy. This seeks to create a sustainable future for Pendle. The underlying principles of sustainable development seek a balance between environmental, social and economic issues.

0.17 In order to create an attractive place where people choose to live, work and partake in recreation, it is essential to conserve and enhance Pendle's most valued natural and built environments. The Local Plan highlights and encourages the conservation and enhancement of the Borough's distinctive character. Included within this is the need to conserve and enhance Pendle's ecological biodiversity. However, protection and enhancement of the natural and built environment goes only part way to meeting the ideal of a sustainable community. It is equally important to allow change in order to secure both social and economic progress. The relationship between new development and the natural and built environment is important. The policies in the Local Plan seek to ensure that new developments make a positive contribution to Pendle's natural and built environment. For example, the North West Sustainable Communities Plan¹ highlights that developers and planners should take the historic environment into account and should use it as a positive influence in new developments. What is of fundamental importance is that the best examples of the natural and built environment are protected.



¹ ODPM (2005) - Sustainable Communities in the North West. ODPM



0.18 Environmental protection can itself provide both economic and social benefits. In particular, a quality natural and built environment will make Pendle an attractive place where firms choose to invest, tourists choose to visit and a focus for conservation led regeneration to boost the local housing market.

Policy Direction

Issue	Policy Direction/ Landuse Aim	Vision Strand	Policy Formulated in Local Plan?
Green previously developed land in exchange for development in the urban fringe.	Not to be progressed as a policy option in the Local Plan. Look at ways of greening urban areas without swapping for land in urban fringe.	n/a	X Policy on open space provides for green space in urban areas
Review Green Belt boundaries.	Exceptional circumstances required for review of Green Belt boundaries.	1 2 3	✓
Protect and enhance valued environments.	Policy to protect and enhance the Borough's most valued environments.	1 2 8	✓
Encourage development of renewable energy forms.	Policy to promote renewable energy developments in appropriate locations.	2 3 7	✓
Restrict all but essential development from floodplains.	Policy in line with PPG25 and Environment Agency guidelines.	2 3 5	✓
Create additional Conservation Areas.	Policy to control development in Conservation Areas. Identify and consult on additional Conservation Areas.	2 6 8	✓

HOUSING

0.19 ODPM (2003)² highlight the contrasting situation in our communities in England. In some areas homes are unaffordable, but in other areas homes are being abandoned. The Government recognise the importance of providing decent homes and a good quality local environment in all regions. Some of Pendle is suffering from housing market collapse, and without intervention the situation will worsen.

0.20 Much of the current housing stock in Pendle was built for economic conditions which no longer exist. Currently over 60% of Pendle's housing is attributed to pre 1919 terraced housing (Borough of Pendle, 2002). The Area Development Frameworks (ADFs) which have recently been produced for Colne, Brierfield and Nelson highlight that there are problems in relation to vacant dwellings and those which require investment to make them healthy and safe within these towns. As part of the future master planning work a more detailed assessment will be undertaken to understand better the reasons for the housing vacancies to help establish those that are vacant due to low demand rather than any other reasons. Solutions will then be developed which are based on the findings of the master planning.

0.21 Such housing is becoming increasingly unpopular and socially obsolete, suggesting that the housing market is not meeting the needs and aspirations of its community and is failing to attract new residents into the urban areas of Pendle. The Council's Community Strategy (2003) recognises that Pendle must deal with the massive problems of redundant and unfit housing and states that problems are particularly rife in Nelson, Colne and Brierfield. Government support through the Housing Market Renewal programme will provide necessary intervention to improve some of the worst areas of the Borough.

0.22 The Housing Market Renewal initiative has identified 9 pathfinder areas throughout England. Partnerships of local authorities and other key stakeholders have developed strategic plans for whole housing markets to ensure problems are not displaced elsewhere. Pendle is part of the East Lancashire Pathfinder. ODPM (2003) states that strategic plans should 'entail radical and sustained action to replace obsolete housing with modern sustainable accommodation'. The improvements will not concentrate on housing alone, but will seek to create sustainable communities through addressing problems in relation to health, education, employment and the environment.

0.23 The Local Plan highlights those intervention areas of Pendle and can provide a framework for the delivery of some initiatives. In particular the Local Plan can address the need for a greater choice in the housing market and can assist with the aim of providing a decent home for everyone.

0.24 Running in tandem with the issue of regeneration is a recognition of the need to maintain economic growth and provide new housing provision to meet the needs of emerging households and support inward investment. The Regional Spatial Strategy for the North West (RSS) requires 2,690 dwellings to be built per annum in Lancashire. This is based on household projection figures. The Joint Lancashire Structure Plan translates this into a requirement of 1,970 dwellings to be provided in Pendle to 2016. This is over and above any new dwellings to be provided as a result of clearance.









² ODPM (2003) Sustainable Communities: Building for the Future. ODPM



0.25 New dwellings to be provided should follow a search sequence in order to identify the most sustainable location for development. In line with the RSS and the JLSP, the sequential approach should be as follows; the reuse of existing buildings, the reuse of previously developed land and then the use of previously undeveloped land within the urban area. In order to make the most efficient use of land, housing densities should be increased in suitable locations, especially in areas of good public transport accessibility. The need to provide choice in the housing market is of utmost importance with a recognition that affordable housing should be provided where necessary. Providing choice may also mean reducing densities in some areas to provide larger family housing.

Policy Direction

Issue	Policy Direction/ Landuse Aim	Vision Strand	Policy Formulated in Local Plan?
Unfit and obsolete housing does not provide for the community.	Identify renewal areas in the Local Plan period.	1 2 5 6	 Identified as part of Housing Market Renewal Pathfinder.
Encourage housing renewal, including clearance and demolition.	In the context of the Housing Market Renewal Pathfinder, consider clearance and refurbishment.	1 2 5 6	
Re-use previously developed land for housing.	Urban Capacity Study identifies brownfield capacity within Pendle. Devise policy to target new housing development towards brownfield land.	2 6	
Provide modern housing.	Local Plan policy will seek to achieve a mix of housing type to meet density requirements and provide greater choice.	1 5 6	
Provide affordable housing.	Local Plan policy to allow affordable housing as an exception where there is an identified need.	1 6	
Encourage high density housing development.	Local Plan policy will seek to achieve a mix of housing type to meet density requirements. This will be balanced with the need to provide choice in the housing market.	2 6	

EMPLOYMENT

0.26 The Pendle economy and much of East Lancashire's economy is dominated by a largely uncompetitive manufacturing industry. The Council's Economic Development Strategy (2003) recognises that three sectors play an important role in the success of manufacturing in Pendle, namely; Aerospace and Precision Engineering, Textiles and Furniture. Pendle's reliance on the manufacturing sector for employment remains one of the highest in the country and is significantly higher than the national average of 15% (Borough of Pendle, 2003).

0.27 Despite the success of the manufacturing sector, in recent years Pendle has experienced a substantial change in its employment structure. In 2000 employment in manufacturing had fallen to 39% of total employment in Pendle (in 1979 the figure was 54%) (Borough of Pendle 2003). Much of the manufacturing sector in Pendle is in need of urgent modernisation and little land is available for expansion or inward investment. Consequently firms are choosing to locate elsewhere and many traditional mill premises have been redeveloped for housing.

0.28 The stock of industrial and business premises is largely constrained by quality. In particular much of the stock is poorly located with inadequate access, many requiring heavy goods vehicles to travel through residential areas. Furthermore many sites are small and unsuitable for modern day industry. A study by the University of Cambridge (2002) identified the need to provide additional land for the development of business and industrial parks that enable expansion of growing local companies and attract inward investment. In addition the Economic Development Strategy (2003) seeks to bring forward a hierarchy of economic development sites to meet the needs of Pendle.

0.29 The views of the Council's own strategies and research findings are reinforced in both the Regional Spatial Strategy and the Joint Lancashire Structure Plan. In particular, the Regional Spatial Strategy for the North West (RSS) seeks to redress the balance between the prosperous areas of the North West and those areas where there has been difficulty in attracting growth and investment. To achieve this, parts of the North West, including Pendle, have been identified as Regeneration Priority Areas where the RSS requires the development plan to enhance the attractiveness of the area to potential investors. In particular the RSS seeks the provision of sites which are able to meet the need for expansion and relocation of traditional manufacturing as well as the needs of inward investors.

0.30 The Joint Lancashire Structure Plan identifies a need for 40 hectares of employment land in Pendle. This includes a 25% increase to encourage expansion and inward investment in the Regeneration Priority Areas. The Plan also states that existing Local Plan allocations should be assessed to gauge their continued suitability for business and industrial uses. Unsuitable sites should be de-allocated or allocated for other uses. New office development should be located in the main town centres or at transport hubs or accessibility corridors in the urban area.





Policy Direction

Issue	Policy Direction/ Landuse Aim	Vision Strand	Policy Formulated in Local Plan?
Encourage new firms and the growth of existing businesses.	Local Plan policy will seek to provide the necessary employment opportunity, so as to encourage new investment, and the expansion of existing businesses.	1 3	✓
Availability of quality employment land.	Conclusion/policy direction to be assessed on the findings of the Cambridge Study.	2 3 5	✓
Retention of industrial sites in residential areas.	Local Plan policy should seek to retain existing industrial sites where suitable uses can be found and they do not conflict with residential amenity.	1 2 3 5	✓
Emphasis of housing rather than employment on previously developed land.	Devise policy to target new housing development towards brownfield land. Re-use existing industrial land for housing and/or employment in suitable locations.	1 2 6	✓
Allocation of greenfield land for employment in sustainable locations.	Conclusion/policy direction to be assessed on the findings of the Cambridge Study.	2 3	✓

TOWN CENTRES AND RETAIL DEVELOPMENT

0.31 Planning Policy Statement 6 (Planning for Town Centres) seeks to create vitality and viability in town centres and local shopping centres. In Pendle attractive and prosperous centres provide job opportunities and create attractive areas in which to live and work. All 6 towns in Pendle have centres which are underpinned by retail and service facilities. Nelson, Colne and Barnoldswick are regarded as 'Town Centres', whilst the smaller towns of Earby, Brierfield and Barrowford have 'Local Shopping Centres'.

0.32 The traditional role of the centres has been affected over recent years by the dispersal of population, jobs and shops. In particular there has been an increased dependency on the private car, coupled with the development of out-of-town retail centres. Both the trends in retail and transport have served to undermine local centres, resulting in high vacancy rates and derelict sites. This in turn has led to further competition with neighbouring towns such as Burnley and Skipton.

0.33 With a 'Vision' underpinned by the principles of sustainable development, it is recognised that viable local centres are an essential element in seeking a reduction in car travel. In addition local centres better serve those without access to a private car.

Policy Direction

Issue	Policy Direction/ Landuse Aim	Vision Strand	Policy Formulated in Local Plan?
Supply of food-retailing in Pendle.	Policy in line with sequential approach and restrict out-of-town and edge-of-town food store development.	3 8	✓
Supply of non-food retailing in Pendle.	Local Plan policy should seek to encourage and be proactive toward non-food retailing. Suitable sites should be identified in the Local Plan.	3 8	✓
Location of new retail and service development.	Local Plan policy should seek to encourage a sequential approach to retail development.	2 3	✓
Appropriate uses within town centres and local shopping centres.	Local Plan policy should seek to encourage a mix of uses in town centres, but not to the detriment of existing and future retail development.	1 3 5 8	✓
Re-definition of core retail area.	The Local Plan review provides opportunity for town centre boundaries to be re-defined and concentrated. Concentration must also recognise the need of future demand, and must not be to the detriment of town centre regeneration.	2 3 8	✓
Environmental enhancement.	Pendle Borough Council should continue to bid for funding and provide grant assistance through regeneration initiatives, in the context of Local Plan policy.	2 5 8	X Work to be undertaken by Regeneration Unit.



TRANSPORT

0.34 Planning Policy Guidance Note 13: Transport (PPG13) claims that 'by shaping the pattern of development and influencing the location, scale, density, design and mix of land uses, planning can help to reduce the need to travel, reduce length of journeys and make it safer and easier for people to access jobs, shops, leisure facilities and services by public transport, walking and cycling'.



0.35 In Pendle it is necessary to move towards a sustainable future where the creation of a robust competitive local economy, a decent home for everyone and commercially viable town centres is paramount. The main objectives of PPG13 are to promote accessibility to jobs and services whilst encouraging more sustainable transport choices and reducing the need to travel by car. In order to support the Housing Market Renewal initiative and encourage economic prosperity it is vital to locate new development in Pendle in accessible places. It is also important to encourage people to use forms of travel other than the car. Consequently new development should be located in public transport corridors and should be easily accessible by cycling and walking. Improvements to the public transport network and an integrated approach to public transport, cycling and walking will help make Pendle a more attractive place in which to live, work and spend shopping or leisure time. In particular, the proposed Rapid Transit System involves a comprehensive approach to public transport provision. It is intended to improve the public transport system by upgrading existing infrastructure, improving frequency and enhancing the local environment. In addition, creating a place where people choose to live, work, shop and enjoy their leisure pursuits will serve to curtail commuting thus reducing the number of car borne trips. The Joint Lancashire Structure Plan (2005) seeks an integrated approach to transport planning, enhanced public transport and management of car parking.

0.36 An essential ingredient to the regeneration of Pendle is good quality transport links with adjoining areas. This will serve to attract inward investment and retain existing employers and populations. The Regional Spatial Strategy for the North West (2003) states that it is critical to the economic competitiveness of the Region that transport systems are modern, efficient and very well integrated. The location of Nelson and Colne adjacent to the M65 and its recent link to the M6 has opened up the district to the national motorway network. However, road links from Pendle into Yorkshire remain difficult. Improved cross-border linkages (either road and/or rail) will enhance Pendle's position as a place in which to live and work.

Policy Direction

Issue	Policy Direction/ Landuse Aim	Vision Strand	Policy Formulated in Local Plan?
Improved transportation links to major centres by both private and public transport.	Policy to support the protection of the former Colne-Skipton Railway line as a transport corridor for future transport use. Policy to encourage improved public transport through the Light Rapid Transit System and Community Rail Partnerships.	2 3 7 8	✓
New development in accessible locations.	Policy to encourage new development towards accessible locations and identify suitable sites for housing and employment development.	2 3 5 6 7 8	✓ Housing and Employment Chapters
Revision of car parking standards in new development.	Adopt LCC Maximum car parking standards which have been subject to public consultation.	2	✓
Improvements to travel, other than the car.	Policy to seek alternatives to the car, making public transport an attractive alternative.	2 7 8	✓

COMMUNITY, RECREATION AND LEISURE

0.37 Reducing social inequality and providing for a range of accessible facilities has an integral part to play in the overall regeneration of Pendle. Planning has historically had a limited role to play in reducing social inequality, but the concept of sustainability has now meant that community facilities can be located in areas accessible by a choice in the means of transportation.

0.38 Access is a key component for sustainable communities and is also linked to social inclusion. A lack of accessible facilities could significantly impact on the quality of life of vulnerable groups such as the old, disabled and those on low income. It is important therefore to retain existing services, and also to maintain and improve access to them.

0.39 PPG17 (Planning for Open Space, Sport and Recreation) supports this stance for community sustainability by recognising that sport and recreation are important aspects of civilised life. Open spaces should be protected from development, with new provision in areas of deficiency.

Strategy





0.40 The Regional Spatial Strategy for the North West encourages the provision of facilities for education and training as well as the provision of other facilities necessary to local communities. This approach is also defined in the Joint Lancashire Structure Plan, which states that local shopping, leisure and service provision has an important role to play in the social and economic well-being of rural communities.

Policy Direction

Issue	Policy Direction/ Landuse Aim	Vision Strand	Policy Formulated in Local Plan?
Retention of existing open space.	Local Plan policy will seek to conserve, maintain and enhance existing open space provision.	1 2 7 8	✓
New open space should be provided in areas of deficiency.	Local Plan policy will encourage open space in areas of deficiency. Policy will require new development to provide an element of open space or a commuted sum for provision elsewhere in the neighbourhood.	1 2 4 7 8	✓
Urban areas should be greened by regenerating previously developed land to provide open spaces.	The Local Plan identifies Housing Market Renewal intervention areas. Open space will be promoted as part of any housing regeneration scheme.	1 2 5 6 8	✓
The development of land for housing or employment should help secure the provision of improved community facilities.	The Local Plan will seek the provision of community facilities as part of new developments, either through the provision of facilities or commuted sums.	2 3 7 8	✓
Improve access to the countryside.	Local Plan policy will seek to improve access into the countryside in line with the Council's Countryside Access Strategy. New development will be resisted in areas where it would reduce accessibility to the open countryside.	1 2 5 7 8	✓



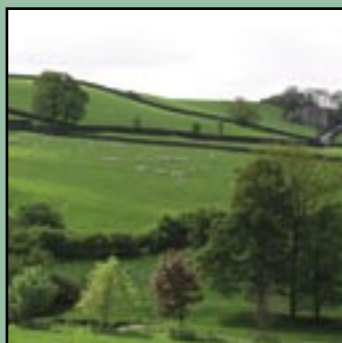


ENVIRONMENT

Aim :

To create and maintain attractive places where people live, work and partake in recreation. To promote sustainable development by conserving the best environments, encouraging social cohesion and promoting local prosperity.





POLICY 1 – DEVELOPMENT IN THE OPEN COUNTRYSIDE

1.1 *Proposals for new development should be located within a settlement boundary. Proposals to develop outside of a defined settlement boundary will only be permitted in the following circumstances:*

- 1) The proposal is for small scale employment (B1, B2 or B8) use or tourism and complies with Policy 24 and/or 40.*
- 2) The proposal is for the diversification of an agricultural enterprise and complies with Policy 24.*
- 3) The proposal is for an agricultural or forestry workers dwelling and is essential to the function and viability of the agricultural or forestry holding.*
- 4) The proposal would provide low cost rural housing adjacent to an existing settlement boundary where there is an identified 'need' in line with Policy 17.*
- 5) The proposal involves the conversion of a redundant traditional³ building to a dwelling(s) so long as it is in line with Policy 17 and PPS7.*
- 6) The proposal is for the small scale extension or alteration of an existing building. Any proposed extension in the Open Countryside should not increase the size of the original building (as at 1st July 1948 or as originally constructed if it was after this date) by more than 25%. Proposed extensions in the AONB or Green Belt must also comply with the criteria set out in Policies 2 and 3 respectively.*
- 7) The proposal is for touring caravan, tent sites, hotel, B&B or self catering tourist accommodation and complies with Policies 4A, 4B, 4C and Policy 24 and/or 40. Unless the proposal is for a touring caravan or tent site within the AONB, Green Belt, SAC, SPA, SSSI, BHS, GHS, LNI or LNR areas where these uses will not be permitted.*
- 8) Other development permitted through Local Plan Policy – including renewable energy, open space/recreation, equestrian development, woodland planting, telecommunication equipment and education/community use.*

1.2 *Proposals for development in an area designated as AONB, Green Belt, SAC, SPA, SSSI, BHS, GHS, LNI and LNR must conform to Policies 2-4C.*

1.3 The defined settlement boundary has been carried forward from the adopted Local Plan (January 1999). The following factors were used to draw this boundary:

- 1) the setting of the urban area within the Landscape (topography).
- 2) the limit to which the built form extends.

The settlement boundary also includes new allocated areas to allow these to come forward for development.

1.4 Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) states that the quality and character of the wider countryside should be protected and, where possible, enhanced. Development in the countryside should be supported where it contributes to the rural economy, protects natural resources and conserves specific features and sites in accordance with statutory designations. Environmental

³ In this instance 'traditional' is defined as a building of permanent, solid and substantial construction; is constructed of natural rather than man-made or artificial materials; is of local or national architectural or historic interest and forms an integral part of the landscape.

designations, such as AONB, Green Belt, SAC, SPA, SSSI, BHS, GHS, LNI and LNR are identified in areas where the environment needs extra protection.

1.5 Outside of specific environmental designations PPS7 states that tools such as the landscape character assessment should provide sufficient protection to these areas without restricting acceptable, sustainable development and economic activities that underpin the vitality of rural areas. The Council have adopted Supplementary Planning Guidance (SPG) for Development in the Open Countryside (2002). All applications for development outside a settlement boundary will be considered against the material considerations contained in that SPG. In particular the Landscape Character approach must be followed for any new development. This is supported by the Joint Lancashire Structure Plan which states that development must be appropriate to the landscape character type within which the development is to be situated.

1.6 Proposals for employment in rural areas are supported through the RSS and JLSP. Policy 24 deals specifically with employment in rural areas and should be adhered to when determining planning applications for employment or farm diversification outside settlement boundaries.

1.7 New dwellings in the open countryside are not generally permitted. However, where it can be shown that it is essential for a farm or forestry worker to live at or in the immediate vicinity of their place of work an exception will be made and the construction of a dwelling permitted (refer to Annex A – PPS7). Any new dwelling should, where possible, be well related to existing buildings and have sufficient vehicle access. New dwellings in the AONB will be subject to the Council's SPG⁴. New dwellings should not have a detrimental impact on the SAC, SPA, SSSI, BHS, GHS, LNI or LNR sites (Policies 4A, 4B and 4C) and buildings or areas of historic importance (Policies 9 and 10). Garden space and garaging should be kept to a minimum. Design should be consistent with the Development in the Open Countryside SPG. Permitted Development Rights may be withdrawn and any permission granted will be the subject of a condition to restrict the occupancy of the new dwelling to farm/forestry workers in the locality.

1.8 The conversion of a redundant traditional building to provide one or a number of dwellings will be permitted where the development is in line with Policy 17 and PPS7. The conversion of a non-traditional building to a dwelling will not be permitted, although other alternative uses will be considered through Policies 24 and 40.

1.9 Low cost housing will be permitted in rural areas where there is a clear need. This must be proven through a valid and up-to-date housing needs assessment as detailed in Policy 17. Any proposal for affordable housing should be met in order of priority on previously developed land and buildings within a settlement boundary, followed by previously undeveloped land within a settlement boundary (Policy 17). Exception will be made in rural areas where no suitable site can be found within a settlement boundary. In this situation, the Council will permit affordable housing on small sites within or immediately adjoining an existing village. Sites must be well related to an existing village and development should be in accordance with the Landscape Character approach set out in the Council's SPG on Development in the Open Countryside. Low cost housing sites should avoid sensitive environmental designations where possible – see Policy 17.

⁴ Borough of Pendle (2003) Forest of Bowland Area of Outstanding Natural Beauty – BoP.





1.10 PPS7 identifies that tourism and leisure activities are vital to many rural economies. The tourist industry helps to sustain many rural businesses and provides a significant source of employment. Caravan parks are recognised as providing a significant proportion of all tourist accommodation. This policy allows for touring caravan and tent sites in Pendle. Static caravans will not be permitted. Touring caravan and tent sites will not be permitted within the AONB, Green Belt, SAC, SPA, SSSI, BHS, GHS, LNI or LNR areas. Similarly permission will not be granted for caravan or tent sites in areas liable to flood (see Policy 6).

POLICY 2 – AREA OF OUTSTANDING NATURAL BEAUTY

2.1 *The Borough Council will seek to safeguard the parts of the Forest of Bowland Area of Outstanding Natural Beauty (AONB) and its setting, located within the Borough. Planning permission will not be granted for major developments or development that would detract from the natural beauty of the Forest of Bowland AONB.*

2.2 *In particular, proposals for engineering works, new buildings, replacement buildings, extensions or alterations to existing buildings in the AONB should meet the following criteria:*

- 1) In respect of extensions and alterations; not to be seen in public views to dominate the existing building in terms of shape, height, materials or fenestration.*
- 2) In the case of engineering operations; not to detract from the natural beauty of the AONB.*
- 3) Not result in any loss of amenity for occupiers of neighbouring properties.*
- 4) In the case of replacement buildings; to bring about an environmental improvement and not result in a significant (i.e. no more than 25% of the volume of the original building) increase in bulk, extent or visual impact.*
- 5) In the case of a dwelling or traditional⁵ building; not to include materials, components and finishes which are alien to the architectural traditions of the area and the architectural integrity of the building and its setting.*

2.3 The Forest of Bowland Area of Outstanding Natural Beauty (AONB) was designated in 1964. There are a number of pressures operating in the AONB area which will undermine the natural beauty upon which the designation is based. These pressures include; loss of hedgerows, unsightly buildings, intensive farming, commercial conifer afforestation and visitor pressures including a high concentration of visitors at 'honey-pot' sites such as Barley Picnic site. Some of the above pressures can be controlled through the planning system when determining applications for new development. Other policies in the Local Plan apply for example, controlling the loss of hedgerows (Policy 14) and unsightly buildings (Policy 13).

2.4 Planning Policy Statement 7 – Sustainable Development in Rural Areas (PPS7) confirms that nationally designated areas, such as National Parks and AONBs, have

5 In this instance 'traditional' is defined as a building of permanent, solid and substantial construction; is constructed of natural rather than man-made or artificial materials; is of local or national architectural or historic interest and forms an integral part of the landscape.

the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty within the Forest of Bowland AONB should therefore be given great weight when determining planning applications in the AONB.

2.5 PPS7 also states that the conservation of wildlife and the cultural heritage are important considerations in all these designated areas and should also be given great weight when determining planning applications in the AONB. It is also appropriate to consider economic and social issues, but environmental concerns should be at the forefront of any decision. Any application for development within the Forest of Bowland AONB should be determined against the guidance in the Council's SPG: Forest of Bowland Area of Outstanding Natural Beauty. The SPG contains advice on the scale of development, housing, employment, farm diversification, tourism, design and landscape enhancement. A major development is 10 or more dwellings, or a residential site area of 0.5 hectare or more, or where the floor space to be built is 1,000 square metres or more, or the non-residential site area is 1.0 hectare or more.



POLICY 3 – GREEN BELT

3.1 *The Green Belt boundary in Pendle as identified on the proposals map will be maintained. Inappropriate development will not be permitted in the Green Belt.*

3.2 *Any appropriate development will only be permitted in the following circumstances:*

- 1) The proposal will not be visually detrimental to the Green Belt by reason of its siting, materials or design and will maintain the openness of the Green Belt.*
- 2) The proposal is for an exception outlined in PPG2 and is in line with Policies 1, 17, 24 and 40.*

3.3 There are five purposes of including land in Green Belt; to check the unrestricted sprawl of large built up areas, to prevent neighbouring towns from merging into one another, to assist in safeguarding the countryside from encroachment, to preserve the setting and special character of historic towns and to assist in urban regeneration by encouraging the recycling of derelict and other land. To ensure the above purposes are met the JLSP identifies no strategic case for altering the general extent of the Green Belt and therefore the general extent of the Green Belt in Lancashire will be maintained. PPG2 (Green Belts) states that detailed Green Belt boundaries defined in adopted Local Plans should be altered only in exceptional circumstances.

3.4 There have been no changes to the Green Belt boundaries in Pendle.

3.5 The use of land within Green Belts will determine the effectiveness of the designation at meeting the above purposes. PPG2 states that there should be a general presumption against inappropriate development. Such development should not be approved except in very special circumstances. PPG2 provides a definition of inappropriate development and therefore clarifies what is deemed 'appropriate' development.



