

Strategic Services

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Inspector Mark Dakeyne BA (Hons) MRTPI
c/o Yvonne Parker
Programme Officer
Pendle Core Strategy Examination
2 Priory Court
BURNLEY
Lancashire
BB11 3RH

Date: Thursday 24th September 2015
Our ref:
Your ref:
Ask for: Jonathan Dicken
Direct line: (01282) 661723
Email: jonathan.dicken@pendle.gov.uk
Service Manager: Neil Watson

Dear Inspector,

Pendle Core Strategy Examination – Council Response to Consultation
Comments on the Main Modifications to Policy ENV3

At the close of the public consultation on the Main Modifications to Policy ENV3 on Friday 18th September 2015, the Council had received 10 formal representations. These contained a total of 14 valid comments.

Officers have now given careful consideration to these comments and where appropriate have provided a response highlighting the Council's position. A hard copy of each of the representations has been forwarded to you for your records.

A full schedule of the comments and the Council's response is attached to this letter for your consideration. You will note that the Council is proposing further changes to the proposed modifications as a result of the responses to the consultation.

The Council had previously raised concerns as to the status of Written Ministerial Statements (WMS) and their legitimacy as a platform to change policy. It has become clear, following the recent judgement (*R on the Application of West Berkshire District Council and Reading Borough Council v Secretary of State for Communities and Local Government*) that changes to national policy cannot be introduced through a WMS. As such the Council believes that references to the requirements of WMS (HCWS42) in Policy ENV3 of the Pendle Core Strategy are not strictly necessary. Furthermore comments within the representations indicate that the policy wording relating to the WMS and wind turbines should be revised. The Council suggests that the Main Modifications: MM095-MM098 are amended to reflect this position. A schedule showing the changes to be made to these modifications is attached to this letter for your consideration.



Separate correspondence will be issued relating to the final full schedule of Main Modifications to be included in your report. However, this schedule can only be finalised once the Council has your steer regarding Main Modifications: MM095-MM098. The Council therefore awaits your response on this matter.

If you have any questions relating to the Main Modifications to Policy ENV3 please do not hesitate to contact me.

Yours faithfully,

Jonathan Dicken

Senior Planning Officer (Policy)



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