3.6 Proposed exceptions for development within the Green Belt may include the conversion of a redundant traditional building to a dwelling, a small scale extension or alteration to an existing dwelling (Policy 1), affordable housing (Policy 17), or for the replacement or re-use of an existing building for employment purposes (Policy 24), or for tourism development (Policy 40). However all exceptions must be in line with and conform to the criteria set out in the Policy.

POLICY 3A – PROTECTED AREAS

3A.1 *Within the areas shown on the Proposals Map as a Protected Area, no development will be permitted which would prejudice the open character of the area or its potential for long term development, during the plan period up to 2016.*

3A.2 It is intended that these areas should remain open during the plan period. They represent areas of choice for possible development to meet future long term requirements and to ensure the protection of the Green Belt. The future of these areas is to be re-examined through subsequent reviews of the Plan. Should long term pressure for development after 2016 prove that the areas will not be required for development, consideration will be given to their inclusion within the Green Belt. For development control purposes Policy 1 – Development in the Open Countryside applies to land designated as a Protected Area.

POLICY 4A - NATURAL HERITAGE - International Sites

4A.1 *The Council will protect, conserve and where appropriate enhance the South Pennine Moors, Special Area for Conservation (SAC) and Special Protection Area (SPA) as shown on the proposals map.*

4A.2 *Development which may affect a SAC or SPA will be subject to the most rigorous examination.*

4A.3 *Development, not connected with (or necessary to) the management of the site for nature conservation, will not be permitted unless:*

- 1) There is no alternative solution*
AND;
- 2) There are imperative reasons of over-riding public interest.*

4A.4 *In addition, where a site hosts a priority natural habitat and/or species, development will not be permitted unless:*

- 1) It is necessary for reasons of human health or public safety*
OR;
- 2) For beneficial consequences of primary importance for nature conservation.*

4A.5 *The same level of protection will also be afforded to any new sites or areas which are designated by the appropriate agencies during the life time of the Plan.*

4A.6 The South Pennine Moors has been classified as being a Special Area for Conservation (SAC) and a Special Protection Area (SPA) under the Conservation (Natural Habitats & c.) Regulations 1994 which formally transposes the EU directives into national law. This afforded protection is supported by English Nature and is intended to protect the habitats of threatened species of wildlife. The South Pennines Moor is protected because the habitat supports nationally important breeding birds including Merlin and Golden Plover. The area also supports a number of migratory breeding birds such as Peregrine Falcon, Lapwing, Whinchat, Common Sandpiper and Twite. The protection afforded to this site should ensure that any development proposals which are likely to affect the site, are subject to the most rigorous examination.

4A.7 The SAC and SPA could be seriously damaged or even destroyed by development within, or, outside its boundary. Consequently English Nature must be consulted upon any type of development proposal within the SAC and SPA or within the defined consultation area, which is up to 2km from the boundary of the site, if the proposed development is outside the designated area. The existing South Pennine Moors adjoins the districts of Burnley, Bradford and Calderdale, so they must also be consulted.

4A.8 Priority natural habitat types and species are defined in Annex F, Article 1 of Circular 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System.

4A.9 SPAs are designated under the EU Directive on the Conservation of Wild Birds: The Birds Directive. SACs are designated under the EU Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora: The Habitats Directive.



POLICY 4B - NATURAL HERITAGE - National Sites

4B.1 *The Council will protect, conserve and where appropriate enhance all Sites of Special Scientific Interest (SSSI), as shown on the proposals map.*

4B.2 *Development on or likely to affect a SSSI will be subject to special scrutiny.*

4B.3 *Development proposals which may have an adverse effect, direct or indirect, on a SSSI will not be permitted unless:*

1) The reason for development clearly outweighs the nature conservation value of the site itself and the national policy which safeguards such sites.

4B.4 *Where development is permitted under this exception the Council will seek the use of Planning Obligations to ensure the protection and enhancement of the site's nature conservation interests and to ensure that there is no net loss of heritage value.*

4B.5 *The same level of protection will also be afforded to any new sites or areas which are designated by the appropriate agencies during the lifetime of the plan in order to ensure that as a minimum there is no net loss of heritage value.*



4B.6 The South Pennine Moors has been designated as a Site of Special Scientific Interest (SSSI). SSSIs are statutory sites of nature conservation and are designated through English Nature under the Wildlife and Countryside Act 1981. PPS9: Biodiversity and Geological Conservation is the national planning guidance which safeguards and protects SSSIs from adverse development.

4B.7 SSSIs are designated to protect the habitats of threatened species of wildlife. This policy will ensure that any proposed development in, or within close proximity to, a SSSI will be subject to special scrutiny.

4B.8 A SSSI could be seriously damaged or even destroyed by development within or outside its boundary. Therefore, English Nature must be consulted upon any type of development proposal within the SSSI or within the defined consultation area, which is up to 2km from the boundary of the site, if the proposed development is outside the designated area. The existing South Pennine Moors SSSI adjoins the districts of Burnley, Bradford and Calderdale, so they must also be consulted.

4B.9 In exceptional circumstances where the reason for development clearly outweighs the nature conservation value of the site, development will be permitted. In these cases the Council will use planning obligations to ensure that mitigation and compensation measures are used to protect and enhance the site's nature conservation interests and ensure a no net loss approach is adhered to.

POLICY 4C - NATURAL HERITAGE - County and District Designated Sites

4C.1 *The Council will protect, conserve and where appropriate enhance all Biological Heritage Sites (BHS), Geological Heritage Sites (GHS), sites of Local Natural Importance (LNI) and Local Nature Reserves (LNR), as defined (where applicable) by BHS Partnership, Lancashire RIGS, Lancashire Wildlife Trust and Borough of Pendle. Current sites are listed in Table 2a and shown on the Proposals Map.*

4C.2 *It is recognised that there may be new designations made during the life time of the Plan, therefore, the same level of protection will also be afforded to any new sites or areas designated by the appropriate agency.*

4C.3 *Development that would destroy or adversely affect a BHS, GHS, LNI or LNR will be subject to special control.*

4C.4 *In general, development proposals within a BHS, GHS, LNI or LNR site will only be permitted where it can be shown that there are exceptional economic or social benefits which clearly outweigh the extent of ecological harm.*

4C.5 *Where development is likely to result in loss or damage to a designated site, appropriate and adequate mitigation and compensation through planning obligations will be sought to ensure that as a minimum there is no net loss of value, and to ensure the protection and enhancement of the site's nature conservation interests.*

4C.6 The 1990 White Paper 'This Common Inheritance' illustrated the Government's commitment to sustainable development through reference to conserving our natural heritage. One of the main objectives of this policy is to strike a balance between development and ensuring the effective conservation of wildlife habitats, species and natural features that are essential to the social, economic and environmental well-being of the Borough. One of the main aims of the Council's Community Strategy (2003) is to create 'A Great Environment', by developing a Borough that makes the best use of its natural resources to create a sustainable future.

4C.7 Environmental protection and conservation is not just confined to the Internationally and Nationally designated areas. Wildlife heritage is also found throughout the countryside and in urban areas. This policy seeks to protect locally acknowledged sites of nature conservation; BHS, GHS, LNI and LNR, which have not been designated as being of international or national importance.

4C.8 These locally designated sites are important to the communities of Pendle and give residents the opportunity to have a direct contact with nature. These sites can provide stepping stones from one habitat to another, ensuring that the biodiversity of flora, fauna, geological and land form features as well as the survival of important species is maintained and enhanced.

4C.9 The control of development in County and District designated sites is important in conserving the natural heritage of these sites. Only under exceptional economic or social circumstances will development be permitted. Any proposed development should not have a significant impact on the designation. For any development granted planning permission conditions will be imposed to prevent any damage to wildlife habitats or important physical features and planning obligations will be imposed to ensure that there is 'no net loss' of habitat. Consultation with the Lancashire Wildlife Trust and the Lancashire County Council Ecologist will be necessary in order to establish the acceptability of development within, or affecting, a County or District designated site.

4C.10 Any development that directly or indirectly affects a site of ecological or nature heritage will be required to submit a full ecological assessment as part of the planning application. This ecological assessment will be a material consideration in any decision. Only in very exceptional circumstances – i.e. where it can be shown that there is an overriding community benefit from a proposal – will development be permitted at some expense to the environment (i.e. Policy 29, development of the proposed transport corridor). In response to this environmental assessment adequate and appropriate mitigation and compensation measures will be used to account for any loss of value to a designated site. Such measures may include a restriction of development, operations and working methods, or the relocation of all or part of the affected habitat in order to ensure that there is 'no net loss' of habitat. In all cases planning obligations will be used to secure the mitigation programme. Where relocation is involved the developer should liaise with the appropriate wildlife bodies to produce a management plan for the relocation work. This management plan should include a monitoring programme and a specified period of maintenance or care which should be a minimum of 5 years.





4C.11 There are a number of different bodies that are responsible for designating sites for environmental protection. The BHS Partnership, endorsed by Lancashire County Council, is responsible for designating Biological Heritage Sites (BHSs). Lancashire County Council has also agreed that Regionally Important Geological and Geomorphological Sites (RIGs) in Lancashire, identified by the Lancashire RIGs Group, are equivalent to Geological Heritage Sites (GHSs). The Lancashire Wildlife Trust and the Borough of Pendle are responsible for designating Sites of Local Natural Importance (LNIs) and Local Nature Reserves (LNRs). Guidelines have been produced for designating new environmental protection sites. In particular for the designation of LNIs proposals must follow the guidelines set out in the Lancashire Wildlife Trust's document: Guidelines for Important Wildlife Sites in Pendle (2005)⁶, or subsequent amendment thereof.

Table 2a – County and District Designated Sites

Site	BHS	GHS	LNI	LNR
Moor Isles Clough, Greenhead Lane	✓			
Spurn Clough, Greenhead Lane	✓			
Round Wood Swamp, Reedley Hallows	✓			
Fir Trees Brook, Higham	✓			
West Close Clough, Higham	✓			
Leeds and Liverpool Canal (Barden Lane - Junction 12, M65)	✓			
Land at Sheffield Farm, Nelson	✓			
Field at Barley Car Park	✓			
Barley Road Pasture	✓			
Slacks Wood, White Hough	✓			
White Hough and Hugh Woods	✓			
Black Moss Pasture, Roughlee	✓			
Hollin Brow, Roughlee	✓			
Banks Ends, Middle and Hollin Wood, Roughlee	✓			
Lodge Hill Syke, Bracewell	✓			
Castor Gill/Admergill Water, Blacko	✓			
Burn Moor, Blacko	✓			
Turf Fields, Barely	✓			
Claude's Clough/ Admergill Water, Blacko	✓			
Blacko Water, Blacko	✓			
Leeds & Liverpool Canal (Foulridge Wharf - Borough Boundary)	✓			
Broach Pasture, Foulridge	✓			
Ghyll Lane Churchyard, Barnoldswick	✓			
Bank House Flushes, Wycoller	✓			
Lomeshaye Marsh	✓			✓
Bleara Moor	✓			

⁶ Lancashire Wildlife Trust (2005) Guidelines for Important Wildlife Sites in Pendle. LWT

Site	BHS	GHS	LNI	LNR
Kelbrook Moor and Woods, Roger Moor	✓			
Foulridge Reservoirs	✓			
Gilford Clough, Trawden	✓			
Turnholes Flushes and Grassland, Wycoller	✓			
Turnholes Clough, Trawden	✓			
Coldwell Reservoirs	✓			
Catlow Valley	✓			
Old Laund Clough	✓			
Raven's Clough Wood	✓			
Whitemoor and Weets Hill	✓			
Heald Wood, Reedley Hallows	✓			
Barden Lane Fields, Reedley Hallows	✓			
Black Moss Reservoirs	✓			
Whitemoor Reservoir	✓			
The Crank, Wycoller	✓			
Harden Clough, Kelbrook	✓			
The Former Railway Line (Colne - Earby)	✓			
Pendle Hill	✓			
Land adjacent Coldwell Reservoirs	✓			
Leeds & Liverpool Canal (Barrowford Locks - Foulridge Tunnel)	✓			
Sandhole Clough, Foulridge	✓			
Barrowford Locks Hills and Hollows	✓			
Wanless Bridge Triangle	✓			
Sough Pasture, Sough	✓			
Birch Hall Lane Pasture	✓			
Stanridge and Three Acre Cloughs	✓			
Windle Field	✓			
Wycoller Beck	✓			
Emmot House Grassland	✓			
Higher Old Laund Pasture	✓			
The Railway Sidings, Knotts Lane, Colne	✓			
Field numbers 750, 461, 462 at Gib Hill, Nelson	✓			
Salterforth Railway Cutting	✓	✓		
Turn Hill		✓		
Castercliffe		✓		
Ball Grove Lodge, Colne			✓	
Walverden Reservoir			✓	
Greenfield, Colne			✓	
Corn Close/Bent Moor, Boulsworth			✓	
Flake Hill Moor, Trawden			✓	
Antley Gate, Boulsworth			✓	
Leeds & Liverpool Canal (Barrowford Locks - Junction 12, M65)			✓	
Upper Ball Grove, Colne				✓
Greenfields, Colne				✓
Alkincoats Woodland, Colne				✓

Environment





POLICY 4D - NATURAL HERITAGE - Wildlife Corridors, Species Protection and Biodiversity

4D.1 *The Council will protect Wildlife Corridors and encourage the re-establishment of habitats and species populations to help maintain and enhance biodiversity.*

4D.2 *Proposals for development should not significantly affect the function of Wildlife Corridors to maintain the migration and dispersal of wildlife. Where development is permitted, the developer will be expected to enhance existing Wildlife Corridors. Conditions and Planning Obligations may be used to ensure that the necessary compensatory measures are provided.*

4D.3 *Development proposals that would adversely impact or harm, directly or indirectly, legally protected species will not be permitted, unless shown to meet the requirements of The Conservation (Natural Habitats, & c.) Regulations 1994.*

4D.4 *Development proposals should ensure that biodiversity levels are maintained and where appropriate enhanced. Proposals which would adversely affect the levels of biodiversity on the development site will not be permitted unless:*

1) Adequate provision is made through conditions or Planning Obligations to protect, maintain and enhance existing biodiversity or replace, manage and enhance any loss of biodiversity caused by the development.

4D.5 The Regional Spatial Strategy for the North West seeks to restore and re-establish wildlife habitats and ensure the appropriate management of Wildlife Corridors. Railway lines, roadside verges, hedgerows, walls and watercourses such as canals, rivers and Sustainable Urban Drainage Systems (SuDS) can help to form vital ecological corridors and networks. These allow species to migrate and disperse and this, in turn, helps to increase the overall biodiversity of an area. These can be classified as wildlife corridors.

4D.6 One of the key priorities of Policy ER5 of the RSS is to reverse habitat fragmentation by protecting and enhancing wildlife corridors which provide ecological linkages. Developments should therefore take account of these wildlife corridors, enhance them and where appropriate extend them.

4D.7 Site specific nature conservation designations do not always cover legally protected species (i.e. those protected under the Conservation (Natural Habitats, & c.) Regulations 1994) as there may be many undesignated sites which provide habitats for protected species. It is therefore important that development does not harm the habitats of legally protected species or the species themselves. English Nature must be consulted upon where development proposals may impact on a protected species. In the case of European protected species such as Great Crested Newts or Bats, proposals must comply with the tests set out in the Conservation (Natural Habitats, & c.) Regulations 1994.

4D.8 Provision should be made to avoid or reduce the disturbance to these species. Measures may include the use of carefully designed schemes, working methods and

restrictions on development operations. In some circumstances it may be necessary to relocate the species to a replacement habitat. Planning conditions and/or obligations will be used to ensure that the total ecological resource level is maintained or enhanced by appropriate compensation measures.

4D.9 The loss of wildlife in terms of variety and quantity of species and habitats is of great concern. Consideration of the targets set out in the Biodiversity Action Plan for Lancashire and the UK should be made when determining planning applications likely to affect the level of biodiversity.

4D.10 It is not just important to halt the loss of biodiversity but also to enhance it. Therefore proposals which include biodiversity enhancement within the development scheme will be encouraged. Enhancement schemes may include the increased use of locally native flora within landscaped areas of a development, the creation of new wildlife habitats such as ponds, or the provision of nest boxes. However in cases where the development would result in the unavoidable reduction in the biodiversity level, planning conditions and obligations will be used to ensure that appropriate compensation measures are provided.

4D.11 An ecological assessment will be required for any development proposal affecting sites defined within Policy 4D. The assessment should also detail the appropriate mitigation and compensation measures to account for any loss to these sites.



POLICY 5 – RENEWABLE ENERGY SOURCES

5.1 *The Council are committed to providing a renewable energy supply for Pendle and will support any new energy sources arising in the future provided they are compatible with all other Local Plan policies. It is important to maintain a balance between the need to develop clean, green energy and the need to conserve the landscape and natural and man-made heritage. The Council will apply the following criteria to the following renewable energy proposals:*

5.2 *Solar Energy – Solar photovoltaic (PV) panels will be encouraged on existing buildings (with the exception of Listed Buildings) and proposed buildings as long as they are not visually intrusive.*

5.3 *Wind Turbines – Individual or groups of turbines will be permitted outside of the AONB, SAC, SPA, SSSI, Green Belt, Biological Heritage Sites, Geological Heritage Sites, sites of Local Natural Importance or Local Nature Reserves. Turbine developments adjacent to designated areas should be assessed for their visibility from the designated area and the precise character and nature of the local countryside. Within designated areas, individual or groups of turbines will be permitted provided that there is no serious environmental detriment and they respect the local countryside's character. Large scale wind farms will be resisted and wind turbine developments will be required to provide benefit to the local community subject to them meeting Circular 05/2005 (Planning Obligations) tests. Any development must be in line with Policies 2, 3, 4A, 4B, 4C and 4D.*



5.4 Power stations fuelled by organic matter – power stations will be permitted outside of the AONB, SAC, SPA, SSSI, Green Belt, Biological Heritage Sites, Geological Heritage Sites, sites of Local Natural Importance or Local Nature Reserves so long as they provide energy to the local area and will not be detrimental to the local environment. Appropriate landscaping should be introduced to screen new power stations.

5.5 All forms of renewable energy development must avoid the vicinity of Scheduled Monuments. Listed Buildings and their setting should also be avoided unless appropriate design solutions can be found. Any application within or affecting the setting of any feature of the historic environment must comply with Policies 9, 10 and 11.

5.6 All redundant renewable energy structures or equipment must be removed within 1 year.

5.7 Within designated areas (AONB, SAC, SPA, SSSI, Green Belt, Biological Heritage Sites, Geological Heritage Sites, Sites of Local Natural Importance or Local Nature Reserves) planning permission for renewable energy developments will only be granted where it can be demonstrated that the objectives of designation of the area will not be compromised by the development, and any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by the environmental, social and economic benefits. Outside designated areas renewable energy developments should not cause serious landscape or environmental harm.

5.8 The sustainable use of renewable resources and the conservation of non-renewable sources helps conserve the environment and reduce pollution. The main advantage is a reduction in carbon dioxide emissions, produced principally from the burning of fossil fuels. Additional benefits include the creation of new jobs and opportunities for rural diversification. This policy supports the implementation of renewable energy projects, including solar power, wind and organic matter (e.g. wood chippings and natural waste) in Pendle. In addition, the policy supports any new sources of renewable energy that may be developed over the period of the Plan that may assist in contributing to energy targets whilst remaining compatible with all other Local Plan policies. The policy does however recognise the importance of balancing the needs of renewable energy developments with conservation of the landscape and heritage of the Borough. As per the Joint Lancashire Structure Plan criteria, all applications should demonstrate the following: the impact on the surrounding natural and man-made built environment; the minimising of material harm to acceptable levels; the contribution to targets and green house gas emissions; the wider benefits of the proposed scheme.

5.9 The Government has set a target requiring 10% of the UK's energy to be provided by renewable sources by 2010. The North West Climate Group produced an action plan for the North West⁷. This seeks to provide 10 large wind turbines and 25 small scale turbines across the North West as part of the commitment to meeting the national target for renewable energy by 2010. The Regional Spatial Strategy for the North West seeks a positive approach to renewable energy provision. PPS22 (Renewable Energy) states that the wider environmental and economic benefits

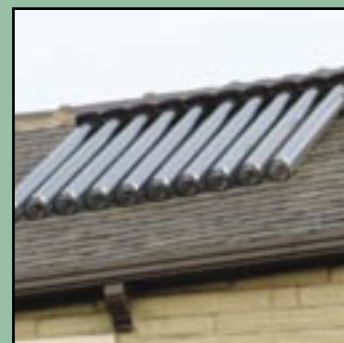
⁷ Sustainability Northwest (2001) From Power to Prosperity: advancing renewable energy in northwest England. SN

of all proposals for renewable energy projects, whatever their scale, are material considerations that should be given significant weight in determining whether proposals should be granted planning permission. The Government's policies for developing renewable energy sources must be weighed carefully with its continuing commitment to policies for protecting the environment. It will always be a material consideration that a particular proposal should demonstrate minimum harm to the countryside, as identified in the Council's SPG, Development in the Open Countryside (2002). In Pendle, energy companies have demonstrated that the Borough is unable to accommodate large scale wind farms due to both the geographical and environmental factors found within the area. For this reason, the Council will resist any proposals for large scale wind farms. However, this policy supports those applications that are possible without serious environmental detriment and that will contribute to Lancashire County Council's targets for onshore renewable energy electrical generation (95MW by 2007, 116MW by 2010).

5.10 Development projects will be confined to those that supply some community benefit to the local area via contributions to a local community fund in cases where the tests of Circular 05/2005 are met. This Policy also seeks to control new development in areas of important environmental designation, namely AONB, SAC, SPA, SSSI, Green Belt, Biological Heritage Sites, Geological Heritage Sites, sites of Local Natural Importance or Local Nature Reserves. These are areas where the structures or equipment involved in producing renewable sources of energy are likely to cause most environmental harm (with the exception of solar power). The Council's Supplementary Planning Guidance (Development in the Open Countryside) contains further advice. Sensitivity must not only be applied to those applications within designated areas but also those adjacent to designated areas. Wind turbines in particular, when adjacent to designated areas, may affect people's enjoyment of the objectives of the designated area. Therefore an assessment should be made regarding visibility from the designated area and the precise character of the countryside.

5.11 Small scale and building related renewables including low or zero energy schemes also provide great potential for increasing energy efficiency and reducing reliance on non-renewable energy forms. Such developments should be encouraged and should be a key consideration in the determination of planning applications.

5.12 All redundant equipment and structures should be removed within 1 year. Planning Permissions will be conditioned to this effect. Tougher decommissioning targets for wind turbines are set in the Council's SPG.





6.1 Development will not be permitted where it would:

- 1) Be at risk of flooding and no appropriate flood alleviation measures exist or will be provided by the developer,**
AND/OR
- 2) Increase the risk of flooding elsewhere by reducing the capacity of the floodplain, installing a culvert, or increasing the flow of water into the floodplain,**
AND/OR
- 3) Harm existing flood defences or have an impact on proposed flood defence schemes,**
AND/OR
- 4) Restrict adequate access to the river and/or existing flood defences for routine maintenance and improvement.**

6.2 Appropriate flood alleviation measures may include the use of Sustainable Urban Drainage Systems (SuDS). However any measure would have to first be approved by the Council and the Environment Agency.

6.3 Proposals for development within areas liable to flood⁸ must be accompanied by an appropriate⁹ Flood Risk Assessment where the development is perceived¹⁰ to be at risk of flooding or the development is likely to increase the risk of flooding elsewhere.

6.4 The Government's policy on flood risk is to reduce the risks to people and the developed and natural environment. Experience over recent years suggests that both the frequency and scale of flooding may be increasing. PPG25 (Development and Flood Risk) attributes this to variations in rainfall and increased development in areas at risk. In addition, climate change is expected to increase the risk of both coastal and river flooding as a result of sea-level rise.

6.5 The Environment Agency has prepared maps showing areas of flood risk. These maps identify Flood Zones, and classify areas as Flood Zone 3 (high risk), Flood Zone 2 (low to medium risk) or Flood Zone 1 (little or no risk), and in accordance with Table 1 of PPG25, which identifies the types of development appropriate to each zone. The Council has produced Supplementary Planning Guidance¹¹ for Development and Flood Risk that was adopted in 2004 and which it regularly updates. It contains maps prepared by the Environment Agency that identify Flood Zones and advice on flooding issues. The Environment Agency has the lead role in relation to planning applications and flood risk. Any application for new buildings proposed in the floodplain, and where the Environment Agency perceive there to be a risk, should be accompanied by a Flood Risk Assessment. This should evaluate the potential risk, identify increases in flooding elsewhere as a result of the proposed development and should detail any remedial actions. This is in line with the precautionary approach detailed in PPG25. The Council will not validate planning applications for development in flood risk areas that are not accompanied by a Flood Risk Assessment.

⁸ See Supplementary Planning Guidance for up-to-date indicative floodplain in Pendle. See Appendix 3 to find out how to obtain a copy.

⁹ PPG25 – Appendix F outlines the issues to be covered in a Flood Risk Assessment.

¹⁰ The views of the Environment Agency will be sought on any development proposal within an indicative floodplain.

¹¹ Borough of Pendle (2004) Development and Flood Risk. BoP See Appendix 3 to find out how to obtain a copy.

6.6 PPG25 requires local planning authorities to adopt a risk-based approach to proposals for development in or affecting flood risk areas. The aim of this policy is to limit development in areas at risk of flooding, unless adequate alleviation measures can be implemented by the developer. The Council's SPG gives details on the use of Sustainable Urban Drainage Systems (SuDS) as a flood alleviation measure. This guidance should be used in the determination of planning applications. Any alleviation measures must not compromise alleviation measures or increase flood risk further downstream (including cross-district). The Policy also attempts to avoid increases in surface run-off in excess of the manageable capacity of a floodplain. In addition the Policy seeks to avoid development which would impact on existing or proposed flood alleviation measures, prevent access to rivers for routine maintenance and improvement, or introduce culverts that could become blocked and create a flood risk either to the development itself or elsewhere.



POLICY 7 – WATER RESOURCE PROTECTION

7.1 *Development proposals that have an adverse impact upon the Borough's groundwater resources with regard to quantity and quality will not be permitted.*

7.2 *Proposals that will detrimentally affect the Borough's surface water bodies and courses will not be granted, unless there are overriding economic or social benefits and the developer introduces mitigation measures to avoid, or sufficiently minimise damage.*

7.3 *Development proposals that include the construction of new culverts will only be permitted if the culvert is essential for either access purposes or reasons of public safety.*

7.4 Groundwater resources are essential to the Borough's public water supply, rivers and streams. Its protection is fundamental in contributing towards a sustainable environment, and the Community Strategy's aim of improved health for the residents of Pendle.

7.5 As well as providing a source of water supply, groundwater resources are equally important for maintaining surface waters through springs and rivers, and supporting wetlands and their ecosystems. Consequently, any reduction in the quality and quantity of groundwater will also detrimentally impact on the Borough's surface water provision. The groundwater resources of Pendle are coming under increased pressure. Development of housing and industry can influence natural run off patterns and in effect prevent the groundwater supply from replenishing. Pollution from industry and farm effluents can affect quality.

7.6 Through close liaison with the Environment Agency and Water Companies, the Council will assist in water resource protection by resisting development that will detrimentally affect groundwater supply.

7.7 Surface water resources, such as the Leeds – Liverpool Canal and the Foulridge reservoirs, offer important community value through recreation and tourism, as well as providing sanctuary for wildlife. In addition to creating a flood risk, the culverting of open watercourses reduces groundwater recharge and increases the difficulty in detecting the origins of pollution and in monitoring the quality of surface waters. Culverting also results in the loss of wildlife habitats.



7.8 It is important that development has regard to and does not harm such areas. The views of the Environment Agency will be sought on any proposal affecting a surface water resource. Where conflict with development is unavoidable, a design statement will be required of the developer to illustrate how the proposal will take account of the resource and ensure there is no net loss to the community it serves. Contamination of ground and surface water is dealt with in Policy 8.

POLICY 8 – CONTAMINATION AND POLLUTION

8.1 *Proposals for industrial development or those developments where odours, noise, or vibration are likely, should be accompanied by a statement illustrating the levels of potential pollution and any remedial action to be undertaken. A statement will be required for applications involving outdoor lighting. Development will be permitted where:*

1) There is likely to be no harmful pollution or contamination

OR

2) Any proposed remedial action is sufficient to reduce the risk of pollution

AND

1) The application does not involve the storage of hazardous substances where such storage would pose a potential risk to nearby residents or visitors.

8.2 *IN ADDITION planning permission will only be granted where the Council are satisfied that the proposed development would not:*

a) Expose the occupiers of the development and neighbouring land uses to unacceptable risk.

b) Threaten the structural integrity of any existing or proposed building on or adjoining the site.

c) Lead to the contamination of any watercourse, water body, or groundwater

d) Cause the contamination of adjoining land or allow such contamination to continue.

8.3 *Developers proposing to develop any brownfield site or land within 250 metres of a landfill site must conduct an investigation and assessment to identify the types, nature and extent of any contamination, including the potential risk from migrating landfill gas, potentially affecting the application site and environs. A comprehensive remediation scheme should be included with the application where appropriate. Only where the Council's Environmental Health Department and associated pollution control authorities are satisfied that the risk from pollution is adequately controlled will permission be granted.*

8.4 Central Government attach great importance to the control and minimisation of pollution. Through the White Paper (1990)¹² they have made clear their commitment to sustainable development, by minimising the risk to human health and the environment through the prevention of pollution and contamination.

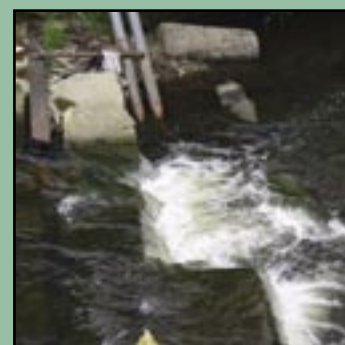
¹² Department of Environment (1990) This Common Inheritance – White Paper. DoE.

8.5 The purpose of this policy is to prevent the release of harmful pollutants into the atmosphere, ground or controlled waters through leakage and drainage from, and disturbance of, contaminated land. The policy also seeks to control nuisances such as noise, light and odour. Any developer proposing potentially contaminating development will be required to supply a statement detailing possible pollution and remedial action. For the purposes of this policy, Industrial includes B1(b), B1(c), B2 and B8. Other developments likely to cause odours, noise, light or vibration include: A3 (restaurants/cafes), A4 (pubs/bars), A5 (hot food take-aways) uses, tattoo studios, pet shops, kennel or catteries. It is particularly important to control light pollution in the open countryside and any application involving lighting in the open countryside should be accompanied by a statement in line with the Council's SPG (Development in the Open Countryside).

8.6 The Council's Environmental Health Department and the pollution control authorities will be consulted upon all potentially polluting development proposals. Proposals will be assessed against the possible impact on surrounding land use, including the effects on health, the natural environment and controlled surface and groundwater's or general amenity, and the proximity of sensitive land uses, including schools, housing and environmental designations, to any potential pollutants. Any proposal which is shown to pollute or potentially pollute the environment will be resisted. Remedial actions to control or reduce pollution can successfully render a potentially polluting use suitable. All remedial actions should be identified in the supporting statement.

8.7 In some cases planning permission may be granted where pollution can be kept to a minimum and the social and economic benefits outweigh the environmental concerns. Many developments can be controlled through the use of conditions. For example, the introduction of floodlighting to existing sports facilities in the Green Belt may be of benefit to the community, but at the same time will increase levels of light and noise pollution. Conditions may be imposed to limit the type of pollutant, in this case a restriction on evening opening times and landscaping could be used to deter the pollutant impacts.

8.8 PPS23 (Planning and Pollution Control) stresses that development plans should steer development onto appropriate previously developed land, some of which may be affected by contamination. Likewise the RSS seeks to tackle derelict and contaminated land. Such recycling can also provide an opportunity to deal with the threats to health or the environment posed by contamination. Any proposal for development on a brownfield site or on or in close proximity to a landfill site must be accompanied by a full site investigation into the potential risk from land contamination and migrating landfill gases. A site investigation must be carried out by an appropriately qualified geotechnical professional. A comprehensive remediation scheme, including a timetable and future monitoring must be included where appropriate. Remedial measures agreed as part of any planning permission should be implemented and completed in accordance with the agreed scheme. In applying this Policy, the Council will have regard to advice given by the Environment Agency and other relevant bodies.



POLICY 9 - BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST



9.1 *The Borough Council will seek to preserve statutory Listed Buildings and conserve buildings of historic or architectural importance. These may be identified on the statutory list of buildings¹³, on the Lancashire Sites and Monuments Record, or on a local list.*

For Listed Buildings the Council will:

- 1) Not grant consent for demolition other than in exceptional circumstances where the Council is satisfied that every possible effort has been made to retain the building, continue its present use or find a suitable new use;*
- 2) Safeguard the setting of Listed Buildings through the control of new development (including changes of use) in the vicinity and, where appropriate, by the preservation of trees and other important features;*
- 3) Ensure proposed change of use, alterations and extensions have no adverse effects on a Listed Building's special interest, character and appearance and that loss of historic features and fabric is minimised. A record of all irreversible alterations must be made and placed in an appropriate archive;*
- 4) Refuse consent for the use of modern materials or features such as cement mortars or renders, artificial stone and slate, upvc or other plastics, aluminium or stained timber windows, doors or watergoods, burglar alarms, solar panels, rooflights and dormers, where these are considered to be inappropriate and likely to harm the historic or architectural character of the building or structure. The Council will require that schemes of repair and conservation use traditional methods and materials, unless it can be demonstrated that another approach is appropriate.*

9.2 *For non-listed buildings of historic or architectural importance the same general approach will be used, but the controls will be applied at a level commensurate with the importance of the building in question.*

9.3 Buildings or monuments of historic, architectural or cultural importance can be listed. Statutory Listed Buildings are subject to stringent planning control. Listed Building consent must be obtained before any alteration can be made which would affect a statutory Listed Building's special interest. As well as the statutory list (prepared by DCMS), Lancashire County Council maintain a record of all sites and monuments in Lancashire. The JLSP supports designations of both national and local importance. The Council will recommend the statutory listing of buildings where special historic or architectural interest is believed to exist. In addition, the Council will compile a local list of buildings of historic or architectural importance in consultation with local people.

9.4 Every effort will be made to preserve statutory Listed Buildings. PPG15 (Planning and the Historic Environment) states that applications for demolition of any Listed Building should be carefully scrutinised and suggests that there will be very few occasions where demolition is considered unavoidable. In very exceptional circumstances where permission is granted for the demolition of a statutory Listed Building, the Council will firstly have to approve detailed plans for the redevelopment of the site and the letting contract for development, submitted by the developer. It will

13 Prepared by the Department of Culture, Media and Sport (DCMS).

also be necessary for the developer to provide means for the recording and storage of features and materials from Listed Buildings where demolition consent is granted.

9.5 Generally the best way of securing the upkeep of buildings is to keep them in active use. However, change of use and subsequent alterations or extensions can be damaging to a Listed Building. PPG15 states that achieving a balance between the special interest of a Listed Building and proposals for alterations or extensions is demanding and should always be based on specialist expertise. The Council will consult their Conservation Officer on any application for proposed change of use or alteration to a Listed Building or its setting. Applications will be refused where there is insufficient detail to enable the determination of that application. Further guidance is contained within the Built Heritage Strategy¹⁴ 'Laying Foundations'.

9.6 Where proposals affect any non-listed building of architectural or historic importance, the Council will seek to control development which significantly affects the structure or its setting, and the approach will be similar to that set out for statutorily Listed Buildings. Controls will, however, generally be less stringently applied and will be at a level commensurate with the importance of the building.

9.7 It is important for developers to be aware that buried archaeological remains often survive under and around Listed and non-Listed Buildings. The impact of development in these areas should be assessed against criteria set out in Policy 11.



POLICY 10 – AREAS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

10.1 *The Borough Council will seek to conserve areas of identified historic or architectural interest and their setting. These will be designated as Conservation Areas or Historic Parks. The Council will:*

1) seek to ensure a particularly high design standard that preserves or enhances the character and appearance of the area and its setting. In addition to general design criteria, any development proposals must have regard to the following matters:

- the retention of historic buildings and materials, groups of buildings, building lines, vistas, street patterns and floor surfaces;*
- the impact on open spaces and trees;*
- the retention of architectural features such as boundary walls, shop fronts and other elements which contribute to the character of the area;*
- the impact on the wider townscape and roofscape;*
- the effect on land-use mix, activities, noise levels and sense of place.*

2) only grant consent for demolition (where permission is required) where a building is not of townscape, architectural or historic interest, and where an acceptable scheme of replacement or after-use for the site can be reasonably guaranteed.

3) designate new conservation areas where there is considered to be special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

¹⁴ Borough of Pendle (1997) Built Heritage Strategy: Laying Foundations. BoP



4) seek to protect and enhance any parks, gardens and cemeteries of historic interest, and their setting, particularly those identified on the English Heritage Register of Parks and Gardens of Special Historic Interest.

10.2 Conservation Areas are areas of special architectural or historic importance that have special character and/or appearance which it is desirable to preserve or enhance. Conservation Areas can be designated by the Local Authority with the involvement of local people. It is the intention of the Council to conserve the special features of existing Conservation Areas and to designate new Conservation Areas where appropriate. In exercising Conservation Area controls, local planning authorities are required to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a Conservation Area. The Council have prepared SPG for a number of the Borough's Conservation Areas. Article 4 directions may be used to remove permitted development rights within Conservation Areas. This would then help to further control development which may occur in these areas.

10.3 PPG15: Planning and the Historic Environment considers the setting of a Conservation Area to be important in preserving or enhancing the area. PPG15 states that the desirability of preserving or enhancing a Conservation Area should be a material consideration when determining development proposals which are outside of a Conservation Area but would affect its setting, or view into or out of the area.

10.4 The demolition of buildings within a Conservation Area is strictly controlled. PPG15 contains guidance on proposals to demolish such buildings stating that proposals should be assessed against the same criteria as for Listed Buildings.

10.5 PPG15 states that local planning authorities should protect registered parks and gardens in determining planning applications. The Council will seek to protect and enhance any parks, gardens and cemeteries of historic interest and their setting. The most important of these may be included on the English Heritage Register of Parks and Gardens of Special Historic Interest.

10.6 It is important for developers to be aware that buried archaeological remains often survive in areas of architectural or historic interest. The impact of development in these areas should be assessed against criteria set out in Policy 11.

POLICY 11 – ARCHAEOLOGY

11.1 *Nationally important monuments, including Scheduled Monuments and other sites of national importance and their settings will be preserved. Proposals which fail to preserve those monuments in situ will not be permitted.*

11.2 *Development proposals that affect sites that are neither Scheduled Monuments nor otherwise of national importance will be dealt with on their merits.*

11.3 *Where development proposals could affect a site or its setting, the applicant may be required to carry out an archaeological assessment or undertake a site evaluation before any planning application is determined.*

This must:

- 1) Identify any archaeological remains within and/or adjacent to the application site,
AND***
- 2) Assess the likely impact of the proposed development on any identified remains,
AND***
- 3) Demonstrate the means of reducing any identified impact in order to conserve
the remains.***

11.4 Only development which would conserve any identified archaeological remains will be permitted. Where development is permitted, recording in advance or during development may be required.

11.5 The Government describe archaeological remains as finite and non-renewable resources, in many cases fragile and vulnerable to damage and destruction. Archaeological remains contain irreplaceable information about our past and are valuable for their own sake and for their role in education, leisure and tourism. Demands for a modern society mean that it is not always possible to preserve all archaeological remains. A balance must be sought between preservation of archaeology and modern development. This policy seeks to preserve in situ those archaeological remains of national importance, whether Scheduled Monuments (Ancient Monuments and Archaeological Areas Act 1979) or not. In January 2005 there were 11 Scheduled Monuments in Pendle Borough. These are identified on the proposals map. More sites may be added to the schedule as research is undertaken and sites identified.

11.6 For the purpose of this policy, preservation means to prevent any alteration which would cause damage to the monument or impact on the setting of visible remains. Development which would harm a nationally important monument, whether scheduled or not, will not be permitted. Works to Scheduled Monuments or which would affect their settings almost always require Scheduled Monument Consent from the Department of Culture, Media and Sport and early consultation with their advisors, English Heritage, is recommended.

11.7 As well as Scheduled Monuments there are many other archaeological and historic sites of interest in Pendle Borough. Many of these are included in the Lancashire Sites and Monuments Record, which is maintained by Lancashire County Council Archaeological Services. Sites and monuments contained on this Record can be of national, county, regional or local importance and may be buried or standing remains, findspots or landscape features.

11.8 Development proposals that affect sites that are neither Scheduled Monuments nor otherwise of national importance will be dealt with on their merits. Where development proposals could affect a site or its setting the developer may be required to carry out an archaeological assessment or undertake a site evaluation before any planning application is determined. The Government's attitude to archaeological sites is set out in PPG16, where there is a presumption in favour of preservation of Scheduled Monuments. Other archaeological sites are to be dealt with on their merits, but it is acknowledged that preservation by record is only a second-best option. The Council will seek advice from the Lancashire County Council Archaeological Service when making decisions on the need for an archaeological assessment or evaluation and the suitability of a proposed development. Only development which seeks to conserve any archaeological remains will be permitted. Where development is permitted recording work may be necessary before or during development. This will be sought through a planning condition or other legal agreement.





POLICY 12 – MAINTAINING SETTLEMENT CHARACTER

12.1 *The development of land which contributes to the openness, character and local amenity of a settlement will not be permitted, unless the development proposal is for the enhancement or improvement of existing on site facilities. Sites are identified on the proposals map as:*

- *Chapelfields, Kelbrook*
- *Windermere Avenue, Colne*
- *Dean Street, Trawden*
- *Applegarth, Barnoldswick*
- *Higham Hall Road, Higham*
- *Halifax Road, Brierfield*
- *Back Lane, Trawden*

12.2 Informal open spaces within defined settlement boundaries often play an essential role in the character of that particular settlement, with regard to setting and local amenity. It is important that these areas are identified and development is resisted, in order to conserve settlement character. However, enhancement and improvement to the existing on site facilities will be permitted provided the proposal maintains the openness and character of the site. For example, the creation of formal open space is encouraged through Policy 34.

12.3 The sites identified above are all allocated on the proposals map. Smaller sites can offer a similar benefit to local amenity, and so contribute toward settlement character. These sites have been identified through the Open Space Audit (2004) appearing as Amenity Open Space, and will afford the same protection. Exceptions to development on these smaller sites will only be made through Policy 33.

POLICY 13 – QUALITY AND DESIGN OF NEW DEVELOPMENT

13.1 *The Council will protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. All development proposals should comply with the following:*

- *Siting and design should be in scale and harmony with the surroundings, innovative where possible, and contribute towards the character of an area. Housing densities should reflect those in Policy 20.*
- *Natural stone and slate appropriate to the vicinity in respect of colour and type should be used on Listed Buildings. This will also apply to Conservation Areas unless there is a predominance of artificial materials in the vicinity. In other locations artificial stone and slate appropriate in colour to the immediate vicinity will be permitted.*
- *Metal frame buildings, including roofing design, will be of muted hues and darker colours.*
- *Existing trees and hedgerows to be protected in line with Policy 14 and appropriate landscaping to be introduced in line with Policy 16.*
- *Sustainable drainage systems shall be incorporated unless evidence is produced to justify why such schemes are not appropriate, in which case an acceptable alternative must be incorporated.*

- *The development shall demonstrate that it incorporates satisfactory standards of security to prevent crime within both the development site and in the surrounding area.*

13.2 *Shop front security proposals should conform to guidance contained within the 'Shop Front Security' supplementary leaflet¹⁵.*

13.3 *Proposed advertisements must not impinge on residential amenity or highway safety.*

13.4 *Proposals which promote sustainable construction techniques, including energy efficiency and the use of renewable energy will be encouraged, in line with Policy 5.*

13.5 Through this policy the Council aims to protect and enhance the heritage and character of the Borough, by encouraging high standards of design in new and existing development. This is important in realising the Council's Community Strategy objectives which seek to ensure that the residents of Pendle enjoy the best possible quality of life, and that Pendle is an attractive place where people choose to live, work and visit. Quality in new development is also a key development principle of the Regional Spatial Strategy.

13.6 The quality of our built environment is dependent not only on the merits of individual buildings, but also in the degree to which each building blends harmoniously into the environment. The key to good design is one that provides for the needs of the occupants, whilst responding sensitively to site characteristics and surroundings. It is essential that site layout, external appearance and the use of materials for walling and roofs are sympathetic to surroundings and reflect the character of the area.

13.7 Pendle faces major difficulties in dealing with the problems of redundant and unfit housing, this has contributed towards many local environments being sub standard, and greatly affects the Borough's ability to maintain and attract new population. The Council will seek to encourage proposals which promote a high standard of design throughout the Borough.

13.8 Poorly designed shop front security measures, and insensitively positioned advertisements can detrimentally impact upon an area. Good design will ensure that such proposals are in harmony with the built or natural environment, and positively contribute toward the character and appearance of our towns, villages and countryside, without impacting on amenity or compromising safety. A leaflet entitled 'Shop Front Security' has been produced and should be used in conjunction with this policy. Specific control will apply in Conservation Areas through Supplementary Planning Guidance (SPG) or Supplementary Planning Documents (SPD).

13.9 Guidance upon sustainable construction techniques will be contained within the 'Development Control Principles' Development Plan Document (DPD). Guidance upon sustainable drainage systems is contained within the SPG for 'Flood Risk', a separate SPG deals with 'Crime Prevention in Residential Development'.



¹⁵ See Appendix 3 to find out how to obtain a copy.

POLICY 14 – TREES, WOODLAND AND HEDGEROWS



14.1 *The Council recognises the importance and amenity function of trees, woodlands and hedgerows, and will protect them.*

14.2 *The Council will, where appropriate, make Tree Preservation Orders (TPO), promote the ecological health and visual setting of ancient woodlands, trees and hedgerows, and protect hedgerows through the Hedgerow Regulations (1997).*

14.3 *All new development should respect trees in terms of their location and the contribution they make to the local scene.*

14.4 *Development proposals where trees are growing on, or in close proximity to, the development site will be required to submit a specialist Tree Survey. Planning conditions will be used to protect trees, woodland and hedgerows.*

14.5 *Developers will be encouraged to provide new tree planting and implement sensitive management schemes where there is a deficiency¹⁶ of woodland provision. This will also be encouraged within the intensive park land area of the Regional Park (Policy 37).*

14.6 *Development proposals including the planting of new woodland should ensure that the species to be planted are native to the locality. Development proposals including the planting of new hedgerows at the edge of a settlement or in the open countryside must ensure that the species to be planted are native to the locality.*

14.7 *Tree planting within the Open Countryside will be given special consideration in terms of the suitability of the area to accommodate woodland and to ensure that environmentally sensitive designations are avoided (Policies 4A-C).*

14.8 Aside from their obvious aesthetic value, trees, woodlands and hedgerows provide important environmental, health and biodiversity benefits. The Council is committed to their protection and will seek to preserve them where appropriate as defined by the DETR publication; Tree Preservation Orders: a guide to the law and good practice, through the creation of Tree Preservation Orders, and guidance contained within the Hedgerow Regulations (1997).

14.9 It is important to maintain the visual setting of ancient woodland and promote ecological health in woodland in general. Ancient woodland is land that has had continuous woodland cover since 1600. There are five ancient woodlands of 2.0 hectares or more in the Borough and one immediately adjacent to but outside the Borough. These are designated as Biological Heritage Sites (Policy 4C). The Forestry Commission must now be notified on all proposals where any part of the development site consists of an ancient woodland, or where any part of the site is within 500 metres of an ancient woodland and where the proposal involves erecting new or extending existing buildings.

14.10 The location of trees often provides a valuable contribution to the local setting and it is important that any proposed development respects the location of existing trees. A tree survey will be required as a component of all planning applications where

16 A deficiency of Woodland is defined within the Council's Open Space Audit which identifies those wards within Pendle which have a deficiency of Woodland type open space.

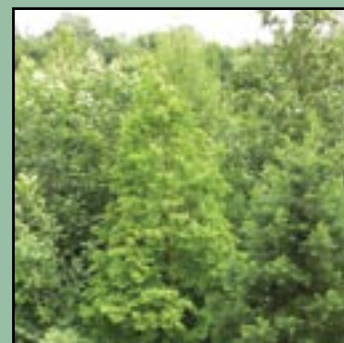
trees are found on site or on adjacent land. The survey must be undertaken by a suitably qualified person, and should be in accordance with considerations in British Standard 5837 (2005) (section 4 and 5)¹⁷. Details of appropriate Root Protection Areas (RPA), protective barriers and distance of proposed development from existing trees will be included as determined by BS5837 (2005). A plan showing the development layout with regard to building position, infrastructure, services and levels (both existing and proposed) should be submitted to be read in conjunction with the tree survey. Planning conditions will be used to protect existing trees, woodland and hedgerows in the interests of amenity and to facilitate sensitive management thereafter.

14.11 Woodland cover in Pendle is low in comparison with regional and national coverage. The Government's forestry policy, set out in the England Forestry Strategy (1999) has two aims: i) the sustainable management of existing woods and forests and; ii) a continued expansion of woodland area to provide more benefits for society and the environment. The Strategy recognises that well planned and managed woodland will contribute towards the sustainable development of the Borough through the improved appearance of the countryside, job creation, improvements to air quality and the potential regeneration of redundant sites.

14.12 The Open Space Audit¹⁸ (2004) identifies surpluses and deficiencies of all woodland coverage within the Borough, and will be used to guide new provision to where it is most needed. The Council will encourage the planting of new woodland both in its own right and as extensions to existing woodland, and will look to regenerate derelict, under used or neglected land as a priority. Hedgerow planting will be encouraged where boundaries are formed by new development. Species should be native to the area.

14.13 Development proposals for woodland planting should provide a suitable mix of native broad leaf trees and under storey shrubs. Lancashire County Council's SPG: Landscape and Heritage gives guidance on the creation of new woodland. Developers should also refer to the Community Woodland Design Guidelines, published by the Forestry Commission. The guidance suggests that new woodland should blend sympathetically, being of suitable scale with the land form, whilst not detracting from the visual, ecological, wildlife or archaeological value of any natural features or designated sites and should avoid regular or geometric shapes. Woodland planting within the Open Countryside should be consistent with the requirements of each countryside character type, as identified in the Council's SPG: Development in the Open Countryside. In general new woodland planting should avoid the environmental designations (Policies 4A-C), however there may be circumstances where new woodland planting in a designated area is appropriate.

14.14 Through partnership the Council will proactively encourage new woodland planting and establishment schemes. East Lancashire Woodland Partnership (ELWOOD) aims to increase woodland coverage by direct Council action and by action of private and other landowners, and will provide grant assistance which can be used alongside funding from the Forestry Commission to plant new, and manage existing woodland.



¹⁷ Such considerations include the health, size, life expectancy and location of a particular tree, trees to be retained and those to be removed.

¹⁸ Borough of Pendle (2004) Open Space Audit. BoP. See Appendix 3 to find out how to obtain a copy.

POLICY 16 – LANDSCAPING IN NEW DEVELOPMENT

16.1 *The Council will require all development proposals which involve new build or re-build to include a scheme of landscaping sympathetic to the site's character and vicinity.*

16.2 *In particular, new development should make use of, and provide for the retention (and repair) of, existing trees, dry stone walls, hedgerows, ponds, watercourses and other semi-natural habitats. New boundaries at the edge of a settlement or in the open countryside must be created of dry stone walling or native species hedgerow, whichever is appropriate. The provision of new ecological habitats such as ponds, within landscaping schemes, will be encouraged, provided that they are appropriate to the development site.*

16.3 *Planning conditions may be used to ensure the successful implementation of the landscaping scheme.*

16.4 Landscaping can make an important contribution to the appearance and impact of a building or groups of buildings. A well-designed landscaping scheme can add to the quality of a development and may serve a number of useful functions including the greening of an area, as means to provide screening for unsightly features and the segregation of differing land uses.

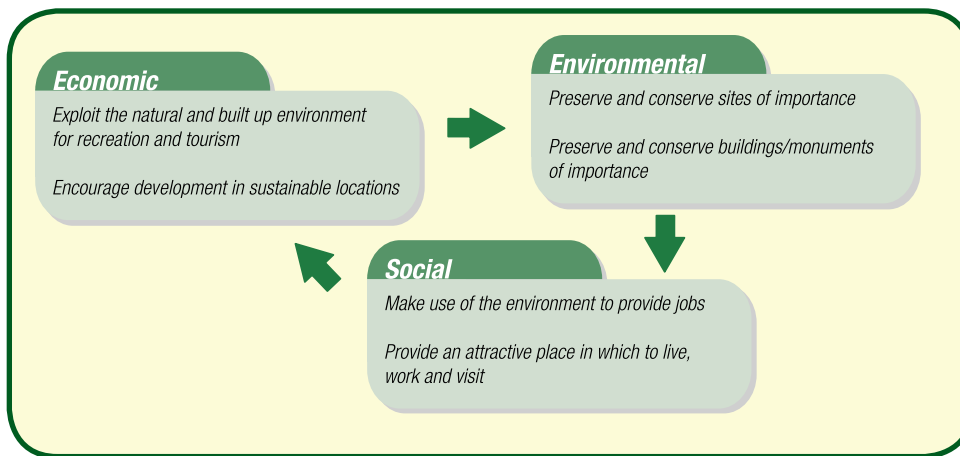
16.5 A well-designed landscaping scheme can also help to meet some of the objectives set out in the UK and Lancashire Biodiversity Action Plans. Landscaping can provide new habitats for a range of wildlife species of both flora and fauna. This will help to increase the variety of species in an area therefore maintaining and enhancing biodiversity.

16.6 Landscaping schemes should be sympathetic in design, appropriate to the site's character and surrounding land uses. Schemes as a minimum should provide detail of plant species (size, spacing or planting rate, handling and planting measures, staking of trees), depth, quality and cultivation of top soil, type and depth of mulch. Submitted schemes must show all existing and proposed services both above and below ground and all planting shown must be in accordance with recommendations of each particular service provider in terms of distance from the particular service. Where schemes involve the provision of other ecological features such as ponds, details should be provided about the size and siting of these. A maintenance schedule must also be submitted, detailing inspection frequencies, weed control, replacement of plant failures and other necessary operations to ensure the successful establishment of the landscaping scheme.

16.7 The Council will seek to limit the obtrusive impact of suburban garden fencing on the open countryside, by requiring wall or hedgerow planting as part of all landscaping schemes for development at the edge of a defined settlement boundary or in the open countryside.

16.8 Planning conditions may be imposed to ensure the implementation of both the landscaping scheme and maintenance schedule.

Figure 1: Environment Sustainability Balance





HOUSING

Aim :

To provide a range of good quality, affordable mixed tenure housing in order to meet the changing needs of the community. To provide a choice of housing which will retain and attract population, through more sustainable patterns of development and the better use of previously developed land. Housing renewal initiatives should be used to tackle unfit and obsolete properties.

POLICY 17 – LOCATION OF NEW HOUSING DEVELOPMENT



17.1 *Proposals for new residential development will only be permitted where:*

There is insufficient land with planning permission to meet the annual provision rate as detailed in the most up-to-date Housing Land Availability Schedule¹⁹.

17.2 *Where the most recent published Housing Land Availability Schedule demonstrates that the capacity of existing planning permissions is not sufficient to satisfy the annualised housing requirement proposals for new housing will be considered, in order of priority for:*

- 1) The re-use or conversion of existing buildings within a settlement boundary.*
- 2) The redevelopment of previously developed land within a settlement boundary.*
- 3) The development of previously undeveloped land within a settlement boundary, where this avoids areas of open space (Policy 33), areas identified as being of defined settlement character (Policy 12) and areas of natural heritage (Policies 4A-4C), where it is demonstrated that the site is well located in relation to houses, jobs, other services and infrastructure, and is or can be made accessible by public transport, walking or cycling.*

17.3 *Where the most recent published Housing Land Availability Schedule demonstrates that the capacity of existing planning permissions is sufficient to satisfy the annualised requirement proposals for new housing will not be granted permission, unless the proposal is for one of the following exceptions:*

- a) Replacement of cleared dwellings.*
- b) Housing for special need housing groups where there is an identified local need as set out in the Supporting People Strategy²⁰.*
- c) Affordable housing where there is an identified local need as set out in an up-to-date housing needs assessment.*
- d) New dwellings which form a key element of a mixed use regeneration project where such a project has been approved by the Council.*
- e) An agricultural or forestry worker's dwelling where it is essential to the functioning and viability of the agricultural or forestry holding.*
- f) Conversion of a building(s) to residential use where it would be the only realistic means of securing the future of a Listed Building (in line with Policy 9).*
- g) Conversion of a building within a defined settlement boundary to create no more than five residential units within any one planning unit as it existed on 6th October 2004.*

17.4 *The exceptions in A-D and G above should be met in order of priority of 1-3 above. However the following will also apply:*

- For replacement dwellings where there is insufficient previously developed land within a settlement boundary to meet the needs of the proposal, development may be permitted on HMR Reserved Housing Land where it can be*

¹⁹ Pendle Borough Council will prepare an annual Housing Land Availability Schedule with a base date of 31st March each year from 2004 onwards. See Appendix 3 for details of how to obtain a copy.

²⁰ Supporting People Strategy (2002) available from the Housing Department, Pendle Borough Council.

demonstrated that sites in accordance with 1-3 above are not available (or that the HMR Reserved Housing Site accords with either 1, 2 or 3 above) and the dwellings cannot be replaced on the same site.

The following sites are designated as HMR Reserved Housing Land:

Clitheroe Road, Brierfield	2.1 ha²¹
Gib Hill, Nelson (Phased)	12.01 ha
Knotts Lane, Colne (including the former Cement Works)	7.85 ha
Former Lucas Sports Ground, Reedley	2.64 ha
Further Clough Head, Nelson	3.66 ha²²
James Nelson's Sports Ground, Nelson	1.82 ha

- *For special needs or affordable housing, exception sites adjoining a settlement boundary in rural areas will be considered where there is insufficient land within a village settlement boundary.*
- *For agricultural / forestry workers dwellings, exception will be made for development outside of the main urban area in line with Policy 1.*

17.5 *Amendment to a previously permitted scheme (extant permission) will be treated as an exception, providing there is no net increase in dwelling numbers across the site.*



Housing requirements to meet household growth

17.6 The Regional Spatial Strategy for the North West sets out annual provision rates for housing. This is translated through the Joint Lancashire Structure Plan into a total figure for each district and a series of annual provision rates. Pendle must provide 1,970 new dwellings between 2001 and 2016. This is to be provided at a rate of 235 dwellings per annum to 2006 and from 2006-2016 at 80 dwellings per annum. This is in line with the RSS which puts emphasis on the need to develop phasing mechanisms for the release of housing land. This is reinforced in PPG3 which seeks a plan, monitor and manage approach.

17.7 The Joint Lancashire Structure Plan requires Districts to meet their annual provision rates as closely as possible. However, if the rate is exceeded adjustments must be made to the annual rate for subsequent years. The overall housing requirement to 2016 should not be exceeded.

17.8 Every year Pendle Borough Council will produce a Housing Land Availability Schedule with a base date of 31st March. This details the number of dwellings built over a given period and will be used to assess the ability of Pendle to meet the annual provision rate for the forthcoming year. Where the annual provision rate has been exceeded in previous years the Schedule details the adjustments to be made to the provision rate for the subsequent years.

17.9 To assist in meeting the annual provision rate it is important to retain a stock of land for housing sufficient to meet a one year provision rate. In Pendle this stock of land is classified as land with planning permission for housing. In order to bring forward sufficient land to meet the annual provision rate a stock of 4 years planning permissions are required in Pendle. The Housing Land Availability Schedule details all sites with planning permission for housing as of 31st March each year.

²¹ A full site investigation on gas migration and other contaminants, including any remedial proposals should be submitted with any application for planning permission on this site.

²² A full site investigation on gas migration and other contaminants, including any remedial proposals should be submitted with any application for planning permission on this site.



17.10 Where the stock of land with planning permission exceeds that required to meet the annual provision requirement (4 years worth – if shown in the most up-to-date published Housing Land Availability Schedule), the Council is in a position of ‘oversupply’. When in a position of oversupply the Council will not grant planning permission for further residential development other than in those instances listed as A-G in this Policy. These exceptions are explained below. Dwellings provided in these special circumstances will count towards the overall housing requirement, with the exception of replacement dwellings (Part A), and therefore may necessitate a consequential adjustment to the annual provision to be met in subsequent years.

17.11 Policy 12 of the Joint Lancashire Structure Plan recognises that most Districts are in a position of ‘oversupply’ with planning permissions far exceeding the annual requirement.

17.12 As of 31st March 2004 Pendle has a significant stock of land with planning permission for housing. Indeed, taking account of completions since April 2001 and valid planning permissions the Council can meet the annual provision rates to mid 2015.

Figure 2a - Housing Land Requirement in Pendle 2001-2016

Joint Lancashire Structure Plan requirement	1970
Dwellings completed April 2001 - March 2005	- 1317
Number of dwellings to be provided for	653
Dwelling units with planning permission (March 2005)	- 1395
Total requirement to 201	- 742

17.13 If, in time, the most up-to-date Housing Land Availability Schedule shows there is insufficient land with planning permission to ensure adequate dwellings are built to meet the annual provision rate (4 years supply of planning permissions) planning applications for residential development will be acceptable in quantitative terms. The suitability of any such applications will be determined in accordance with the sequential approach in 1-3 of this Policy.

17.14 PPG3, RSS and the Joint Lancashire Structure Plan advocate the use of previously developed land and buildings in the first instance. Indeed the Joint Lancashire Structure Plan sets Pendle a target of meeting 75% of all new residential development on previously developed sites by 2016. An Urban Capacity Study for Pendle undertaken in 2003 identified capacity for 387 units to be provided on brownfield sites.

17.15 The sequential approach detailed in 1-3 of this Policy is in accordance with that set out in Policy DP1 of the Regional Spatial Strategy and Policy 12 of the Joint Lancashire Structure Plan.

17.16 Proposals for residential development on garden land will be permitted on sites within a settlement boundary, subject to Policy 20.

EXCEPTIONS

17.17 This quantitative assessment of housing requirements seeks to deliver housing for all sections of the population. However the existing supply is based on previous planning approvals which will not provide for all and will not necessarily succeed in delivering a sustainable and socially inclusive community. There are therefore a number of exceptions to the oversupply situation to help balance supply with demand and help deliver socially essential housing.

Replacement of cleared dwellings

17.18 Both the annual rate of housing provision detailed in the RSS and the Joint Lancashire Structure Plan are net of clearance. Policy 13 of the Joint Lancashire Structure Plan recognises that clearance will be undertaken where retention is not economically viable due to stock condition or low demand or where it assists with the wider regeneration of an area. Large parts of the urban area of Pendle are designated as a Housing Market Renewal Intervention Area (Nelson, Colne and Brierfield) under the Government's Pathfinder Initiative. Area Development Frameworks (ADFs) have been prepared for those parts of Pendle and these seek to deliver joined up solutions to help restore confidence in the housing market and create greater choice and type of dwelling. Support for clearance in the ADFs or through further master planning may result in a loss of some of the Borough's terraced houses. Any replacement of these dwellings will be treated as an exception to this policy.

17.19 In addition to clearance and replacement for regeneration this policy will also permit the replacement of a cleared dwelling anywhere in the District so long as it is in line with all other Local Plan policies. In this situation replacement dwellings must be on the same site as the cleared unit(s). No increase in unit numbers will be permitted. Replacement must be on a like for like basis as a maximum.

17.20 In ADF areas it may not prove possible to replace all dwellings on the original site. This will occur where the ADFs recognise a need to reduce the density of terraced properties and provide open areas and community facilities. In this situation replacement dwellings will be permitted on alternative sites. This must be clearly justified through the ADF or further masterplans. In accordance with the sequential search set out in Policy 17 (Points 1-3) all replacement dwellings should be located, in the following order of priority; i) in reused or converted buildings within a settlement boundary, ii) previously developed land within a settlement boundary; or, iii) previously undeveloped land within a settlement boundary (as defined by Policy 17 point 3). In respect of replacement dwellings, where it is demonstrated that sites in accordance with the sequential approach (Policy 17 points 1-3) are not available within the ADF boundary (or that the HMR Reserved Housing Site accords with either 1, 2 or 3 above) then consideration will be given to releasing some HMR Reserved Housing Land for new housing development. Sites within a defined ADF boundary will be given priority for release so long as they are in a location suitable to serve the regeneration needs as identified through any master planning work or Area Action Plan.

17.21 HMR Reserved Housing Land is land that is protected for possible use for off-site replacement housing associated with the HMR Pathfinder Programme. In this Plan HMR Reserved Housing Land will only be released for housing where it will assist with regeneration within ADF areas. If there is sufficient previously developed





land to meet the needs of replacement dwellings within the ADF boundaries over the plan period, the HMR Reserved Housing Land will remain undeveloped. The status of the HMR Reserved Housing Sites will be reconsidered at the review stage.

17.22 If there is an identified need for HMR Reserved Housing Land a Planning Brief will be prepared to ensure appropriate development of the site and maximise capacity on the site to reduce the need for the further release of HMR Reserved Housing Land.

17.23 A review of the continued need for HMR Reserved Housing Land and the specific sites identified will be considered as part of the Local Development Framework.

Special Needs Housing

17.24 The Lancashire Supporting People Strategy (2002) sets out the identified need for supported housing across the whole of Lancashire for the next 5 years. The special needs assessment for Pendle indicates that there is a shortage of accommodation for ex offenders and for households from black and ethnic minority backgrounds. This is shown in the table below:

Category	Needs Assessment
Older People (Extra Care)	Low
Domestic Violence	Medium
PDSI	No data
Learning Disability	Low
Drugs and Alcohol	No data
Ex Offenders	High
Mental Health	Medium
Young People	No data
Homelessness	Medium
Teenage Mums	Medium
B&ME	High

17.25 Only those developments which seek to meet an identified need as set out in the Supporting People Strategy will be supported. Any application for planning permission must demonstrate that the housing proposed is to be provided for those special needs groups. Planning Obligations will be used to ensure the use of those dwellings is maintained for those special needs groups in perpetuity.

Affordable Housing

17.26 Affordable Housing for the purposes of this Plan is defined as housing of an adequate standard which is cheaper than that which is generally available in the local housing market. It may comprise subsidised rented housing, subsidised low cost ownership including shared ownership and, in some market situations cheap housing for sale. It is intended to provide for those who are in unsuitable housing or households sharing a dwelling who require to move to separate accommodation but cannot afford to do so in the local area or for those people who have business within the local area.

17.27 The 2003 Housing Needs Survey²³ indicates that there is an overall surplus of 80 affordable housing units in the Borough. However, this masks geographical variation and, in particular, there are acute shortages of affordable accommodation in the rural areas of the Borough where house prices are high as a consequence of high demand.

17.28 In general terms the Housing Needs Survey shows that for rented properties in the next 5 years there will be:

- An oversupply of affordable accommodation in Colne
- An oversupply of affordable accommodation in Brierfield and Reedley
- A small shortage of affordable rented accommodation in Nelson of a particular type

For market housing over the next 5 years there will be a net:

- Shortage of accommodation in West Craven, Boulsworth and Pendleside.
- A small shortage of accommodation in Colne.
- An oversupply of accommodation in Nelson.
- An oversupply of accommodation in Brierfield and Reedley.

17.29 The shortfall in accommodation occurs due to a mismatch between the availability of dwelling types in the local housing market against housing needs and aspirations of emerging households. As well as geographical variations there are also variations in need by dwelling type.

17.30 All applications for affordable housing in both urban and rural areas must demonstrate that there is an identified 'need' within that vicinity and for that type of dwelling. This can be demonstrated through reference to the Council's Housing Needs Survey (2003) or through an up-to-date local assessment which identifies a need for a particular type of low cost housing for local people. No development will be permitted where it seeks to provide more dwellings than required to meet the identified need. This need will also be balanced with the environmental considerations in Policies 2, 3, 4A, 4B and 4C.

17.31 For the purposes of this Policy housing 'need' is defined as 'a need for a low cost house where the person's (or household's) circumstances match one of the following:

- 1) A person who is or has already established business within the local area. In rural areas, this must be within the village or close proximity to the village in which the dwelling is sought.
- 2) Persons who currently live permanently in a dwelling which is either shared, not self-contained, overcrowded or otherwise unsatisfactory by environmental health standards and which is currently within the village, open countryside or town within which a new dwelling is sought.
- 3) Existing residents of a village who are establishing a separate household but cannot enter the housing market due to income.'





17.32 Occupancy of the dwellings will be restricted to those local people in housing need in perpetuity. A Planning Obligation will be used to ensure future occupancy is controlled.

17.33 Any proposal for affordable housing should be met in order of priority in accordance with the sequential search set out in Policy 17 (points 1-3): i) in reused or converted buildings within a settlement boundary; ii) previously developed land within a settlement boundary; or, iii) previously undeveloped land within a settlement boundary (as defined by Policy 17 point 3). However, in rural areas, the Council will permit affordable housing on small sites within or immediately adjoining an existing village. That is any settlement in the rural area with a defined settlement boundary (see Proposals Map). This must be clearly justified by an assessment of housing need and the developer must demonstrate that no alternative sites exist within the settlement boundary. Development should avoid sensitive environmental designations (Policies 2-4C) and open space. Where exception sites are proposed within the AONB (Policy 2) or Green Belt (Policy 3) there must be an extremely robust argument of housing need to consider the release of such land. Any development outside a settlement boundary must contribute to the local character and be in line with the Council's SPG on Development in the Open Countryside (2002).

Mixed Use Regeneration Project

17.34 An exception will be made to permit residential development where it forms a key element of a mixed use regeneration project. Any such project must comply and be led by the broader regeneration objectives of the Council, for example, Area Development Frameworks. The aim is to allow new housing development where it will benefit the local area through regeneration. Any proposed projects must have received prior approval by the Council as a necessary regeneration scheme through the adoption of an appropriate Masterplan, Area Action Plan or Supplementary Planning Document (Planning Brief).

Agricultural or Forestry Workers Dwelling

17.35 Where it can be shown that it is essential for a farm or forestry worker to live at or in the immediate vicinity of their place of work an exception will be made and the construction of a dwelling permitted. Functional and financial tests must be satisfied in all cases. Further exception will be made where it can be demonstrated that it is essential to provide this dwelling in the open countryside. Any proposal must be in line with Policy 1.

Conversion to residential to secure the future of a Listed Building

17.36 The Council will consider a proposal for residential development where it will secure the future of a statutory Listed Building. It is for the Local Planning Authority to consider the potential risk to the Listed Building of not permitting the development, in line with the Council's register of Listed Buildings at Risk. The applicant must demonstrate that all other possible uses have been considered and must provide evidence to illustrate that those other uses are not feasible.

Conversion of a building within a defined settlement boundary to create no more than five residential units within any one planning unit

17.37 To allow for the regeneration of existing buildings during a period of 'oversupply' small scale (up to five units) conversion to residential units will be permitted. This is

per planning unit as at 6th October 2004. Incremental proposals which would result in more than five residential units within a planning unit will not be permitted.

POLICY 18 – HOUSING MARKET RENEWAL

18.1 *The Council will support regeneration activities within the Housing Market Renewal Intervention Area as highlighted on the Proposals Map. Area Development Frameworks (ADF) have been prepared for Brierfield, Nelson and Colne. These have fully engaged the local community and will be endorsed by the Council, Local Strategic Partnership and Pathfinder Board.*

18.2 *Within the ADF boundaries the Council will grant planning permission, where needed, for the following actions so long as they are in line with all other Local Plan policies and are supported by the ADF for the area and, in particular, any Area Action Plan or SPD:*

- 1. Improvement, repair and clearance of existing residential property*
- 2. New residential development (in line with Policy 17)²⁴*
- 3. Quality open space provision (in line with Policies 21 and 34)*
- 4. Community facilities and employment opportunities (in line with Policies 23, 26 and 32)*
- 5. Leisure, health and education provision (in line with Policy 34)*
- 6. Improved transport links*

18.3 *The Council will require an appropriate historical and townscape assessment on any potential clearance site where it is deemed necessary.*

18.4 *The design of new developments should be in line with Policy 13 and any design brief prepared as SPD for the area.*

18.5 The Government recognises that around 1 million homes are affected by low demand and abandonment, spread across the North and Midlands. In an effort to address these issues the government have identified Pathfinder areas in an attempt to recreate sustainable communities. Pendle has been identified as part of the East Lancashire Pathfinder Initiative. Parts of Nelson, Colne and Brierfield have been identified as Intervention Areas.

18.6 The Regional Spatial Strategy for the North West (RPG 13) seeks to 'provide accessible, desirable, living and working conditions that ensure a good quality of urban life for all'. In response to this aim, and through the Housing Market Renewal Pathfinder Programme, the Council have produced Area Development Frameworks for each of the intervention areas (or parts of). These are designed to tackle the problems of low housing demand, together with unfitness and abandonment. However, the ADFs do not solely concentrate on housing, but instead provide the framework for creating sustainable communities based on a choice of quality housing, economic success, improved education and health facilities, crime reduction and environmental improvement. The Government expect the ADFs to 'tailor solutions to the needs of the area'. (ODPM, 2003)



24 Additional dwellings in excess of a one for one replacement will count against the Joint Lancashire Structure Plan (JLSP) requirement (Policy 12).



18.7 Within the framework of ADFs the Council will grant planning permission for a number of actions. Improvement and repair of existing housing together with clearance and new development will help tackle the problems of low demand. The complete regeneration of an area will include the provision of quality open space, employment opportunities, leisure, education, health, community facilities and improved transport links.

18.8 The aim of Housing Market Renewal is to create sustainable communities including the provision of decent homes. This is supported in the RSS which requires local authorities to 'adopt a concerted and comprehensive approach to influencing housing supply across all tenures and values, in the interests of improving the quality of the Region's housing stock'. The RSS recognises that this is particularly important in Pendle and seeks a comprehensive approach to housing renewal, clearance and urban regeneration. In addition the Joint Lancashire Structure Plan states that across East Lancashire, 25,000 unfit dwellings will be refurbished or demolished by 2016. The East Lancashire Strategic Plan identifies what needs to be done across the sub-region and the ADFs interpret this at a local level.

18.9 When considering options for the future of an area, it is important that any decisions are based on an informed understanding of the historic environment. Whilst programmes of repair and refurbishment, clearance or remodelling in a relatively small compact area (i.e. a few blocks of terraced housing), or one that is not physically related to an adjoining area, will not normally require a townscape or historical assessment to be undertaken, for those areas that are clearly of historical interest or are of sufficient size and coherence to warrant consideration (i.e. a neighbourhood), an appropriate townscape or historical assessment will be required.

18.10 Such an assessment should be undertaken before detailed proposals are drawn up for the regeneration of the area. As well as identifying assets which are protected through listing, scheduling or conservation area designation, the character of the area, its development over time and its relationship to the surrounding area should also be considered. Some areas may also retain significant buried archaeological remains and these will need to be investigated in advance of any future development. The scope for any additional recording work should be identified as part of any assessment.

POLICY 20 – QUALITY HOUSING PROVISION

20.1 *Proposals for new housing development must adhere to the following criteria:*

- **Density** - *New housing development should be provided at a minimum density of 30 dwellings per hectare net.*
- **Type** - *on sites of ten or more units the Council will seek to provide a mix of housing size and style so as to provide for local need and create choice in the housing market.*
- **Quality** - *Layout and design should reflect the site surroundings, and provide a quality environment for its residents, whilst protecting the amenity of neighbouring properties. The choice of building materials should reflect those detailed in Policy 13.*

20.2 *The Borough Council will seek to retain quality in existing residential areas. Consequently development of residential garden ground for housing will only be acceptable on sites equal to or less than 0.2 ha in size. Such sites must also be regarded as infill plots. Development of garden land for housing will not be acceptable outside a settlement boundary.*

20.3 New housing development, big or small, will have some impact upon the surrounding area. Consequently it is important to control the density, style and quality of the development in order to ensure that these impacts are not detrimental to the local area. It is also important to provide 'choice' in the type of housing built. Such measures will ensure the Council's commitment towards its own Housing Strategy, which seeks to create a vibrant housing market, provide equality of access and meet the needs of the vulnerable whilst creating sustainable communities.

20.4 PPG3 urges Local Planning Authorities to adopt a more controlled approach to new housing development by making more efficient use of land. Higher density housing developments will be encouraged to make the most efficient use of land and reduce the need for additional greenfield sites. In order to make the best use of land new housing developments should adhere to the minimum 30 dwellings per hectare net. It is recognised that in order to create choice in the local housing market, there may be a need for some lower density housing development in order to provide larger family homes with gardens, and exceptionally at other particularly visually sensitive sites, for example, in parts of some conservation areas. In these cases, a relaxation of the minimum 30 dwellings per hectare net requirement may be permitted where it is specifically, clearly justified by a Development Brief or design statement. In some situations it may be possible to deliver higher density development. In line with PPG3 this would be appropriate in areas of high accessibility such as adjacent to main public transport corridors or within town centres. In these locations the Council will seek to maximise development by encouraging development of up to, or in excess of, 50 dwellings per hectare.

20.5 One of the main objectives for Pendle is to reverse past decline, and stem the flow of outward migration from urban areas. In doing so new house building must ensure a quality environment for its residents, in respect of design and layout. Congruent with this is the need for a greater choice of housing style including semi detached, detached, flats and bungalows, and to ensure that different sizes of dwellings²⁵ are also available.

20.6 The national decline of household size²⁶ may be reflected in Pendle with a need for smaller dwellings, however there is an increasing ethnic population, characteristically having larger households. A Housing Needs Study of the Asian Community in Pendle (2001) highlighted that larger family housing is in short supply, and new housing to cater for this type of market would assume densities lower than 30 dwellings per hectare net. In this respect lower density schemes²⁷ may be introduced.

20.7 In addition to making new residential development attractive and of good quality it is important to retain quality in existing residential areas. This approach will be followed in the Housing Market Renewal Pathfinder areas, where improvements to existing properties will be sought through group repair. It is also important to retain



²⁵ Size of housing is measured in bedroom numbers.

²⁶ It is predicted that 3.8 million households will form by 2021. This increase can be attributed to the decline in average household size caused by a growing elderly population, smaller families, increased family break ups and younger people living on their own. 80% of the predicted new households will be for single persons (Borough of Pendle, 2002).

²⁷ Lower density schemes are defined as being housing developments of less than 30 dwellings per hectare.



quality in residential environments by preventing excessive development within the curtilage of existing dwellings. Whilst PPG3 recognises that curtilage is brownfield it notes that local authorities should prevent excessive curtilage development. This Policy therefore allows development of curtilage for residential use, where this would not be deemed to be excessive (e.g. 0.2 ha or less). Development will only be permitted where it is in line with Policy 17. This does not apply in the open countryside in line with Policy 1, unless the excessive garden land is provided for affordable housing as an exception under Policy 17.

20.8 For the purposes of this Policy development on curtilage must be regarded as infill, that is land which is within a settlement boundary and has no other Local Plan designation. The land must be developed²⁸ on 3 immediate sides (including the residential property within which curtilage the land sits) OR, where the land is bounded by a settlement boundary or Local Plan allocation, there should be development on all other immediate sides except 1 OR, the filling of a small gap within a built up frontage. Neighbouring garden land will be regarded as 'developed' land.

POLICY 21 – PROVISION OF OPEN SPACE IN NEW HOUSING DEVELOPMENT

21.1 *Where there is an identified deficiency of open space²⁹, proposals for new housing development of 10 units or more will be required to make adequate provision for new open space on site³⁰. The developer will also be required to make a payment to the Council to provide for the maintenance of the open space for a period of ten years.*

21.2 *In cases where it is not possible to provide the open space requirement on site, the Council will instead require a commuted sum payment from the developer which will contribute towards new open space provision, or, the maintenance and enhancement of existing open space within the local area.*

21.3 Through this policy the Council will seek to provide quality open space in new housing development. This also supports the Council's Community Strategy which seeks to ensure that the residents of Pendle enjoy the best possible quality of life by creating a future that is environmentally, economically and socially sustainable.

21.4 This Policy will apply to all new housing development of ten units or more (this will be cumulative), with the exception of rest homes, nursing homes, sheltered accommodation and other institutional uses. On-site amenity green space will be provided in these exceptional cases. The Pendle Open Space Audit (2004) informs of existing open space provision within the Borough, and has highlighted surpluses / deficiencies of the differing open space typologies by Ward basis. New housing development in Ward areas where there is an identified surplus of open space will not be expected to provide for open space on site, or make commuted sum payments. The Open Space Audit will be updated on a regular basis.

21.5 In the first instance, provision of open space should be made on site. However this may not always be practical. In this circumstance the Council will require a commuted sum payment from the developer which will contribute towards the new provision, or, enhancement of existing open space provision in the local area. A commuted sum payment should also be made to ensure the future maintenance of

²⁸ Developed land is not previously developed land, but is land where there is a structure, building or associated infrastructure in place.

²⁹ Wards with deficiencies of open space are identified in the Council's Open Space Audit (2004), see Appendix 3.

³⁰ Open space will include outdoor sports facilities, park land, amenity land and children's equipped play areas. The appropriate type of open space to be provided will be dependent on the levels of deficiency of each type identified in the Open Space Audit.

the open space for ten years after the development is completed. All payments will be made into the Open Space Fund (Appendix 1). Commuted sum payments will normally be returned to the developer if the Council has not utilised them after five years of completion of the development.

Figure 3 – Housing Sustainability Balance



Housing





LOMESHAYE INDUSTRIAL ESTATE



ADPAX Machinery Systems Ltd
AON Manufacturing Ltd
Buckhouse Insurance Brokers Ltd
Bull Traders & Co
Bursary Railrooms
Bright Spark Engineering
Clingdale Ltd
Dagdale Essex Pet Treats
Excelsior Technologies
Hamilton McBride & Co Ltd
Karlens Ltd
Marlyn Engineering Co Ltd
Wickell Interflex Ltd
Nelson I & L Ltd
Pendle Process Pads Ltd
Prestell Graphics Arts Ltd
Ruger Whalley Wedding Engineers
Sankay Office Supplies Ltd
SAS CleanDry
Sovereign Group Ltd
The Image Works Ltd
Votek Automation Ltd

DBR Medical Ltd
Clarkson Textiles Ltd
Daley Communications Ltd
Ferguson Engineering (Northants) Ltd
J. Rostrom Engineering Ltd
John Smith Industrial Supplies
Mowse Soft Drinks Ltd
Prestons of Bolton
Shawell (UK) Ltd
Strategic Group PLC
Troxel Ltd
Delta Electrical Repairs Ltd

Moore Fabrics (Cumbria) Ltd
Moore Fabrics Ltd
MPS Molding
Northfield Construction Ltd
Burnley Pirella & Associates WMS PCT
Cafe
City Electrical Partners Ltd
Millwards Land Rover
Ryder Auto Products Ltd
Jones Ramsey Business Centre
Independent Bus Company
LSD Electronics Ltd
Woodcroft Pops Ltd
Office Image Interiors Ltd
Roadway PCT Centre
Quattri Aerospace Components
Trucks Parking
Wood Integrated Building Services Ltd



East England
East Essex Business
East Trade Ltd
East Engineering Ltd
Central Marketing Partnership
Comet (UK) Ltd
DAB Engineering (Buckham) Limited
ETAG (International) Ltd
First Light
H & E Engineering Solutions
Hagley Valley Photography
Industrial Composites Ltd
Lynford Ltd
Pendle Signs & Textiles Ltd
Prestall (UK) Ltd
Preston-Fox Business PCT
RSCS
Stanhope Sales & Finance Centre
Stannard Ltd
The White Post/Spot
Top Green Metals
Type Team Ltd
Widewater
Worral Technology Ltd

Lomeshaye Business Village
Horseshoe Street (Mouldy)
Perry (Pugget)
Walker Farmstead (Chen)



ENVIRONMENT AGENCY
GENERAL ENQUIRIES: 01282 355555
ENVIRONMENT AGENCY PANGLOSS
EMERGENCY HOTLINE: 0800 800 600
ALF TIPPING HOTLINE: 01282 355555
PENDLE BOROUGH COUNCIL: 01282 355555
BOROUGH POLICE STATION: 01282 355555
NATIONAL CRIMESTOPPERS HOTLINE: 0800 300 111
BELDEN FIRE STATION: 01282 355555



THIS IS A BUSINESS WATCH AREA

EMPLOYMENT

Aim :

To create a diverse and competitive local economy which encourages the growth of existing businesses and attracts new investment. To increase quality employment opportunities for local people and provide a sustainable community where people can live and work.





POLICY 22 – PROTECTED EMPLOYMENT AREAS

22.1 *Within the Protected Employment Areas (mixed use) planning permission will be granted for B2 development. Permission will be granted for B1 development provided this does not result in an excess of 25% of total floorspace in the Protected Area at any one time. Planning permission will be granted for B8 use provided this does not result in an excess of 10% of total floorspace in the Protected Area at any one time.*

22.2 *Within the Protected Employment Area (B1 only) planning permission will be granted for B1 development only.*

22.3 *Proposals for development other than for business or general industry (B1, B2 or B8) will be resisted. However, all developments will be considered suitable if they meet the requirements of all other Policies and where:*

- 1) The premises³¹ can be shown to be obsolete for industrial, business AND storage use,
AND*
- 2) Evidence demonstrates that the premises have remained vacant for over four years (continuous);
OR*
- 3) There would be a significant benefit to the local economy.
OR*
- 4) The proposal is for the sale of goods manufactured or related to the manufacture of goods on the site and would be ancillary to any B1/B2/B8 activity (Policy 25).*

22.4 *Any developer permitted to use the site/premises for a use other than for business or general industry (with the exception of point 4 above) must provide a relevant contribution to the Brownfield Site Development Fund.*

22.5 This policy is concerned with re-using traditional employment premises in an attempt to reduce the amount of greenfield land required for employment. The policy is structured around B1, B2 and B8 Use Classes as summarised and defined in Appendix 4. A study by the University of Cambridge (2002) concluded that there are a limited number of sites available for new employment development. Much of the land that is available is close to residential areas, thus opportunities for industrial use are limited. Problems with access and noise mean employment land does not sit comfortably in close proximity to residential areas. It is therefore important to retain existing industrial or business premises in good locations. In addition pressure to build residential development on previously developed land can result in the loss of prime employment sites. It is important to protect prime industrial and business areas from re-development for other uses.

22.6 The above study states that demand in the Borough is primarily for industrial and warehousing premises. Provision of office space can be partly met in Town Centres, local shopping centres, the B1 Protected Area and by allowing 25% on industrial parks. B8 uses are land intensive but not labour intensive and should only be permitted on 10% of a Protected Area (mixed use). The Employment Occupancy Register³² identifies the current uses on some of the Protected Areas and will be

³¹ In the context of Policy 22 the word 'premises' includes the buildings and land within the curtilage of the existing industrial site that is protected by the policy.

³² Borough of Pendle (2004) Occupancy Register for Protected Employment Areas (available from Regeneration Unit).

used, together with information on recent planning permissions, to apply this policy. Additional B1 and/or B8 will be permitted where premises have remained vacant for over 4 years and have been adequately marketed over that 4 year period for B2 uses. The applicant will be expected to provide evidence.

22.7 The redevelopment of protected employment sites will be resisted unless the site or premises are no longer viable for employment use. Any proposed redevelopment scheme must include a supporting statement which shows the premises are obsolete³³ for modern employment. If a building is considered obsolete, it must be obsolete for B1, B2 and B8 uses before it is considered suitable for re-development or change of use. The supporting statement must also highlight the length of time the premises or site has remained vacant. Information on vacancy rates can be obtained from the Council's Treasury Services section. During the time the premises have remained vacant they must have been adequately marketed for an employment use (B1, B2 or B8). Alternatively any proposed use must provide some benefit to the local economy. This will be permitted in exceptional cases where it can be shown that a greater economic gain benefiting the local area can be achieved through change of use or re-development to some non employment use.

22.8 In cases where re-development is acceptable the developer will be required to make a contribution to the 'Brownfield Site Development Fund' (Appendix 1). The fund will operate as a grant stream to form part of the Council's contribution to bringing brownfield sites into industrial or business use. This is in line with the Council's Community Strategy (2003) which seeks to identify vacant/derelict/underused sites and buildings and support a programme to bring them back into use.

POLICY 23 – LOCATION OF NEW EMPLOYMENT DEVELOPMENT

23.1 *Proposals for new industrial development (B2, B8, B1 (b) or (c)) should be located in order of priority on:*

- 1) *Protected Employment Areas (Subject to Policy 22).*
- 2) *Vacant employment land or premises outside of Protected Employment Areas.*

23.2 *Proposals for new business (B1 (a)) use should be located in order of priority on:*

- 1) *Town Centres or Local Shopping Centres (Subject to Policy 26) or at transport hubs or public transport accessibility corridors within the urban area.*
- 2) *Protected Employment Areas (Subject to Policy 22).*
- 3) *Vacant employment land or premises outside of Protected Employment Areas.*

23.3 The Council's Community Strategy (2003) seeks to 'Promote the Borough as a place to live, work and relax, to increase inward investment, leading to more employment opportunities'. It also seeks to 'ensure adequate sites and premises are available to allow the economy to grow'. This is reinforced in the Neighbourhood Renewal Strategy (2002) which seeks 'development of new industrial/commercial floorspace' to help foster other initiatives, such as the Business Support Programme which aims to support the relocation and expansion of existing companies whilst encouraging the development of new community businesses and micro-enterprises.



33 Premises will be considered obsolete where the fabric or design of the building (including size and layout) will not suit modern industrial, storage or business use OR it can be shown that the access serving the premises/site is inadequate to support modern vehicles and/or processes (B1, B2 and B8) OR it is demonstrated that the financial viability of re-use precludes continued employment use, for example due to remediation work required to de-contaminate a site.



Figure 3a – Industrial and Business Land Requirement in Pendle 2001-2016³⁴

Supply at 31 March 2005	Requirement
Employment requirement of the Structure Plan 2001-2016	40.00 Ha
Industrial take up 2001-2005 (completions) (source PBC Employment Land Study 2005)	-10.92 Ha
Under construction at 31 March 2005 (source PBC Employment Land Study 2005)	-1.66 Ha
Land available at March 2005	
Outline, full or reserved matters permission, with no discounting (source PBC Employment Land Study 2005, as corrected)	-19.03 Ha
Vacant sites in Protected Employment Areas	-11.26 Ha
1999 adopted Local Plan allocations (still vacant)	-4.00 Ha
Sites >0.5 Ha outside of Protected Employment Areas where previous employment consents have lapsed but still remain vacant	-0.82 Ha
Requirement (Surplus)	+7.69 HA

23.4 The Regional Spatial Strategy for the North West requires Development Plans to provide sites for employment which meet the needs of the traditional manufacturing industry as well as new and emerging activities. The Joint Lancashire Structure Plan requirement of 40 hectares (Figure 3a) includes an additional 25% of employment land in Pendle to encourage inward investment and expansion of existing firms as part of the Regeneration Priority Area status assigned to parts of the North West.

23.5 Figure 3a indicates the total supply of employment land as at 31 March 2005 having regard to employment land supply as defined in paragraph 6.3.36 of the Joint Lancashire Structure Plan. It includes land with planning permission for Class B use, land or vacant premises available for employment purposes within Protected Employment Areas, land or vacant buildings previously in employment use which have not been allocated for alternative land use, and which remain available for employment development. It excludes windfall sites, i.e. those not identified for employment purposes or those which the Council are not currently aware of as being available for development.

23.6 This policy states that requirements for new employment land are to be met within the existing stock of land and premises.

23.7 In an attempt to reduce the amount of greenfield land lost for employment this policy seeks a sequential approach to new industrial or business development. For B1(a) uses, town centres, local shopping centre sites, transport hubs or public transport accessibility corridors within the urban area should be considered first. For all other employment uses land and buildings within Protected Employment Areas should be used in the first instance. The applicant must show that there are no vacancies within the Protected Area of their chosen town. Vacant employment land and premises outside of Protected Areas should then be considered. This is land or

³⁴ Figures for take-up and availability taken from the Industrial and Business Land Availability Report (2005) as of 31 March 2005, updated to account for errors and omissions.

buildings currently registered as vacant and being marketed through the Council's Property Register. Vacant land and buildings not currently marketed in the Property Register will not be assessed. However, the change of use of one employment use to another on non-protected employment land/premises or on those not contained in the register will be acceptable in principle. The applicant must show that no land or premises in the register are suitable³⁵. Only land or premises within the applicants choice of town need be considered.

POLICY 24 - EMPLOYMENT IN RURAL AREAS

24.1 *Within rural areas, a wide range of economic activity³⁶ will be supported provided that proposals for development meet the following criteria:-*

1) The development is small scale for B1, B2, B8 or recreational uses.

AND

A) would re-use an appropriately located and suitably constructed existing building in the countryside which was;

i) in scale and design in keeping with its surroundings,

OR,

B) is a replacement building in the open countryside (excluding the Green Belt), which is suitably located and of permanent design and construction which would bring about an environmental improvement in terms of the impact of the current development on its surroundings and landscape and which was;

i) on the footprint of the existing building,

ii) not proposing any large scale extensions³⁷,

OR,

C) is within the settlement boundary of an existing village.

24.2 *In addition, the proposal must be suitably and safely accessed and parking must be provided in line with the car and cycle parking standards in a location and for a use which does not adversely affect residential amenity. In addition Policies 28, 32 and 40 apply.*

2) Proposals for new build (with the exception of the Green Belt) and the conversion or re-use of existing buildings for farm diversification projects for B1, B2, B8, recreational, or other relevant uses will be supported so long as the following criteria are met:-

i) either the form, bulk and general design of the building is in keeping with its surroundings, or where a building currently detracts from the rural character and appearance of the locality, its appearance can be satisfactorily improved,

ii) the proposal does not have a materially greater impact than the present use on the openness and function of the Green Belt, or the character of the AONB, or that of the surrounding countryside having regard to the scale, size, intensity and type of use proposed,

iii) the development must be suitably and safely accessed and parking must be provided in line with the car and cycling parking standards,

iv) and in the case of touring caravans or tent sites, the proposal is within easy access, by walking, cycling or public transport, of an existing settlement which can provide necessary facilities without detriment to the local economy.



³⁵ In this instance suitable can be taken to mean land or premises of an appropriate size and with appropriate accessibility for the proposed function.

³⁶ Economic activity refers to Use Classes A1, A2, A3, A4, A5, B1, B2, B8, D1, D2 and some Sui Generis. Additional Criteria apply to certain of these Use Classes within Policies 28 and 40.

³⁷ Any proposed extension in the Open Countryside should not increase the size of the original building (as at 1st July 1948 or as originally constructed if it was after this date) by more than 25%. Proposed extensions in the AONB or Green Belt must also comply with the criteria set out in Policies 2 and 3 respectively.



24.3 *New build in the Open Countryside, (excluding the Green Belt) and AONB areas may be permitted provided that sustainable development objectives are met, and they are of a design and scale appropriate to their rural surroundings.*

24.4 *Any noise or light pollution from a development must be kept to a minimum.*

24.5 *The loss of employment (B1, B2 or B8) uses from villages or rural areas will be resisted in the LRRAP priority area (see proposals map). Any proposal to re-develop sites/buildings for an alternative use must show that no employment use can be accommodated on the site. Tourist facilities will be permitted in line with Policy 40.*

24.6 The Countryside Agency (2001) state that the health of the rural economy is essential to the well-being of rural people and rural areas. This Policy seeks to support employment in the villages and rural areas of Pendle in an attempt to make them sustainable places in which to live and work. PPS7 sets a number of objectives for rural sustainability, including 'to raise the quality of life and the environment in rural areas through the promotion of... thriving, inclusive and sustainable rural communities... sustainable economic growth and diversification... good quality, sustainable development... and continued protection of the open countryside'. Whilst supporting new economic activity there is recognition that in Pendle new development for employment should be small in scale and respect the size and character of the village or be accommodated within an existing building in the countryside (with the exception of the Green Belt) without the need for large scale extension. Alternatively new employment uses can be catered for by building on the site of a previous building. New build should utilise the footprint of the existing building where possible without the need for large scale extension. New build will be permitted in the AONB provided that sustainable development objectives are met and they are of a design and scale appropriate to their rural surroundings. In particular PPS7 'encourages suitably located and designed development necessary to facilitate the economic and social well-being of these designated areas and their communities'.

24.7 Any development should be appropriately served for parking (as per the adopted parking standards) and should ideally be accessible by a number of means of transport modes, although it is hoped that employment in rural areas, in particular villages, will serve local people who can travel to work on foot. The design of the development is particularly important and any development should be in line with the Council's Supplementary Planning Guidance on Development in the Open Countryside³⁸. Noise pollution is a particular problem with employment uses and means to limit such noise will be sought, particularly where the proposed development is in close proximity to residential properties or tourist spots. In addition, any proposal for employment in rural areas that will include outdoor lighting should be accompanied by a statement detailing the levels of potential pollution and any remedial action. For the purposes of this policy, a village is defined as any settlement with a defined boundary outside of Nelson, Colne, Barnoldswick, Earby, Brierfield and Barrowford.

24.8 The LRRAP³⁹ area is a designated area to improve economic progress and opportunities. In line with this Policy new employment opportunities will be considered favourably in both the villages and rural areas. The loss of employment

³⁸ Borough of Pendle (2002) Development in the Open Countryside. BoP

³⁹ Lancashire Rural Recovery Action Plan

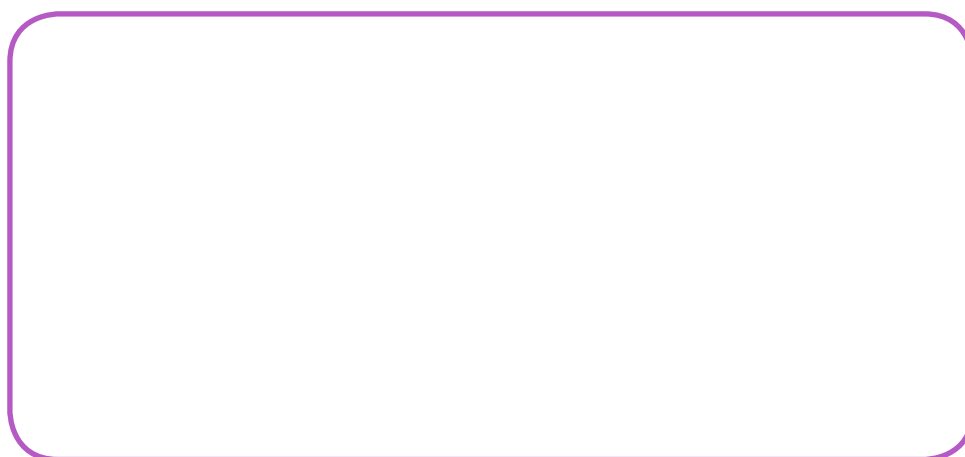
sites or premises is considered detrimental to the objectives of the LRRAP and will be resisted in the LRRAP Priority Area (see Proposals Map). Any proposal for a change of use from an employment use (B1, B2 or B8) to a non-employment use (with the exception of tourism) in the villages or rural areas of the LRRAP Priority Area must be accompanied by a statement which shows that the site or premises are unsuitable for modern employment and that the premises have been adequately marketed for employment use.

24.9 New employment for offices or industry goes only part way to assisting the rural economy. Indeed agriculture is still a major source of income in the rural areas, but recent trends suggest a move towards fewer, larger farms and a diversification in the sources of income (Countryside Agency, 2001). This trend has been exacerbated in the aftermath of foot and mouth. PPS7 recognises that farmers increasingly look to diversify beyond the agricultural industry in order to supplement their income.

24.10 For the purpose of this Policy farm diversification is defined as the diversification of an ongoing farm enterprise. Farm diversification includes; farm shops, equestrian activity, nature conservation, sports facilities, woodland planting, craft facilities, holiday accommodation or tourist centres. All these uses are appropriate forms of diversification in Pendle, subject to the criteria above and Policy applicable to Green Belt areas (Policy 3), and Environmental Protection (Policies 2, 4A, 4B, 4C and 4D). Farm diversification to woodland, sports facilities or equestrian development will be subject to Policies 14, 34 and 39 respectively.

24.11 Farm diversification for tourist accommodation should utilise existing farm buildings wherever possible. New build will only be permitted where the required facilities are justified in conjunction with a particular countryside attraction and no suitable alternative exists. However, appropriate facilities for small scale touring caravans or tents will normally be permitted subject to Policy 1 and acceptable infrastructure. All forms of diversification should be in keeping with the Council's Supplementary Planning Guidance on Development in the Open Countryside and the Forest of Bowland AONB⁴⁰.

Figure 4 – Employment Sustainability Balance



40 Borough of Pendle (2003) Forest of Bowland Area of Outstanding Natural Beauty. BoP



TOWN CENTRES AND RETAIL DEVELOPMENT

Aim :

To create vitality and viability within the Borough's town centres by creating a wide range of shops and services, a safe and attractive environment and easy access for all. Vibrant town centres will support the local economy, attract local people, visitors and new businesses and form the basis for civic pride.





POLICY 25 – LOCATION OF SERVICE AND RETAIL DEVELOPMENT

25.1 *New retail and service development (Use Classes A1, A2, A3, A4, A5, D1, D2 and specified Sui Generis) should be located (in order of priority) (subject to Policy 26):*

- 1) Within a defined town centre, local shopping centre or local frontage.*
- 2) On an edge of centre allocated site (subject to Policy 27).*
- 3) On the edge of a defined town centre.*
- 4) Elsewhere outside of a defined town centre or local shopping centre, with preference given to sites which are or will be well served by a choice of means of transport and which are close to the centre and have a high likelihood of forming links with the centre.*

25.2 *Priority should be given to locating major development (those serving more than the local town) in Nelson or Colne. Any proposal for significant retail development should take into consideration the vitality and viability of neighbouring towns, districts or local centres. Barnoldswick can support larger development than Brierfield, Barrowford and Earby.*

25.3 *Development will only be allowed in areas 3 or 4 if the application is accompanied by a statement which proves:*

25.4 *The proposal would require extensive floorspace which cannot be accommodated within the preferred town centre or local shopping centre AND the proposal cannot be met on the allocated edge-of-centre retail site (Subject to Policy 27).*

25.5 *In addition development in areas 3 or 4 will be restricted to non-food retail (A1), D2 or Sui Generis uses (specified in Policy 27). Any ancillary uses (A2, A3, A4, A5, B1(a) and D1) must be confined to 25% of the total developable area. The development must be suitably and safely accessed and parking must be provided in line with the Car and Cycle Parking Standards.*

25.6 *Proposals not within town centres will be required to demonstrate that a need exists, following which the sequential approach will be applied to site selection. Any new service or retail development must be accessible by a choice of means of transport, including walking and cycling.*

25.7 This policy applies to all proposals for retail or service development, unless the proposal relates to a village or rural location (this is the subject of Policy 28) or is for B1(a) use which is covered in Policy 23. B1(a) use is acceptable as an ancillary use on sites 3 and 4, where appropriate.

25.8 High vacancy rates have plagued a number of centres in Pendle and it is important to concentrate new retail and service development to improve the vitality and viability. Sui Generis uses appropriate in this instance are; theatre, amusement arcade, laundrette, tanning studio and taxi office. Equally it is important to sustain the rural hinterland (in line with Policy 28) and enhance the vitality and viability of the rural market towns.

25.9 Research work undertaken by Sheffield Hallam University (2001) indicates that out-of-town or edge-of-town development in Pendle has helped to retain expenditure within the Borough. However, out-of-town development can also have a negative impact on town centres, by diverting trade away from existing businesses. The sequential test is a means of concentrating new retail and service development in town centres and local shopping centres. Only if a development cannot be accommodated in the preferred town or local shopping centre⁴¹ should it be allowed at the edge-of-centre and then finally out-of-centre in an existing shopping area. Edge-of-centre is defined as: for retail purposes; a location that is well connected to and within easy walking distance (i.e. up to 300 metres) of the primary shopping area, and for all other main town centre uses this is likely to be within 300 metres of a town centre boundary. For office development, locations outside the town centre but within 500 metres of a public transport interchange, including railway and bus stations, within the urban area should be considered as edge-of-centre locations for purposes of the sequential approach.

25.10 Nelson and Colne have the capacity for a wider range of shops and services and are better served by public transport. They can support larger developments than the smaller centres which should provide shops and services for the local area. Nelson, Colne and Barnoldswick are defined as town centres, whilst Brierfield, Barrowford and Earby are defined as local shopping centres. Any major development should not compromise the adjoining centres in respect of their vitality and viability and applications for development must be considered in light of any potential impacts.

25.11 Where existing commercial uses exist outside of defined town centres, local centres or local frontages (but within a settlement boundary), these commercial uses can be retained or replaced by some other commercial use of the same scale. Existing small shops or services outside of town centres, local shopping centres or local frontages should be allowed modest expansion (those businesses should have a net floorspace of less than 400 m² and expansion should not exceed 50% of the existing floorspace). A choice of means of transport to any out of centre site is a key requirement of the sequential approach as outlined in PPS6: Planning for Town Centres.



POLICY 26 – NON-SHOPPING USES IN TOWN CENTRES AND LOCAL SHOPPING AREAS

26.1 *Proposals to introduce non-shopping uses in town centres and local shopping centres outside of defined Primary or Secondary shopping frontages will be supported. The introduction of non-shopping uses to a defined shopping frontage in a town centre or local shopping centre or within a defined local shopping frontage will also be approved unless:*

26.2 *The proposal would result in the total proportion of non-shopping uses (including unimplemented valid planning permissions) exceeding 25% of a defined primary frontage or 50% of a defined secondary or local frontage (in terms of frontage length⁴²).*

26.3 *Notwithstanding this, where it can be shown that a unit has remained vacant for over 3 years, permission for a non-shopping use will be granted.*

⁴¹ Nelson and Brierfield are considered as one shopping area (Sheffield Hallam, 2001) and any proposal must look for an appropriate site in BOTH centres before looking to edge of centre.

⁴² Where a shopping frontage crosses a road, the road should not be counted in the calculation of the percentage of frontage occupied by non-shopping uses.



26.4 *The grant of planning permission for any non-shopping use will be dependent on the following being satisfactory:*

- 1) The hours of operation.*
- 2) Car parking and servicing provision.*

26.5 *Applications for hot-food take-aways must also supply information on:*

- 3) The emission of odours and provision of fume extraction (Policy 8).*

26.6 PPS6: Planning for Town Centres states that the vitality and viability of town centres depends on, amongst other things, retaining and developing a wide range of attractions and amenities. Different but complimentary uses during the day and in the evening, can reinforce each other, making town centres more attractive. However, an over concentration of non-shopping uses, such as hot food take-aways can cause local problems. Primary and Secondary shopping frontage designation has been applied to a 'core' shopping area within town centres and local shopping centres in Pendle. This policy seeks to protect the core shopping area from concentrations of non-shopping uses, whilst permitting such uses within the town centres on non-defined shopping frontages. Primary, Secondary and Local Shopping Frontages apply only at ground floor level.

26.7 Non-shopping uses acceptable on shopping frontages are defined as Use Classes A2, A3, A4, A5, B1(a), D1, D2 and Sui Generis uses appropriate to a town centre location: theatre, amusement arcade, laundrette, taxi office or tanning studio. Residential uses and hotels (C1, C2 or C3) are not appropriate at ground floor level on defined shopping frontages, but will be permitted elsewhere in a town or local shopping centre. B1(b and c) B2 and B8 uses are not appropriate in town centres or local shopping centres. A definition and summary of the Use Classes Order can be found in Appendix 4.

26.8 In instances where premises on defined shopping frontages have remained vacant for over 3 years, this policy allows permission to be granted for a non-shopping use (as specified above), under the assumption that a non-shopping use is better than a vacant property in seeking to improve or maintain vital and viable town centres. Pendle Borough Council continuously monitor town centre uses. Premises currently in a non-shopping use should be permitted change to another non-shopping use (subject to criteria 1-3 above).

POLICY 27 – RETAIL AND SERVICE LAND PROVISION

27.1 *Development will be permitted on the edge-of-centre allocated retail site:*

- a) Clayton Street, Nelson.*

Provided that:

- 1) No suitable town centre or local shopping centre site can be identified in Nelson or Brierfield.*
- 2) Development is for non-food retail (A1) and / or leisure development (D2 or specified Sui Generis).*
- 3) Any ancillary uses (A2, A3, A4, A5, B1(a) or D1) are confined to 25% of the*

total developable area.

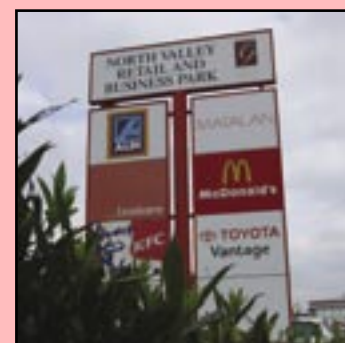
4) The proposed development can be suitably accessed.

5) Car and cycle parking is provided in line with the Car and Cycle Parking Standards (Appendix 2).

27.2 The Government wishes local planning authorities to take a positive approach in identifying additional sites for retail development. In accordance with the sequential approach outlined in Policy 25 all proposals for new retail or service development should look to locate within a defined town centre, local shopping centre or local shopping frontage. Many new retail developments in Pendle can be accommodated within existing buildings in those centres. In addition a number of larger sites exist, particularly in Nelson, which are suited to larger scale redevelopment.

27.3 In situations where no suitable site can be found in a town centre, local shopping centre or local frontage, edge-of-centre sites or out-of-centre existing shopping areas may be appropriate. Where a proposal is outside of a town centre, the application must demonstrate a proven need for the service or retail provision in line with Policy 25 and PPS6: Planning for Town Centres. The applicant must provide a statement illustrating their attempt to locate a suitable town centre site. For instances where no suitable site can be found, a site has been allocated for retail and services on the edge of Nelson. However, this site is only considered suitable for non-food retailing and leisure, together with any ancillary uses. For the purposes of part 2 above, specified Sui Generis uses are; theatre, amusement arcade or funfair, sale of fuel for motor vehicles, sale and display of motor vehicles.

27.4 The Lancashire Shopping Study (2003) notes that Burnley draws about 45% of high street shopping expenditure from Nelson and Colne. Similarly a study by Development, Land and Planning Consultants in conjunction with Sheffield Hallam University (2002) concludes that the majority of expenditure on personal and household goods (e.g. clothes, furniture and electrical) takes place outside the Borough. In this respect, the Study identifies a need for additional personal and household floorspace over and above that available in the Borough's centres in an attempt to try and retain some of the expenditure currently being lost. In contrast the Study recommends that no further convenience (food) floorspace be developed (unless it involves adaptation or restructuring within an existing town or local centre). Recent food-store developments have been successful at 'clawing' back expenditure which was previously spent outside the Borough, however the Study concludes that the introduction of further convenience floorspace could have an adverse impact on older floorspace in the town and local centres.



POLICY 28 – RETAIL AND SERVICE PROVISION IN VILLAGES



28.1 *Proposals to introduce new retail (A1), service (A2, A3, A4, A5) and community facilities (D1, D2 or specified Sui Generis – launderette, sale of fuel for motor vehicles) to the villages will be supported where:*

1) The proposal is small scale to meet a demonstrable need,

AND

2) The proposal will re-use or convert an existing building.

OR

1) The proposal is for a change of use from one service to another or will provide for joint use of an existing village facility, such as a pub or church hall.

28.2 *Only where no suitable buildings can be found will new build be considered. Any new building should be within the settlement boundary unless it can be shown that there are no suitable sites. In such instances the applicant must provide evidence of need and must show measurable public support through appropriate consultation with local people, both for the proposed facility and the chosen site.*

28.3 *Existing village facilities will be protected. Planning permission for change of use to a non community use will be resisted unless it can be proven that the premises have been vacant for over 1 year and have been actively marketed.*

28.4 For the purposes of this policy, a village is defined as any settlement with a defined boundary outside of Nelson, Colne, Barnoldswick, Earby, Brierfield and Barrowford. People in villages increasingly rely on travelling to meet their everyday needs. Insufficient services, such as shops, pubs and post offices can threaten the viability of village communities. Tourist facilities are permitted in villages under Policy 40. In particular the low paid, unemployed, elderly and young people are most disadvantaged. Community initiatives based on the 'sharing' of existing facilities can be successful in providing a better service in rural areas. Examples include a small retail area in a village pub or the introduction of banking facilities to village post offices. Such initiatives will be supported.

28.5 There must be some control over the introduction of new shops and services, therefore there must be some demonstrable need. Demonstrable need can be shown where there is presently no village shop, pub, post office, community centre or bank (whichever is applicable to the application) or where a similar service was closed within a 1 year period or where there is over demand on existing facilities, for example, where there has been considerable new residential development which puts pressure on existing facilities. The introduction of new facilities (shops, pub, post office, bank or community centre) will be supported where the proposal seeks to utilise an existing building. Any new building should be within the settlement boundary and will only be acceptable outside a village boundary where the applicant can provide evidence of need (as above) and where the applicant has consulted local village people and gained support for both the proposed use and intended site.

28.6 The loss of community facilities in villages can affect quality of life. This policy seeks to prevent the change of use of shops, pubs, etc. to non-community uses. For the purpose of protecting village facilities, non community use will be regarded as

B1 (a) (b), (c), B2, B8, C2 or C3 and non-specified Sui Generis (a definition and summary of the Use Classes Order can be found in Appendix 4). There are instances, however, where premises have lain vacant for a significant period of time, change of use will be granted on premises which have been vacant for over 1 year and where it can be shown that the premises have been adequately marketed for the original use.

28.7 In order to facilitate and foster the development of the rural economy there is a place for farm diversification within Pendle. This is dealt with in Policy 24.

Figure 5 – Town Centres and Retail Development Sustainability Balance







TRANSPORT

Aim :

To create an accessible Borough which can attract inward investment and create viable town centres. To promote development in accessible locations so as to reduce the need to travel. Where travel is necessary, sustainable modes of transport should be encouraged.

POLICY 29 – CREATING AN IMPROVED TRANSPORT NETWORK



29.1 *The following improvements to the road network in Pendle will be supported:*

1) *Construction of a link from Colne to North Yorkshire border.*

2) *One-way system on Langroyd Road, Colne.*

29.2 *The former route of the Colne-Skipton railway line will be protected for future transport use (see proposals map). Planning permission which would prevent the re-use of the railway route for future road and/or rail will not be permitted.*

29.3 *A proposed route to the west of Earby is protected as a transport corridor for potential future road development.*

29.4 *A Transport Assessment and Travel Plan will be required to be submitted for any development proposal that will considerably impact on the capacity/demand of the road network.*

29.5 *The Borough Council will support Traffic Calming initiatives, particularly in residential areas. Developers seeking new residential, employment, retail or leisure development on land over 0.4 ha (or part of) should provide Traffic Calming measures on site where appropriate, and contributions will be sought for traffic calming initiatives around the development if required.*

29.6 The Regional Spatial Strategy for the North West (RPG13) states that priority should be given to investment in the maintenance, management and selective improvement of regionally significant highway routes. The RSS recognises that further investment is still required on some sections of the highway network to bring it up to a safe and modern standard, and to provide relief for those communities badly affected by heavy flows of through traffic. Accessibility is vital for attracting inward investment, supporting market restructuring initiatives and creating attractive and viable town centres. The RSS identifies the A56 north-east from the M65 at Colne to North Yorkshire as a route of regional significance.

29.7 The Local Transport Plan for Lancashire (2001-2006) states that the main part of the strategic highway network through Pendle is the M65 and A6068/A56 route. The Highways Agency is the Highway Authority for the Strategic Trunk Road. The M65 provides effective motorway links with the M6 and Brierfield, Nelson and Colne. The A6068/A56 route forms a continuation of the strategic route into Yorkshire. Severe capacity problems occur where the M65 motorway ends at Colne, and on the A56, heavy vehicles cause environmental problems in several villages. The Local Transport Plan identifies the need for an A56 Village Bypass. A proposed route (approved by LCC and North Yorkshire County Council after public consultation) follows part of the former Colne to Skipton rail track bed. However, in the JLSP the rail track bed is protected for transport use as opposed to road use only, in light of possible reinstatement of the railway line and guidance contained in RSS for protecting disused rail track beds. This Policy therefore protects the former route of the Colne-Skipton railway line for future transport use – road and/or rail and in addition protects part of the former route of the proposed road west of Earby for transport use. The protected routes for transport are detailed on the proposals map.

29.8 The Local Transport Plan seeks to maintain the highway network in a safe condition and to an acceptable standard for all users. As a result Lancashire County Council funds have been made available for a number of improvements. Following the recent construction of a roundabout at the junction of Skipton Road and Byron Road, to further reduce congestion problems, a proposed one-way system is to be implemented on Langroyd Road.

29.9 PPG13 requires traffic management measures to be promoted to improve the quality of local neighbourhoods, enhance the street environment and improve road safety. Traffic Calming, in particular 20 mile per hour zones, has been successful at reducing traffic speeds and accidents in Pendle. Lancashire County Council (2004) record a reduction in all road accidents since 1998 in Lancashire as a whole. This policy will support further Traffic Calming schemes, particularly in residential areas, although rural areas will also be targeted through support of the Quiet Lanes initiative, a joint initiative between Lancashire County Council and the Countryside Agency. Traffic calming should form part of any large development (over 0.4 ha gross). The developer of any large (over 0.4 ha or part of) site, irrespective of proposed use, should contribute to traffic calming in the immediate vicinity in an attempt to minimise traffic problems as a result of increased traffic flows. Contributions will be sought through a Section 106 Agreement (Appendix 1). All required contributions should meet the tests of Circular 05/2005. This states that measures will only be sought when they are necessary to make the proposed development acceptable in planning terms; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development; and reasonable in all other respects. All traffic calming should be designed to be 'cycle friendly'.

29.10 Transport assessments will be required where a proposed development will be of a scale that will have a significant impact upon existing users and transport infrastructure in the vicinity of the site. The Transport Assessment should provide details on a range of transport conditions and related issues before, during and following construction of the proposed development. An associated Travel Plan must demonstrate that the development will not cause problems of congestion, danger, or inappropriate parking in the area. The requirement for both Transport Assessments and Travel Plans are detailed by way of floor space thresholds in Table F of Appendix 2.



POLICY 30 – SUSTAINABLE TRAVEL MODES

30.1 *The Council will support improvements to public transport through:*

- 1) Quality Bus Route Initiative⁴³ – improved reliability and journey times, improvements to interchange and terminal facilities, improved quality and availability of information, and improvement to the on street passenger waiting environment.**
- 2) Rapid Transit⁴⁴ – Improvements to the rail and bus network in terms of new and segregated routes, increased frequencies, through ticketing, integrated systems and better customer environments and the introduction of Community Rail Partnerships.**
- 3) Section 106 Agreements – Developers will be required to contribute towards public transport improvements in the vicinity of the development, where necessary, on sites of 0.4 hectare or more.**

⁴³ Further information on the Quality Bus Routes and the South Lancashire Rural Transport Partnership can be obtained from Lancashire County Council. South Lancashire Rural Transport Partnership currently has funding until April 2006.

⁴⁴ Further information on the Rapid Transport initiative can be obtained from Lancashire County Council.



4) South Lancashire Rural Transport Partnership (see Footnote 43) – supporting local communities in developing sustainable rural transport initiatives.

30.2 The Council will support cycling as a sustainable mode of travel and will encourage the rollout of the Pendle Cycle Network. New development for housing, retail/leisure or employment should make provision for cycle access and cycle routes on site.

30.3 The Council supports walking as a sustainable mode of travel and will assist the implementation of further Safe Route to School projects. All new development proposals should be 'pedestrian friendly'.

30.4 One of the key objectives of PPG13 is to support more sustainable transport choices. The Borough Council are determined to support the implementation and use of sustainable travel modes wherever possible. Sustainable travel modes include public transport (rail and bus), cycling and walking. The RSS is keen to see a regional cycle network and the JLSP seeks improvements to rail and buses. The Council's Community Strategy seeks to encourage greater use of public transport. The implementation and use of modes of travel other than the car can have a beneficial impact on the quality of life and economy of an area. For example, a reduction in car travel will reduce emissions thus providing health benefits. It will also reduce congestion, thus making towns and villages more attractive places to live, work, shop and visit. Making our towns and villages better places to live, work and shop will inevitably reduce the need to travel further afield.

30.5 A Quality Bus Route scheme is already underway in the Borough and this Policy continues to support that scheme. The scheme has recently been extended from Brierfield, Nelson and Colne to cover Earby and Barnoldswick. The initiative promotes improved bus routes and seeks to provide a better reliability of service. In addition the scheme will support new and improved terminal facilities, with a possibility of renewing or upgrading existing bus stations. Proposals are already in place for a new bus/rail interchange in Nelson.

30.6 Rapid Transit is an initiative designed to provide significant improvements to public transport provision in East Lancashire. The system will utilise and upgrade existing infrastructure whilst improving frequency and enhancing the local environment. This will include the use of trains and high quality buses throughout East Lancashire and will also include better customer information on services and through ticketing. The overall aim of the initiative is to provide a comprehensive approach to public transport resulting in an integrated public transport system for East Lancashire. This initiative is supported by the Council's Community Strategy. The initiative seeks to provide a better transport system for Pendle and may provide integration with the Protected Transport Corridor as detailed in Policy 29.

30.7 The East Lancashire Partnership, Lancashire County Council and Blackburn with Darwen Borough Council have commissioned The Association of Community Rail Partnerships (ACoRP) to look at ways of developing a community partnership for the East Lancashire Line between Preston, Blackburn, Accrington, Burnley and Colne. A Community Rail Partnership will act as a bridge between the railway and the local community, providing a means of promoting and developing local rail services

through improving facilities for the local community, including improved station facilities, discounted fares, enhanced bus links and dedicated cycle routes to stations. The Strategic Rail Authority has published the Community Rail Development Strategy (2004) and achieving the objectives of this strategy will depend on partnership and active support from the community. Success will see the railway placed at the heart of a vibrant local and rural economy, increasing accessibility, promoting environmental sustainability and social inclusion.

30.8 Section 106 Agreements can be used to secure additional funds for public transport improvements. Money will only be sought to fund improvements where the proposed development lacks adequate public transport links. Views on accessibility and public transport requirements will be sought from County Highways or by means of a valid Transport Assessment. Agreements will only be sought for developments on sites of 0.4 ha or more, irrespective of proposed use. Where development is proposed on part of a site which in full would amount to 0.4 ha, proportional funds will be sought – see Appendix 1.

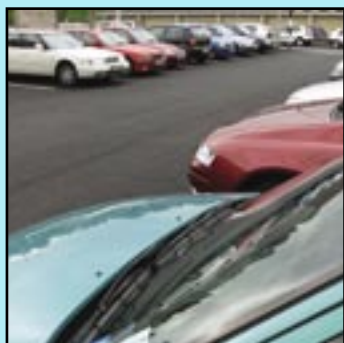
30.9 The South Lancashire Rural Transport Partnership is one of three Partnerships operating in Lancashire. The Partnership supports local communities and assists them in developing local transport initiatives for the rural area. In particular the Partnership assists in attracting funding. In Pendle the Partnership has successfully assisted in the introduction of the Pendle Way Farer (a ring a bus initiative operating in Pendleside) and the West Craven Rider (a specific bus service operating between West Craven and Airedale General Hospital).

30.10 PPG13 recognises that cycling has the potential to substitute for short car trips and to form part of a longer journey by public transport. There are many benefits of encouraging cycling, including, reducing the impacts of increasing traffic and emissions. One of the key aims of PPG13 is to provide cycle routes and cycle priority measures in major new developments. Similarly new developments should be located in areas where they are accessible by a variety of travel modes. For the purpose of this policy, cycle routes (either on or off road) must be integrated into any new development on a site of 0.4 ha or more, or part thereof. Adequate cycle parking should be provided – see Policy 31. The Council's Cycling Strategy⁴⁵ sets out the guidelines for the design of new cycle routes. In addition to the provision of cycle routes in new developments, the Council will support the rollout of the Pendle Cycle Network. The RSS supports the national cycle network proposed by Sustrans, the Pendle network will fit within this framework. Any cycle improvements should be in line with the Council's Cycling Strategy (2000). The Pendle cycle network is detailed on the proposals map, including implemented infrastructure and proposed new routes.

30.11 The Government suggest that walking is the most important mode of travel at the local level and offers the greatest potential to replace short car trips (DETR, 2001). Local authorities are encouraged to give greater priority to walking and, in particular, ensure that new developments and services are located in accessible places. The Council will encourage improvements for pedestrians and will support the preparation of a Walking Strategy. In addition any new development should provide adequate access for pedestrians (including disabled). PPG13 supports direct, safe and secure walking routes to schools and the Council will support any further Safe Route to School initiatives in Pendle.



⁴⁵ Available from Highways, Engineering and Design Services at Pendle Borough Council.



30.12 In Pendle the canal towpath can afford opportunity for walking and cycling. Policy 36 supports improvements to the canal corridor in a bid to increase its attractiveness for amenity, recreation and tourism.

POLICY 31 – PARKING

31.1 *The Council will support car parking in new developments in line with the Maximum Car and Cycle Parking Standards (Appendix 2). All new parking provision should be in line with these standards, unless this would compromise highway safety.*

31.2 *Cycle parking in new development will be provided at a minimum of 1 per 10 car spaces and covered secure provision will be required on all developments employing 30 or more full or part-time staff, in line with the Parking Standards. Proposals to introduce cycle parking to town and local shopping centres or existing places of work, residence, leisure or service facilities will be supported.*

31.3 *The Council will continue to support short-stay car parking. The Council will protect the most used and best located car parks from any other development (See proposals map).*

31.4 *A Transport Assessment and Travel Plan will be required to be submitted for certain development proposals (see Appendix 2 – Table F).*

31.5 The availability of car parking has a major influence on the means of transport people choose for their journeys. As part of an overall national strategy to reduce car use and encourage the use of more sustainable travel modes, there is a requirement to limit the amount of car parking provided in new developments. PPG13 states that there should be no minimum parking standards for development, other than parking for disabled people, but instead parking standards should be expressed as maximums. At the national and regional level, maximum car parking standards have been established. These have been translated at a County-wide level. The County Parking Standards have been the subject of full public consultation through the Joint Lancashire Structure Plan review. These standards now form part of this Local Plan (see Appendix 2). The maximum standards for new development should be adhered to unless the provision of limited car parking would have severe implications for highway safety. Ideally development should avoid areas where excessive car parking is required.

31.6 Dedicated parking for bicycles will be provided to assist and encourage a modal shift. This Policy requires adequate parking for bicycles at a level of 1 space per every 10 car spaces permitted under the maximum car parking standards. To support the Council's Cycling Strategy secure cycle parking should be provided as part of larger developments (those over 0.4 ha or part of) and employers will be encouraged to supply secure cycle parking as part of any travel to work initiative. The Council will also seek to provide new or improved facilities in town or local shopping centres, at rail/bus stations and at leisure and service facilities.

31.7 Whilst reducing the levels of car parking in new development may go part way to reducing car travel, it is vital that some level of parking is available within and around Pendle's town and local shopping centres. In line with the Lancashire County Council SPG 'Access and Parking', long stay parking in Nelson/Brierfield town centres should be changed to short stay where possible and overall long stay parking in town centres should be reduced. However, removing all parking would undermine the regeneration activities within the town and local shopping centres and surrounding housing market renewal pathfinder areas. Consequently the Local Transport Plan recognises that Pendle Council wish to continue support for the short stay parking schemes operating in Nelson. Short-stay car parking has been expanded to cover other parts of the Borough as a result of the decriminalisation of parking. Longer stay car parks will be available where needed. This Policy seeks to protect those valuable short and long stay car parks from development pressure. Underused or poorly located car parks will remain unprotected and some feature in the Urban Potential Study as a source of brownfield potential for housing (subject to Policy 17).

Figure 6 – Transport Sustainability Balance





COMMUNITY, RECREATION AND LEISURE

Aim :

To increase participation and improve access to leisure and recreation, education and health care. Seek to provide a good quality of life, making Pendle an attractive place in which to live and work.





POLICY 32 – NEW COMMUNITY FACILITIES

32.1 *Planning permission for new and improved community facilities⁴⁶ will be supported. Proposals for new facilities must:*

- *Follow the Sequential Approach outlined in Policy 25⁴⁷.*
- *Be located within a defined settlement boundary, unless there are exceptional circumstances to permit development beyond a boundary or the proposal is for a village (Policy 28) or tourist facility (Policy 40).*
- *Be accessible by a variety of travel modes (Policy 30).*
- *Not compromise residential amenity.*
- *Be of high quality design and adhere to Policy 13.*

32.2 *New community facilities are proposed at the following sites:*

- **Health Care Facilities:** *Yarnspinner's Wharf, Carr Road, Nelson.*
- **Education Facilities:** *Bracewell Street, Nelson.*
- **Leisure Facilities:** *Chapel Street/Oakland Street, Nelson.*
- **Community Centre:** *Nelson Community Centre.*

No other permanent development will be permitted on those sites.

32.3 *Proposals for change of use or redevelopment that would result in the loss of an existing community facility will be resisted, unless:*

1) It can be proven that the premises have been vacant and actively marketed for community use for over 1 year.

OR

2) Improved community facilities of a similar nature, serving the same population will be provided elsewhere in the local area, or are already in place.

32.4 *In addition the Borough Council will support new community, leisure, recreation, health and education proposals within the Housing Market Renewal Intervention Areas where they are supported by an ADF for the area and, in particular, any Area Action Plan or SPD (Policy 18).*

32.5 The purpose of this policy is to ensure that the future needs of the community are catered for. Protection and enhancement of existing, and the provision of new community facilities including health, community and leisure centres, schools, police and fire are integral to the improvement of service provision and the success of both rural and urban communities in Pendle. This policy supports objectives in the Community Strategy, which sees the strengthening of local communities across the Borough leading to direct benefits for all of Pendle's residents and the neighbourhoods in which they live.

32.6 New community facilities are proposed at the above sites. These sites have been allocated to safeguard them from inappropriate development, in a bid to improve service provision within the Borough. No permanent development will be permitted on the allocated sites other than for the purpose identified. Prospective developers of Yarnspinner's Wharf should refer to the Development Brief⁴⁸ for the site.

32.7 Aside from the allocated sites, new facilities should be provided in line with Policy 25 for urban areas and Policy 28 for villages. The sequential approach (Policy 25)

⁴⁶ Community facilities are defined as Use Classes C2, D1, D2 & Sui Generis by the Town & Country Planning (Use Classes) Order 1987, as amended.

⁴⁷ This applies to Use Classes D1, D2 and those Sui Generis uses specified in Policy 25.

⁴⁸ Borough of Pendle (2002) Yarnspinner's Wharf, Carr Road, Nelson - Planning Brief. BoP

does not apply to Use Class C2. In exceptional circumstances new community facilities may be permitted outside a settlement boundary. Only where it can be shown that no alternative site exists in the town of the proposal, will new facilities for community benefit be considered on sites beyond a settlement boundary. In villages there must be a proven 'need' (Policy 28) for development beyond the settlement boundary. In cases where development is permitted beyond a settlement boundary, only the community facility will be permitted on the site, unless ancillary uses in accordance with Policy 25. New development should be designed so as to be inclusive of all those in the community, with good accessibility and sufficient parking for all modes of transport, without compromising road safety.

32.8 The loss of community facilities can affect quality of life. This policy seeks to prevent the change of use or redevelopment of community facilities. Non community use will be regarded as A1, A2, A3, A4, A5, B1 (a), (b), (c), B2, B8, C1 or C3 and non-specified Sui Generis (Policy 25). However, community facilities will be permitted to change to Use Class C1 under Policy 40. Change of use or redevelopment will be permitted where premises have lain vacant for over 1 year and where it can be shown that the premises have been adequately marketed for a community use or where new facilities are, or will be, provided in the local area. For villages see Policy 28.



POLICY 33 – EXISTING OPEN SPACE

33.1 *The Council will seek to protect those areas of open space as allocated on the proposals map, and defined in the Council's Open Space Audit⁴⁹. The loss of open space will only be permitted where:*

1) The loss involves poor quality Amenity Open Space (see Open Space Audit) in areas where there is a surplus of provision.

OR

2) The proposal provides for the replacement of open space provision as compensation and will result in no net loss to the community it serves. The replacement scheme must be accessible to current users and provide facilities of equal or improved community value. A Planning Agreement will be sought to secure the exchange of land, and ensure that the necessary works are undertaken.

33.2 Open space is beneficial toward the quality of life of Pendle's residents. It can provide a venue for informal and formal outdoor sporting and recreational activities. The Council's Outdoor Recreation Strategy suggests that open space, sport and recreation facilities can make a major contribution to ensuring that villages and towns are places in which people will choose to live. Consequently, this policy recognises the importance of existing open space by advocating protection in the first instance and a general presumption against net loss.

33.3 To inform the Local Plan review, an audit of all existing open space in Pendle was undertaken. The assessment highlighted surpluses and deficiencies on a Ward basis for the different typologies⁵⁰ of open space as defined in PPG17. Proposals involving the loss of open space will only be acceptable on Amenity Open Space Sites, on sites of the poorest quality as identified in the Open Space Audit and in Wards with an identified surplus. The development of any other open space typology will not be acceptable,

⁴⁹ Borough of Pendle (2004) Open Space Audit – BoP. See Appendix 3 for details of how to obtain a copy of this document.

⁵⁰ Typologies of open space include: parks and gardens, natural and semi natural greenspaces, green corridors, outdoor sport facilities, amenity green space, provision for children and young people, allotments, cemeteries and civic spaces.



unless replacement provision is provided which is of equal or improved community value, and has a similar population catchment.

33.4 The proposals map identifies all parks, outdoor sport facilities, school playing fields, children's play areas, allotments, cemeteries and civic spaces. Amenity open space is identified on the proposals map for sites over 0.2 ha in size and within a settlement boundary. Any woodland site within a settlement boundary is shown on the proposals map. Other green spaces such as BHS, GHS, LNI, LNR or ancient woodland (all designated BHS in Pendle) are identified on the proposals map and included in Policy 4C. The Open Space Audit contains a full list of all the different typologies of open space in the Borough, both within and outside settlement boundaries.

POLICY 34 – IMPROVED OPEN SPACE PROVISION

34.1 *The Council will support proposals for new open space⁵¹ or improved open space, especially in those areas that have a deficiency of provision. The Council will seek to raise the standards of provision over the Plan period, to that of the standard identified in the most well provided Wards.*

34.2 *Proposals for new residential development may be required to provide open space provision in line with Policy 21.*

34.3 This policy seeks to encourage new open space provision and improve existing provision, especially in those areas which are deficient of open space, as highlighted in the Council's Open Space Audit⁵². The policy supports Objective 2 of the Council's Recreation Strategy⁵³, which sees the poor provision of sports facilities affecting the ability of clubs to develop, and that low levels of playing space can have a detrimental effect on the promotion of healthy lifestyles for the residents of Pendle.

34.4 Proposals to create new open space provision in rural areas will be encouraged, provided that the development does not conflict with the interests of the rural environment. Such interests may include the openness and character of the landscape, nature and archaeological conservation, public rights of way and residential amenity. Developers should refer to Supplementary Planning Guidance: Development in the Open Countryside (2002) and relevant policies in the Environment section. Care should also be taken if seeking to introduce ancillary buildings or floodlighting. Policy 8 deals with pollution control.

34.5 Monies from the Open Space Fund (Policy 21) will be used to provide new open space, and will be implemented in conjunction with the Parks, Cemeteries and Outdoor Recreation Department. The Open Space Audit will be used to prioritise areas which are in need of additional provision, and the typology to be provided.

⁵¹ For the purpose of this policy this will include outdoor sports facilities, park land, amenity land and children's equipped play areas.

⁵² See Appendix 3 for details of how to obtain a copy of this document.

⁵³ Outdoor Recreation Strategy (2003-2008) (BoP) available from the Parks, Cemeteries and Outdoor Recreation Department, Pendle Borough Council.

POLICY 35 – COUNTRYSIDE ACCESS

35.1 *The Council will support the retention, improvement and increased provision of existing definitive public rights of way as proposed within:*

- *The Rights of Way Improvement Plan⁵⁴.*

35.2 *Where development proposals affect the route of an existing public right of way, developers must provide an acceptable alternative route or routes.*

35.3 Maintenance, improvement and additional provision of public rights of way are integral to the management of the countryside, and are seen as forming vital links between rural communities, our urbanised areas and the wider countryside. They also help support the Borough's tourism base and make the countryside accessible for informal recreation.

35.4 The Council will support the proposed Rights of Way Improvement Plan, produced by Lancashire County Council. This document will guide the improvement of existing provision and additional new provision of rights of way in Pendle. In addition the improvement of public rights of way to bridleways will be encouraged where appropriate.

35.5 New development proposals will be encouraged to support increased provision on site, especially where there is opportunity for improved access into the countryside. Acceptable alternative routes, on site or off, must be provided where new development conflicts with the interests of established public rights of way.

35.6 With the commencement of the Countryside and Rights of Way Act 2000, and specifically since August 2004, wider parts of Pendle have been open to legal right of access.



POLICY 36 – LEEDS-LIVERPOOL CANAL CORRIDOR

36.1 *The Council will support improvements to the canal corridor through initiatives proposed within:*

- *The Leeds - Liverpool Canal Corridor Study⁵⁵.*
- *The Canal Corridor Development Strategy⁵⁶.*

36.2 *Development proposals, regardless of use, should improve the canal corridor as a place for amenity, recreation and leisure. Proposals that are inconsistent with the Canal Corridor Study or Development Strategy will not be granted planning permission.*

36.3 The inland waterways of Pendle are a unique asset. They form part of the environmental and cultural inheritance of past decades and contribute to the local distinctiveness of the areas through which they pass. Many areas of the canal corridor are now suffering from dereliction and decay, as the traditional industries have declined and any freight previously transported on the canal is now moved by road.

36.4 The corridor study proposes a new vision and strategy which will drive the regeneration of the canal and redefine it as a key destination, important leisure

⁵⁴ Lancashire County Council (2005) Rights of Way Improvement Plan.

⁵⁵ British Waterways (2003) The Leeds and Liverpool Canal Corridor Study – East Lancashire - Draft. BW

⁵⁶ Borough of Pendle (2003) Pendle's Canal Corridor Development Strategy. BoP



attraction and as a focus for reinvestment, employment and recreation. In partnership with the planning process, the Canal Corridor Study seeks to exploit conservation and redevelopment opportunities at the following locations:

- Lob Lane Mill, Brierfield
- Whitefield Area, Nelson
- Yarnspinners Wharf, Nelson
- Foulridge Wharf, Foulridge

36.5 The Council's Canal Corridor Development Strategy is an SRB6 project and is based on a community-led set of initiatives to improve the canal corridor for people living, working and visiting the area. The East Lancashire Spatial Strategy proposes a Regional Park for East Lancashire. The Regional Park philosophy is founded upon the sustainability concept that landscape development and countryside character are linked to rural and urban regeneration. The Council recognises that enhancement of the Leeds – Liverpool canal will contribute towards this concept.

POLICY 37 – EAST LANCASHIRE REGIONAL PARK

37.1 *The Council support the East Lancashire Regional Park and will support any proposal for the development of a country park / tourist centre of sub regional importance (see proposals map).*

37.2 *Proposals to enhance the canal corridor as a place for amenity, recreation and leisure, and increased access to the countryside will be supported. Any such proposal must be in compliance with Policies 30, 35 and 36.*

37.3 The RSS supports the development of new Regional Park areas. The RSS states that a Regional Park should focus on the provision of informal outdoor recreation and should support urban renaissance activities. A strategy for East Lancashire⁵⁷ introduced the concept of a Regional Park for East Lancashire. Parts of Pendle are identified for intensive park land. The intensive park land will 'provide a high quality environmental framework for urban regeneration and a radically improved recreation and leisure resource for local people'. Within the intensive park land woodland planting will be encouraged (Policy 14) and the Council will seek to exploit the natural environment for its recreation and tourist potential. In particular, the Council are seeking to introduce a Country Park or tourist centre within the intensive park area, carefully linked to existing reservoirs and within close proximity to the Leeds-Liverpool canal. Proposals which seek to enhance the canal corridor are supported through Policy 36. Proposals which seek to improve access to the open countryside for walking and cycling will be supported and are dealt with under Policies 35 and 30 respectively.

POLICY 38 - TELECOMMUNICATIONS

38.1 *Proposals for new telecommunications development should, in the first instance, seek to share an existing mast or site.*

38.2 *All proposals for new telecommunications development should adhere to the following criteria:*

57 East Lancashire Partnership (2003) A Spatial Strategy – 4th Draft.

1) Siting – development should minimise impact on the natural and built environment, environmental designations, buildings of acknowledged importance, education establishments, and residential amenity.

2) Design – all proposals should make effective use of sympathetic design in respect of height, materials and colours.

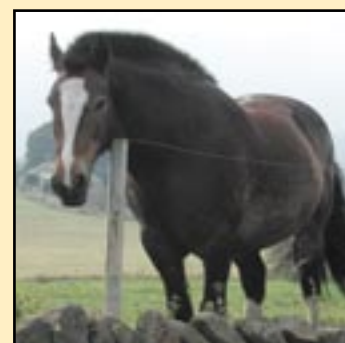
38.3 Applicants will be required to submit a statement with their proposal which self-certifies that ICNIRP⁵⁸ guidelines will be met; this must cover the whole installation.

38.4 Any proposal must be in line with the Council's Supplementary Planning Guidance⁵⁹ and should have regard to the guidance contained in the Government's Code of Best Practice on Mobile Phone Network Development. Telecommunications are an essential and beneficial element of life and the economy. Fast, reliable and cost effective, communications can improve the business environment and help firms stay competitive. Telecommunications can also reduce the need to travel and promote sustainable communities.

38.5 The purpose of this policy is to achieve a balance between facilitating development of the communications sector and protecting the environment, by encouraging the use of mast and site sharing. Any proposal must demonstrate that the applicant has explored the possibility of erecting antennas on an existing mast, or sharing an existing site. This is in line with the Council's SPG.

38.6 It is essential for any application to minimise the impact of development on the environment, and for developers to consider the use of sympathetic design in their proposals. Size, materials and colour should respect the local environment, and new development should incorporate landscaping and screening where possible. The Council's SPG details a number of different design solutions.

38.7 Proposals for development in the open countryside should also take account of the SPG on Development in the Open Countryside and policies on environmental designations contained in this Plan.



POLICY 39 – EQUESTRIAN DEVELOPMENT

39.1 Proposals for the development of stables and equestrian activities should adhere to the following criteria:

- **Location, size, and design of a proposal must preserve the landscape character and openness of an area.**
- **Suitable access to the site is available.**
- **Proposals must be accompanied by a landscaping scheme for the whole site.**
- **A Pasture Management Plan must be submitted with any proposal.**

39.2 In Green Belt, small stable⁶⁰ development will be acceptable provided the application is in close proximity⁶¹ to an occupied building, and meets the above criteria. Small scale extensions⁶² of existing equestrian businesses in Green Belt will be permitted.

58 ICNIRP – International Commission on Non-ionizing Radiation Protection. Guidance on this can be found in Planning Policy Guidance Note 8 (PPG8): Telecommunications.

59 Borough of Pendle (2002) Guidelines for the Control of Telecommunications Equipment. BoP.

60 Small stable development constitutes a maximum of four horses on any one site.

61 Close proximity for this purpose is defined as being 15m from the occupied building or residential grounds.

62 No more than 25% increase in stable size, including any previous extensions (floorspace).



39.3 Horse keeping can create a number of benefits for rural areas. Through offering leisure opportunities to both residents and visitors, it is also a way by which people can learn about the countryside. It has been reported⁶³ that the keeping and riding of horses is gradually increasing, and that there is growing concern about the impact this is having on the countryside. The aim of this policy is to ensure that the impact of equestrian development on the appearance of the countryside is kept to a minimum and to ensure that proposals are in line with the Council's SPG on Development in the Open Countryside. Buildings should be sited and designed to blend with their surroundings, and appropriate landscaping measures should be taken so as to limit the unsightly nature of jumps and equipment.

39.4 Applicants will be expected to remove jumps and other associated equipment when not in frequent use, and provide landscaping schemes where necessary. Any proposal must also be accompanied by a Pasture Management Plan to ensure that the appearance of the countryside is maintained after completion of the development. The plan should include an assessment of possible erosion on the land, boundary and building maintenance, on site storage of manure and machinery, tree/hedge damage and the measures which will be used to combat these impacts. PPG2 (Green Belts) requires the construction of new buildings to be limited to small stables. Consequently no larger equestrian development will be permitted in the Green Belt.

POLICY 40 – TOURISM

40.1 *Proposals to improve existing tourist facilities will be encouraged. New tourist facilities will be supported and planning permission will be granted for those to be located:*

1) Within town centres or local shopping centres in line with Policy 25,

OR

2) In villages or rural areas (with the exception of major hotels) provided that proposals:

a) Are of an appropriate scale,

AND

b) Re-use an existing building of traditional construction,

OR

c) Will redevelop within the footprint of an existing building in the open countryside without the need for large scale extension⁶⁴.

AND

d) Assist rural regeneration in a location where the environment and the transport and utility infrastructure can accommodate the visitor impact.

40.2 *New build will be acceptable only where it is in line with Policies 24, 28 and 32.*

40.3 *Proposals for major hotels⁶⁵ will be supported and planning permissions will be granted in locations in order of the following priority:*

a) Within a town centre,

b) On the edge of centre,

c) Elsewhere within a settlement boundary only where there is an identified need which cannot be met through development in a) or b) and the site is readily

⁶³ The Countryside Agency (2001) Horse Pasture Management. CA

⁶⁴ Any proposed extension in the Open Countryside should not increase the size of the original building (as at 1st July 1948 or as originally constructed if it was after this date) by more than 25%. Proposed extensions in the AONB or Green Belt must also comply with the criteria set out in Policies 2 and 3 respectively.

⁶⁵ Major hotel development is defined as at least 40 bedrooms.

accessible by public transport.

40.4 *Exception to all of the above would be where proposals are for development within the designated Country Park (see proposals map).*

40.5 *Planning permission for the diversification of agricultural enterprises to tourism facilities (including hotel, B&B, self catering accommodation, touring caravan or tent sites) will be granted for those that are in line with Policy 1 and comply with point 2 above and/or Policy 24.*

40.6 In Pendle, tourism is seen as particularly valuable in assisting the diversification of the economy and in providing a variety of employment opportunities. Balanced with this is the need to ensure that tourism is used as a positive force to help conserve and enhance the environment, whilst providing an improved quality of life through new and improved attractions and easy access to the countryside for both visitors and local residents. This applies to local tourism but also tourism located outside of the Borough boundary that may bring benefits to Pendle. For example, the Council support initiatives such as the Lancashire Hill Country and the Lancashire Witches Trail.

40.7 The Council will encourage the improvement of tourist facilities by supporting the extension of existing facilities in towns or small scale extension in villages or rural areas, subject to policies on the open countryside (Policy 1), AONB (Policy 2), Green Belt (Policy 3) and SAC, SPA, SSSI, BHS, GHS, LNR or LNI sites (Policies 4A-C).

40.8 The Council's Tourism Strategy⁶⁶ sets out a number of actions for Pendle, including the encouragement of a family hotel, barn/camping provision and farm building conversions. This Policy encourages tourist facilities within town centres (in line with retail policies and the sequential approach). The Policy also allows for tourist facilities within villages or the open countryside, so long as such development respects the special environmental designations of the AONB, Green Belt, SAC, SPA, SSSI, BHS, GHS, LNR or LNI sites. New accommodation for tourists is supported in principle but will be restricted to appropriate locations. Appropriate locations for touring caravans/tent sites are dealt with in Policy 1 and Policy 24. Static caravan parks are not permitted. Hotel, B&B or self catering accommodation should be located within a town centre or local shopping centre, unless within a village or rural area where the proposal meets point 2 of this policy or complies with Policy 24, or part of a development scheme within the Regional Park area – proposed country park/centre (Policy 37). Major hotels will be encouraged to be located within town centres, in preference to elsewhere within the settlement boundary, and within the designated Country Park. Appropriate conditions will be placed on accommodation to restrict occupancy to short term tourist lets only.

Figure 7 – Community, Recreation and Leisure Sustainability Balance





APPENDICES



APPENDIX 1 - SECTION 106 AGREEMENTS

Open Space Fund – Applicable to Provision of Open Space in New Housing Development (Policy 21)

In certain situations, it will not be possible to provide open space provision in new housing development. In this circumstance the Council will require a commuted sum payment from the developer which will contribute towards the new provision, or, enhancement of existing open space provision in the local area. A figure in the range of £1,000 - £1,200 per house developed will be required.

The developer is also required to make a commuted sum payment to guarantee the future maintenance of the open space for ten years after the development is completed. This will be set by the Council's Parks, Cemeteries and Outdoor Recreation Department.

The fund will be used to provide new provision, and the enhancement and maintenance of existing open space within the Borough. This could include works to benefit biodiversity such as where an application site is in close proximity to a known biodiversity site, by the creation of new habitats in new or existing open space, by changes in land management to benefit wildlife, procurement of land that would enhance wildlife corridors, and/or by contributing to Local Nature Reserve provision. The fund will be administered by the Council's Parks, Cemeteries and Outdoor Recreation Department.

Brownfield Site Development Fund - Applicable to Protected Employment Areas (Policy 22)

The Brownfield Site Development Fund was established by Council resolution in August 1998. It was agreed to secure funds from developers who wished to redevelop Essential Employment Areas. These funds would then be used to help regenerate brownfield sites and redundant buildings, bringing them back into employment use.

In this Local Plan, policy based on Protected Employment Areas (Policy 22) seeks to encourage the retention and re-use of quality employment sites in Pendle, thus reducing the need for new greenfield development for employment purposes. However, there are instances whereby traditional industrial or business premises have become obsolete for employment use, in such cases, redevelopment may be appropriate. In this instance a contribution to the Brownfield Site Development Fund will be sought. A figure in the range of £40, 000 to £60, 000 per hectare of land lost (gross land, including any buildings) will be sought. This sum of money has been derived from an analysis of the increase in value gained by securing a change of use on the site, for example, from industrial to say residential or retail, and applying a percentage of that to the Fund.

The fund will be used for any brownfield site in Pendle where the Borough Council seeks to get involved to secure employment development. The fund will be administered by the Executive Director (Regeneration). The fund will enable the Borough Council to contribute to the costs of abnormal works. These could include demolition, dealing with contamination from previous uses, ground conditions, a new access or services if these are required, other amenity/environmental considerations and refurbishment works to redundant buildings.

Traffic Calming Fund – Applicable to Creating an Improved Transport Network (Policy 29)

Traffic Calming will be required as part of new large developments (over 0.4 ha). However, new development has the potential to increase traffic flows in surrounding areas, consequently there will be instances where Traffic Calming is required within the neighbouring vicinity of the new development.

Funds for new or improved Traffic Calming in the surrounding area will only be sought on developments of 0.4 ha or more in site area. This will also apply where a phase of a larger development is to be developed, funds will be sought on a pro-rata basis. The level of money to be contributed will be negotiated with the Highway Authority.

The fund will be administered by the Local Highway Agency or outside of the Local Agency remit, by the County Highways Authority.

Public Transport Improvement Fund – Applicable to Sustainable Travel Modes (Policy 30)

In order to reduce car travel and increase the usage of more sustainable modes of travel, it is important to locate new development in locations easily accessible by a variety of travel modes. However, the accessibility of new development can be improved by strengthening existing public transport services.

Developers who wish to build on sites of 0.4 ha or more, irrespective of proposed use, will be expected to contribute to a Public Transport Improvement Fund. The accessibility questionnaire in Appendix 2: Car and Cycle Parking Standards will be used to identify those areas which have a deficiency in terms of public transport provision or those sites with inadequate public transport links. The fund could then be used to target those areas where there is a deficiency of public transport provision. The required funds will be negotiated with Lancashire County Council and will be administered by them as the Public Transport Co-ordinating Authority.

APPENDIX 2 – CAR AND CYCLE PARKING STANDARDS

The following parking standards are based upon principles as advocated within the Joint Lancashire Structure Plan. Levels of car parking are set out as the maximum that may be allowed, rather than minimum levels which must be provided, reflecting changes to both national and regional policy guidance.

For the purposes of applying these parking standards in Pendle, it should be noted that only those standards relevant to centres at level 3 and 4 will apply in Pendle (see section on Parking Hierarchy).

Table A Parking Standards

Land Use	Level of Centre	Baseline Standard (per m ² gross floor area)		
		Gross floor area <500m ² or Low Accessibility	Gross floor area >500m ²	
			Medium accessibility Reduce baseline by 5-15%	High accessibility Reduce baseline by 15-35%
A1 (Food)	1&2 3&4	1:16 1:14	1:17-1:19 1:15-1:16	1:19-1:24 1:16-1:22
A1 (Non-Food)	1&2 3&4	1:22 1:20	1:23-1:26 1:21-1:24	1:26-1:33 1:24-1:31
A2	1&2 3&4	1:35 1:30	1:37-1:41 1:31-1:35	1:41-1:54 1:35-1:48
A3, A4, A5	Same standard for all levels of centre.	1:8	1:8.5-1:9.5	1:9.5-1:12
B1(a) & (b)	1&2 3&4	1:35 1:30	1:37-1:41 1:31-1:35	1:41-1:54 1:35-1:48
B1(c) Light industry/ stand alone	1&2 3&4	1:35 1:30	1:37-1:41 1:31-1:35	1:41-1:54 1:35-1:48
B1(c) Business parks	1&2 3&4	1:40 1:35	1:42-1:46 1:37- 1:41	1:46-1:62 1:41-1:54
B2	All levels	1:45	1:47-1:53	1:53-1:69
B8	All levels	1:200	1:210-1:235	1:235-1:308
C1	All levels	1 bedroom including staff. Coaches – minimum 1 space for 30 beds +	Reduce pro-rata	Reduce pro-rata
C2 - Nursing Homes	All levels	1 per 5 residents		Reduce pro-rata

Table A Parking Standards

Land Use	Level of Centre	Baseline Standard (per m ² gross floor area or as stated)		
		Gross floor area <500m ² or Low Accessibility	Gross floor area >500m ²	
			Medium accessibility Reduce baseline by 5-15%	High accessibility Reduce baseline by 15-35%
C2 - Residential schools, colleges, residential training centres and halls of residence	All levels	Training centres and colleges - 1 per bed (short courses); 1 per 2 beds (longer courses - over 1 month duration). Halls of Residence - 1 per 2 beds, Residential schools - as day schools + 1 space per 20 beds. Coaches - minimum 1 space for Training Centres of 1000m ² +		Reduce pro-rata, or as part of Travel Plan.
C2 - Hospitals	All levels	1 per bed including those used for short stay operations.	Reduce as part of Travel Plan.	Reduce as part of Travel Plan.
C3 Dwelling Houses Single bed housing Sheltered Housing Family Housing	All levels	1 per dwelling. 1 per 3 dwellings. 2-3 bedrooms - 2 spaces. 4+ bedrooms - 3 spaces. Average spaces per dwelling should equal 1.5 per dwelling for proposals of 30 + dwellings	Reduce pro-rata.	Reduce to average of 1.5 or less unless exceptional circumstances demonstrated.

Table A Parking Standards

Land Use	Level of Centre	Baseline Standard (per m ² gross floor area or as stated)		
		Gross floor area <500m ² or Low Accessibility	Gross floor area >500m ²	
			Medium accessibility Reduce baseline by 5-15%	High accessibility Reduce baseline by 15-35%
D1 - Medical/ health facilities	All levels	4 per consulting room	Reduce pro-rata.	Maximum of 3 per consulting room
D1 - Crèche/ day nurseries/ day centres	All levels	1.5 per 2 staff plus drop-off zone (in or outside curtilage) of 1 space per 10 children	Reduce pro-rata.	Reduce pro-rata.
D1 – Primary and secondary schools	All levels	1 per classroom/activity area	Reduce as part of Travel Plan	Reduce as part of Travel Plan
D1 - Sixth form	All levels	1 per classroom/ activity area	Reduce as part of Travel Plan	Reduce as part of Travel Plan
D1 - Further and higher education	All levels	1 per 2 full-time staff (any residential element addressed under C2)	Reduce as part of Travel Plan	Reduce as part of Travel Plan
D1 - Training and conference centres	All levels	1:35 Coaches – minimum 1 space for Training Centres of 1000m ² +	1:37-1:41	1:41-1:54
D1 - Art galleries, museums and libraries	All levels	1:30 Coaches – minimum 1 space for Galleries & Museums of 2500m ² +	1:31-1:35	1:35-1:48
D1 - Public halls/ places of worship	All levels	1:10 Coaches – minimum 1 space for Public Halls of 2500m ² +	1:10.5-1:12	1:12-1:15
D2 - Cinemas and concert facilities	1&2 3&4	1 per 8 seats 1 per 5 seats Coaches – minimum 1 space for Concert/ theatre facilities of 2500m ² +	1:8-1:9 1:5-1:6	1:9-1:12 1:6-1:8

Table A Parking Standards

Land Use	Level of Centre	Baseline Standard (per m ² gross floor area or as stated)		
		Gross floor area <500m ² or Low Accessibility	Gross floor area >500m ²	
			Medium accessibility Reduce baseline by 5-15%	High accessibility Reduce baseline by 15-35%
D2 Outdoor Playing pitches	All levels	12 per ha pitch area	Reduce pro-rata.	Reduce pro-rata.
Stadia	All levels	1 per 15 seats for all seated stadiums; non seated stadiums on basis of Transport Assessment. Coaches – minimum 1 space for each 1500 seats or standing spaces	Reduce as part of Travel Plan	Reduce as part of Travel Plan
Other D2 including Leisure (Building)	1&2	1:25	1:26-1:29	1:29-1:38
	3&4	1:22 Coaches – minimum 1 space for facilities of 2500m ² +	1:23-1:26	1:26-1:33

Miscellaneous Uses:				
Cash and Carry	All levels	1:40	1:42-1:46	1:46-1:54
Wholesale car sales	All levels	1:50 internal showroom area	1:53-1:59	1:59-1:76
Vehicle repair and service stations	All levels	1:50	1:53-1:59	1:59-1:76
Taxi booking offices	All levels	1 per 1.5 cars operating from the business, to be located within 100 metres of the office	No reductions	No reductions
Fuel Filling Stations	All levels	1 car space. Where retail element involved use retail standards counting each pump as a parking space	Pro-rata	Pro-rata

Further Guidance:

Accessibility Reductions

For medium and high accessibility developments over 500m² gross floor area (gfa) the Council will determine the appropriate parking level based on:

- the score obtained from Table C - The Accessibility Questionnaire
- information provided in the Transport Assessment and Travel Plan, where appropriate
- the approach set out in draft SPG “Access and Parking”, produced by Lancashire County Council (LCC)

Greater reductions may be made, such as in town centre locations.

For A1/D2 uses with medium/good accessibility in sequentially suitable locations accessibility reductions may not be required. In such circumstances the applicant will be required to demonstrate through a Transport Assessment, to the satisfaction of the Highways Authority, that the proposal would cater for linked trips and would not conflict with the overall Parking Strategy for the town.

All proposals of over 500m² gfa with low accessibility will be expected to demonstrate how accessibility by walking, cycling and public transport can be enhanced to at least medium accessibility level.

Mobility Parking

Unless otherwise specified, parking for the mobility impaired and parent/child should be made at a minimum level of 1 per 10 car spaces as part of overall provision. Additional mobility spaces than indicated by overall provision may be required at locations such as Health Centres while less may be necessary for other uses. Provision at less than 1:10 should be agreed following consultation with disability groups on individual applications and subject to suitable alternatives being available.

Bicycles

The minimum level is 1 per 10 car spaces. Long-stay covered, secure cycle parking will be required on all developments employing 30 or more full or part-time staff.

Motorcycles

A minimum of 1 per 25 car spaces is required. Long-stay covered, secure parking will be required on all developments employing 30 or more full or part-time staff.

Operational Parking

Operational parking necessary to business, e.g. goods vehicles and deliveries, should be provided in addition to these standards and should be demonstrated in the Transport Assessment.

Note:

Detailed guidance on the calculation of parking provision and quality of facilities required can be found in Supplementary Planning Guidance “Access and Parking” (LCC)

Parking Level Reductions in Areas of Good Accessibility

Table B: Parking Level Reductions

Low Accessibility	Medium	High
No change to baseline level	Reduce baseline by 5-15%	Reduce baseline by 15-35%

The definition of low, medium and high accessibility is intended purely for calculation of parking standards. It is not a definition of how accessible the site is in broader planning terms.

The reductions in Table B apply to all developments over 500m² gfa. For proposals of under 500m² gfa no changes to the baseline figures are required. The Council may apply accessibility reductions for proposals below the 500m² threshold in areas of good accessibility, such as town centres.

Table B sets out a range of reductions in parking levels, which should be applied in medium and high accessibility locations. The Council will determine precise reductions based on the score obtained from Table C and the approach set out in SPG “Access and Parking”. Greater reductions to those indicated in Table B may be made, such as in town centre locations.

Where a site of over 500m² gfa is calculated to have low accessibility, developers will be required to demonstrate how accessibility can be enhanced to at least medium level, in particular through the use of planning agreements and/or conditions. If this cannot be achieved, or is not considered to be appropriate in the individual case, this should be clearly justified. The Council will consider all proposals against broader locational policy, including the sequential approach to development advocated in PPS6.

Note: Accessibility reductions for retail (A1) uses are at the discretion of the Council.

Table C: Accessibility Questionnaire - Non-Residential Development

Site description:				
Application reference:				
Access type	Criteria	Criteria Scores	Score	Sub-Score
Walking	Distance to nearest bus stop from main entrance to building (via direct, safe route)	<200m	5	
		<300m	3	
		<500m	1	
		>500m	0	
	Distance to nearest railway station from main entrance to building	<400m	3	
		<1km	2	
		>1km	0	
Cycling	Proximity to defined cycle routes	<100m	3	
		<500m	2	
		<1km	1	
Public transport	Bus frequency of principal service from nearest bus stop during operational hours of the development	Urban/ Suburban		
		15 minutes or less	5	
		30 minutes or less	3	
		>30 minutes	1	
		Villages and rural		
		Hourly or less	5	
		2 Hourly or less	2	
		1 or more per day	1	
	Number of bus services serving different localities stopping within 200 metres of main entrance	4 or more localities served	5	
		3	3	
		2	2	
		1	1	
	Train frequency from nearest station (Mon-Sat daytime)	30 minutes or less	3	
		30-59 minutes	2	
		Hourly or less	1	
	Drive to nearest station	10 minutes or less	2	
		15 minutes or less	1	
Other	Travel reduction opportunities	Facilities on site or within 100 metres that reduce the need to travel		
		- food shop/café	1	
		- newsagent	1	
		- crèche	1	
		- other	1	
Total aggregate score				

Accessibility Level: High: 24-30 Medium: 16-23 Low: 15 or less

Table D: Accessibility Questionnaire - Residential Development

Site Description:				
Application Reference:				
Access Type	Criteria	Criteria Scores	Score	Sub-Score
Walking distance from centre of site, using safe, direct route	Distance to nearest bus stop	<200m	5	
		<300m	3	
		<500m	1	
		>500m	refuse	
	Distance to nearest railway station	<400m	3	
		<800m	2	
		>800-1000m	1	
	Distance to nearest Primary school	<200m	5	
		<400m	3	
		<600m	1	
	Distance to nearest food shop	<200m	5	
		<400m	3	
		<600m	1	
	Proximity to defined on or off road cycle route	<100m	3	
		<500m	2	
<1km		1		
Cycling distance from centre of site	Distance to nearest Secondary school	<400m	3	
		<600m	2	
		<1km	1	
	Distance to nearest town	<1km	3	
		<3km	2	
		<4km	1	
	Distance to nearest business park or employment concentration	<1km	3	
		<3km	2	
		<4km	1	
Public Transport	Bus frequency from nearest bus stop (Mon-Sat daytime)	Urban/Suburban		
		15 minutes or less	5	
		30 minutes or less	3	
		>30 minutes	1	
		Villages and Rural		
		Hourly or less	5	
		2 Hourly or less	2	
	1 or more per day	1		
	Train frequency from nearest station (Mon-Sat daytime)	30 minutes or less	3	
30-59 minutes		2		
Hourly or less		1		
Accessibility to other services	Accessibility to other basic services (GP, Post office, library, bank, and pub)	At least 3 within 400m	5	
		At least 3 within 800m	3	
		At least 3 within 1.5km	1	
	Accessibility to play area or park	<200m	5	
		<400m	3	
<600m		1		
Total Aggregate Score				

Accessibility Level: High: 40-53 Medium: 25-45 Low: 25 or less

Tables C and D will be used to ascertain the relationship between parking and accessibility. It is not intended to replace a full analysis of the suitability of the site in accessibility terms in respect of PPS6 and PPG13.

The Table takes a generic approach to all land uses and locations. In circumstances appropriate to the application, the table may be modified to provide greater weight to certain elements of the questionnaire. For example, buses may be of greatest significance for retail developments, or rail for offices.

The developer or their consultant should undertake completion of the form as part of the submission of the Transport Assessment for the proposal.

Notes:

- Trams should be counted as buses.
- Train frequency scores 0 if distance to station exceeds one kilometre.
- Extra parking other than indicated may be allowed where the applicant has demonstrated a multi-modal approach and other extenuating circumstances, e.g. an otherwise acceptable site in a rural area.

Parking Hierarchy

In Pendle the application of standards will apply as follows:

Nelson and Brierfield are classified as Level 3.

Colne and Barnoldswick are classified as Level 4.

Notes:

- Application of standards by levels of centre for land use classes A1, A2, B1 & D2 only.
- All settlements not noted above plus rural areas, are classified as Level 4.
- For Brierfield the standards appropriate to Level 3 will apply apart from developments of less than 1,000m² where Level 4 Standards will apply.

Transport Assessment and Travel Plan Thresholds:

Table F: Transport Assessment (TA) and Travel Plan (TP) Thresholds

Use Class	Comprehensive TA threshold (m ² gross floor area unless specified)	TP threshold (m ² gross floor area unless specified)
A1 Food	1,000	1,000
A1 Non food	1,000	1,000
A2	2,500	2,500
A3, A4, A5	1,000	*
B1(a), (b), (c)	2,500	2,500
	2,500	2,500
B2	5,000	5,000
B8	10,000	*
C1	1,000	*
C2 Hospital	2,500	1,000
C2 Residential College/School	250	500
C3	100 dwellings	*
D1 Primary Schools	1,000	* ⁶⁷
D1 Secondary Schools	2,500	* ⁶⁸
D1 Further Education	2,500	500
D1 Medical	2,500	*
D1 Conference Facilities	1,000	1,000
D1 Other	2,500	2,500
D2 Cinemas	1,000	1,000
D2 Stadia	1,500 seats	1,500 seats
D2 Other	1,000	1,000

Comprehensive Transport Assessments should be documents that analyse all aspects of current and proposed accessibility to the site. They should include modal targets and identify measures by which these are to be achieved. Details of the content should be agreed with the Planning/Highways Authorities or the Highways Agency for development affecting trunk roads.

Simple Transport Assessments⁶⁹ will be required for all developments of 500m² gross floor area or more. This includes extensions to existing buildings where the cumulative floorspace will exceed 500m² and changes of use.

Comprehensive Transport Assessments rather than simple forms should be provided where the proposal for cumulative floorspace or change of use exceeds the thresholds in Table F.

Note:

*This indicates that need for a Travel Plan should be agreed with the Highways Authority on a case-by-case basis.

Travel Plans should be submitted at or above the specified thresholds. They should demonstrate how the measures proposed will achieve modal shift, and include mechanisms for monitoring, review and enforcement. Levels for Hospitals and Educational uses are set at a low level because of the particular transport implications of these land uses.

Where a comprehensive Travel Assessment or Travel Plan has previously been prepared for a site any subsequent

⁶⁷ Will be required for all developments involving an increase in numbers on school roll.

⁶⁸ Will be required for all developments involving an increase in numbers on school roll.

⁶⁹ Simple Transport Assessments are tick-box based forms of 2-3 pages in length with limited supporting documentation to be agreed with the Planning Department and Highways Authorities.

application will not require a complete new submission. The scope of any supplementary work required should be agreed with the Planning Department and Highways Authorities, or the Highways Agency for development affecting trunk roads.

These thresholds may be modified subsequent to release of ODPM guidance on Transport Assessments.

Guidance for the Application of Standards

General Notes Relating to A1, A2, B1 and D2 Uses.

Retail and business parking in or adjacent to town centres will be subject to parking management agreements made through Section 106 obligations.

Where additional short stay retail/leisure parking for town centre “linked trips” is sought over and above the standards the developer will be expected to demonstrate that:

- There is an existing shortage of parking within the town centre, in particular within 500 metres walk of the site entrance.
- The Existing rate of use of off-street spaces is high.
- The amount of additional parking permitted shall not exceed 25% of the overall maximum level permitted.

All retail and leisure developments of over 1,000m² gfa should incorporate taxi drop-off and pick up points as close to the main entrance as feasible.

Explanatory Note on Non-Food Retail

Some non-food developments such as garden centres, DIY warehouses and building material companies incorporate substantial exterior sales areas, e.g. for plants, garden furniture. Where the same parking standard is used as for interior floorspace this can substantially increase the amount of parking applicable to the development. Exterior floorspace should therefore be calculated as a maximum of 50% of the standard relevant to that within buildings. Thus the baseline standard for external areas would be a maximum of 1:40 per m² gfa in Level 3 and 4 centres and 1:44m² per m² gfa in Level 1 and 2 centres. No accessibility reductions will be applied to external areas.

Explanatory Note on Hospitals

The Standard for Hospitals is based on the number of beds within long stay wards and those utilised for short stay operations e.g. day care and out-patients.

Where Hospitals propose substantial teaching elements or residential accommodation on site the appropriate standards for those uses should be utilised when considering new applications. Care should, however, be taken to ensure that double counting is avoided.

At least one ‘drop-off/pick-up space’ should be provided close to the main entrances of the buildings used for short stay operations and Accident and Emergency. Provision should also be made for taxi waiting areas at each main entrance.

Operational parking should make particular provision for the manoeuvring and parking of ambulances and ensure that conflicts with other users are minimised.

Travel Plans are particularly relevant to Hospitals due to the large amount of traffic generated. Hospitals should develop Parking Strategies for their site and immediate proximity covering the location of parking; prevention of 'displaced' parking; staff or visitor usage; definition of long and short stay and management issues, including charging.

Explanatory Note on Schools

Parking provision in schools should be calculated on the basis of classrooms and other internal learning areas such as workshops, ICT rooms and halls. It does not apply to storage areas. External activity space should not be considered in the calculation of parking space. The only exception to this would be when community use of this space occurs at the same time as school activity, for example playing fields or tennis courts.

Explanatory Note on Dwelling Houses

Residential parking – The figures identified for residential parking are maximum figures. The principles included within "Places, Streets and Movement: a companion guide to Design Bulletin 32" should form the basis for examining options for "off-plot" parking. Table D should be utilised to identify opportunities to increase accessibility and/or reduce parking levels on individual housing developments.

The main focus of residential parking standards is to improve urban design and densities while at the same time avoiding on street parking problems. The calculation of average parking densities, i.e. the 1.5 spaces per house figure should be based on new dwellings across the whole Borough. However, with larger housing developments i.e. over 30 dwellings, the application of this figure to the whole development would be appropriate. Officer discretion should be used when calculating parking provision for larger residential properties with large curtilages, particularly in the countryside. The monitoring of residential parking levels will be undertaken for new residential developments, where possible.

Individual garages, of minimum dimensions of 6 x 3m, count as one parking space. Double garages count as two parking spaces. Parking on driveways or under 'car ports' should be calculated on the basis of the number of vehicles that can easily be accommodated allowing for opening of any gates.

At least one secure cycle space should be provided for single bedroom residential properties and two where more than two bedrooms are to be provided. These may be provided in cycle sheds strategically located within the development. A standard size garage (6 x 3m) is considered capable of accommodating two cycles. Where no garage is provided alternative covered lockable provision should be made on or within 100 metres of the property. In flats/apartments secure provision should be provided within the development for cycles (and mobility buggies as appropriate) at the ratio of one per dwelling.

Explanatory Note on mixed-use Development

Where mixed-use development is proposed (e.g. food and non-food retail), the total amount of parking should reflect the ratio of uses on the site, where uses have the same peaks of demand. Where peak demands occur at different times the dominant land use will form the basis for calculation. Opportunities for joint parking should be maximised wherever possible.

Bus and Rail Stations/Interchanges

Provision of short/long stay parking should be based on:

- The size of the Station/Interchange in relation to the Lancashire Local Transport Plans (LTP) Interchange category.
- Existing and anticipated parking pressures identified by the rail/bus industry.
- Measures for parking management at town centre/edge of centre sites.
- A minimum of 5 parking spaces shall be provided at all rail stations of Lancashire LTP Category B and above where this is physically feasible.

Limited Waiting:

“Drop-off/pick-up” points should be provided for a minimum of three vehicles at Category A and B Interchanges. This is defined as being for a maximum of 30 minutes.

Taxi parking/waiting:

A minimum of one space shall be provided at LTP Category C and Rural Interchanges, 2 at Category B Interchanges and 3 at Category A Interchanges.

Motorcycles:

A minimum of two motorcycle anchor spaces/bars shall be provided at Category C and rural Interchanges with Category A and B Interchanges decided on merit.

Bicycles:

A minimum of 2 cycle lockers should be provided at Interchange categories C, D (rail only) and R. Category B and A Interchanges will be decided on merit. All cycle and motorcycle parking shall be at well-lit locations close to the main pedestrian entrance to the station.

APPENDIX 3 – SUPPLEMENTARY PLANNING GUIDANCE / SUPPLEMENTARY PLANNING DOCUMENTS / DEVELOPMENT PLAN DOCUMENTS AND OTHER DOCUMENTS

SUPPLEMENTARY PLANNING GUIDANCE/SUPPLEMENTARY PLANNING DOCUMENTS:	EXISTING	PROPOSED
Development in the Open Countryside (2002)	✓	
Forest of Bowland Area of Outstanding Natural Beauty – (2003)	✓	
Guidelines for the Control of Development within the Albert Road, Colne, Conservation Area (2000)	✓	
Guidelines for the Control of Development within the Barnoldswick Conservation Area (2000)	✓	
Crime Prevention in Residential Development (1999)	✓	
Guidelines for the Control of Telecommunications Equipment (2002)	✓	
Development and Flood Risk (2004)	✓	
Pendle Conservation Area Appraisal		✓
Brierfield Canal Corridor	✓	
Design Principles in New Development		✓
Landscape and Heritage (Lancashire County Council)	✓	
Access and Parking (Lancashire County Council)	✓	

DEVELOPMENT BRIEFS:	EXISTING	PROPOSED
Lucas Playing Field Complex, Reedley (Housing allocation) (2002)	✓	
Yarnspinner's Wharf, Carr Road, Nelson (2003)	✓	
Former Grand Cinema Site, Nelson (2001)	✓	
Nelson West, Nelson (2000)	✓	
Trent Road, Nelson (1999)	✓	

SUPPLEMENTARY PLANNING LEAFLET:	EXISTING	PROPOSED
Shop Front Security Leaflet (2002)	✓	

DEVELOPMENT PLAN DOCUMENTS:	EXISTING	PROPOSED
Core Strategy		✓
Land Use Allocations		✓
Proposals Map		✓
Development Control Principles		✓
Bradley (Nelson) Area Action Plan (AAP)		✓
South Valley, Colne Area Action Plan (AAP)		✓
Railway Street Neighbourhood, Brierfield Area Action Plan (AAP)		✓
Southfield (Nelson) Area Action Plan (AAP)		✓

OTHER DOCUMENTS:	EXISTING	PROPOSED
Pendle Open Space Audit (2004)	✓	
Industrial and Business Land Availability (2005) (Annually Updated)	✓	
Housing Land Availability (2005) (Annually Updated)	✓	
Urban Potential Study (2005)	✓	

All the documents listed above (with the exception of the LCC SPGs: Landscape and Heritage and Access and Parking) can be purchased from the Development Plans and Policy Section:

Planning and Building Control
Pendle Borough Council
Town Hall
Market Street
Nelson
BB9 7LG

email: development.plans@pendle.gov.uk

Please contact the department for an up-to-date price list.

These documents can also be viewed for free at Nelson Town Hall. Copies of some of the documents are available for viewing in local libraries across the Borough and some can be viewed on the Council's website: www.pendle.gov.uk

APPENDIX 4 – GLOSSARY AND ABBREVIATIONS

Accessibility Corridors

As a minimum this should consist of a bus corridor with at least a 15 minute frequency during week-days and half-hourly during evenings and weekends. Such corridors should be designated to 'Quality Bus' standard and be served by routes to two or more transport hubs. Developments should be located within a maximum of 400 metres and preferably 300 metres walking distance from a bus stop on such a route.

Affordable Housing

Circular 06/1998 'Planning and Affordable Housing', defines affordable housing as 'to encompass both low-cost market and subsidised housing (irrespective of tenure, ownership) that will be available to people who cannot afford to rent or buy houses generally available on the open market'.

Agricultural Diversification

The introduction of alternative uses to traditional farming activities in rural areas.

Area of Outstanding Natural Beauty

An environmental designation of national importance, which dates back to 1964. It aims to conserve and enhance the natural beauty through the protection of flora, fauna and geological as well as landscape features.

Biodiversity Action Plan (UK)

This is the UK Government's response to the Convention on Biological Diversity (CBD) signed in 1992. It describes the UK's biological resources and identifies protection of these resources. There are 391 Species Action Plans, 45 Habitat Action Plans and 162 Local Biodiversity Action Plans with targeted actions.

Biodiversity Action Plan (Lancashire)

The Lancashire Biodiversity Action Plan (BAP) has been produced by the Lancashire Biodiversity Partnership and offers guidance on what can be done at the local level to maintain and enhance Lancashire's wildlife.

Biological Heritage Sites

A schedule of non statutory sites of acknowledged county or regional nature conservation value, identified by the BHS partnership which comprises Lancashire County Council, the Wildlife Trust (in Lancashire) and English Nature (Cheshire to Lancashire Team).

Brownfield Land

Land which has been previously developed, being occupied by a permanent structure (excluding agricultural or forestry buildings), and associated fixed infrastructure. The definition covers the curtilage of the development. Previously developed land may occur in both built up and rural settings. The definition includes defence buildings and land used for mineral extraction and waste disposal, where provision for restoration has not been made through development control.

The definition excludes land and buildings that are currently in use for agricultural or forestry purposes, and land in built up areas which has not been previously developed (parks, recreation grounds, allotments, even though these may contain certain urban features such as paths, pavilions and other buildings). Also excluded is land that was previously developed but where the remains of the structure or activity have blended into the landscape in the process of time (to the extent that it can be considered as part of the natural surroundings), and where there is clear reason that could outweigh the reuse of the site – such as its contribution to nature conservation – or it has subsequently been put to an amenity use and cannot be regarded as requiring development.

Conservation Area

Areas which are allocated to preserve and enhance sites of architectural and historic importance, under the Town and Country Planning Act (1990).

Curtilage

The area forming part of parcel with a house or building which it contains or is attached to. A curtilage will normally be defined by some form of boundary enclosure. Residential garages or garden structures do not have curtilages. Development on curtilage will only be acceptable within the settlement boundary, and on sites of 0.2 ha or less.

Development

The carrying out of building, engineering, mining or other operations, in, on, over, or under land, or the making of any material change in the use of any buildings or other land.

Development Brief

A statement which guides the development of a particular site, with regard to land use and standards of design, layout and quality.

Environmental Impact Assessment

A statement which details the likely environmental impacts of particular planning applications. Town and Country Planning (Assessment of Environmental Effects) Regulations 1988.

General Permitted Development Order

The majority of development requires planning permission. The GPDO identifies particular forms of development where planning permission is not required.

Geological Heritage Sites / Regionally Important Geological and Geomorphological Sites

These are sites which are of great Geological or Geomorphological interest and importance. They are designated at a regional or local level. In Pendle they are designated by Lancashire County Council.

Green Belt

Areas of open land where new development is strictly controlled to prevent urban sprawl, protect the countryside and assist with urban regeneration.

Greenfield Land

Land which has not been previously developed, often comprising of land that was last used for agriculture.

HMR Reserved Housing Land/Site

Land that is protected for its potential to accommodate off-site replacement dwellings and associated infrastructure, including open space required in connection with residential clearance associated with the HMR Pathfinder Programme (in line with Policy 18). Monitoring will indicate if the sites are, or are not, required for housing development over the plan period.

Infill Development

Infill is land which is developed on 3 immediate sides or, where the land is bounded by a settlement boundary or Local Plan allocation, there should be development on all other immediate sides except 1 or, the filling of a small gap within a built up frontage.

Lancashire Sites and Monuments Record

An index and list of known archaeological and historical sites in the county, maintained by Lancashire County Council. It includes Scheduled Monuments, Listed Buildings and other sites. (See www.lancashire.gov.uk).

Landscape Character Approach

Character zones for the countryside within which specific development guidelines apply. The zones have special landscape characteristics, features and patterns that make them distinctive.

Listed Building

A building of special architectural or historic interest designated by the Department of Culture, Media and Sport. Listed buildings are graded according to importance, Grade I; highest, Grade II*; intermediate, Grade II; standard, and cannot be altered or demolished without consent being granted.

Local Nature Reserves

Are places that have wildlife or geological features that are of special local interest. In Pendle LNRs are designated by the Lancashire Wildlife Trust and the Borough of Pendle.

Local Plan

Forms part of the development plan with the Structure Plan. It sets out detailed policies and proposals for the use of land within local authority areas.

Planning Policy Guidance note (PPG)

Disseminated from Central Government to provide national guidance on planning issues. Local Authorities are expected to have regard to them in making decisions on planning applications and in formulating policy in Development Plans.

Planning Policy Statements (PPS)

Previously known as Planning Policy Guidance Notes (PPGs), Planning Policy Statements (PPSs) are prepared by the Government, after public consultation, to explain statutory provisions and to provide guidance to local authorities and others on planning policy and the operation of the planning system. PPSs also explain the relationship between planning policies and other policies which have an important bearing on issues of development and land use. PPSs are issued by the Office of the Deputy Prime Minister (ODPM) and local authorities must take their contents into account in preparing their development plans. PPSs are a material consideration in determining planning applications and appeals and they generally supersede development plan policies if they have been published at a later date. Advice is separated into accompanying documents so there is a clear distinction between policy and guidance.

Regional Spatial Strategy for the North West

Formally Regional Planning Guidance for the North West (RPG13). Converted to the Regional Spatial Strategy in September 2004 upon commencement of Parts 1, 2 and 3 of the Planning and Compulsory Purchase Act 2004. The Regional Spatial Strategy is now a statutory document and forms part of the Development Plan for Pendle.

Register of Parks and Gardens of special historic interest in England

A non-statutory list of designed landscapes compiled by English Heritage under powers in the 1983 National Heritage Act. Its main purpose is to identify and draw attention to the best historic parks and gardens that constitute such an important part of the cultural heritage of England.

Renewable Energy

Energy that occurs naturally and can be used for human consumption without ever running out, examples include sun, wind and water.

Scheduled Monument

A structure or archaeological remain of national importance, which are protected under the Ancient Monuments and Archaeological Areas Act 1979.

Section 106 Agreements

An agreement made between the local Authority and the developer to restrict or regulate the development or use of land/buildings, out with the scope of a planning condition.

Sequential Test

This is a site selection process that will be applied to all housing, employment and retail development. For example, developers selecting sites for housing development should demonstrate that all potential brownfield sites have been thoroughly assessed before any greenfield sites are considered.

Adopting a sequential approach to housing means that first preference should be for the re-use or conversion of an existing building within a settlement boundary, previously developed land within a settlement boundary, followed by the development of previously undeveloped land within a settlement boundary, where this avoids areas of open space, areas identified as being of defined settlement character and areas of natural heritage, where it is demonstrated that the site is well located in relation to houses, jobs, other services and infrastructure, and is or can be made accessible by public transport, walking or cycling, and only then allocated greenfield sites.

Sites of Local Natural Importance

A schedule of non statutory sites of acknowledged nature conservation value, designated at the Local level by the Council.

Special Areas of Conservation

These are internationally designated areas which contain important natural habitats of wild flora and fauna. They are designated by the EU and the Conservation (Natural Habitats & c.) Regulations 1994 (the Habitats Regulations).

Special Protection Areas

These are internationally designated areas which contain important wild bird species. They are designated by the EU and the Conservation (Natural Habitats & c.) Regulations 1994 (the Habitats Regulations).

Structure Plan

Forms part of the Development Plan and sets out strategic policies to be interpreted through more detailed policies in the Local Plan.

Supplementary Planning Guidance

Detailed planning advice which bolsters and adds weight to existing policies in the Development Plan.

Sustainable Development

Is development that meets the needs of today's generation, without compromising the needs of future generations to meet their own needs.

Tree Preservation Order

An order made by the Council to protect a tree, or group of trees or woodlands of amenity value from development. Consent is required to fell, lop or prune trees covered by such an order.

Urban Potential Study

Identifies the amount of new housing that can be accommodated on previously developed land. The study searched the urban areas for suitable parcels of land, vacant buildings suitable for conversion, re-occupation of empty homes, provision of flats over shops and the sub division of existing dwellings. The Urban Potential Study is available for a charge from the Development Plans and Policy section.

Use Classes Order (1987)

The Town and Country Planning Use Classes Order 1987, as amended, details all land uses. Change from one use to another within the same use class does not require planning permission. In certain situations, changes from one use to another will not constitute development and do not require permission. All other changes require planning permission (a summary of the Use Classes Order can be found to the rear of Appendix 4).

Windfall Site

A housing site, not identified for development within the Local Plan or Urban Potential Study, but comes forward for development on receipt of planning permission.

ABBREVIATIONS

Abbreviation	Description
RSS	Regional Spatial Strategy for the North West
JLSP	Joint Lancashire Structure Plan 2001-2016
PPG	Planning Policy Guidance Note
SPG	Supplementary Planning Guidance
SSSI	Site of Special Scientific Importance
BHS	Biological Heritage Sites
LNI	Sites of Local Natural Interest
AONB	Area of Outstanding Natural Beauty
EIA	Environmental Impact Assessment
DPD	Development Plan Document
SPD	Supplementary Planning Document
ADF	Area Development Framework
GHS	Geological Heritage Site
SAC	Special Area of Conservation
SPA	Special Protection Area
LNR	Local Nature Reserve
PPS	Planning Policy Statement
SuDS	Sustainable Urban Drainage Systems
RIGS	Regionally Important Geological and Geomorphological Sites
B&ME	Black and Minority Ethnic
ICNIRP	International Commission on Non-ionizing Radiation Protection

Town and Country Planning (Use Classes) Order 1987 (Summary)

Use Class	Description
A1	Including shops (any purpose), hairdressers, undertakers, travel and ticket agencies, post offices, dry cleaners.
A2	Including banks, building societies, estate agents. Professional and financial services and betting offices.
A3	Restaurants, cafes and snack bars.
A4	Pubs and bars.
A5	Take-Aways.
B1	Offices (not within A2), light industry and research and laboratories.
B2	General Industry.
B8	Warehouse and distribution.
C1	Hotels, guest houses and hostels.
C2	Residential schools and colleges, hospitals and nursing homes.
C3	Dwellings.
D1	Medical/health practices, nursery, education establishment, museum, library, public hall and place of worship.
D2	Cinemas, concert halls, bingo and casino. Swimming baths, gymnasium and other indoor and outdoor sports and leisure.

A full version of the Use Classes Order can be found on the ODPM website: www.odpm.gov.uk

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