

Comment ID	Representor ID	Organisation / Representor	Verbatim Comments
C001	00197	Highways England Warren Hilton	Highways England has no comments to make on the revised submission Barrowford Neighbourhood Plan.
C002	00344	Network Rail Diane Clarke	Network Rail has no comments to make.
C003	00471	Sport England Planning North	<p>Government planning policy, within the National Planning Policy Framework (NPPF), identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.</p> <p>It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 96 and 97. It is also important to be aware of Sport England's statutory consultee role in protecting playing fields and the presumption against the loss of playing field land. Sport England's playing fields policy is set out in our Playing Fields Policy and Guidance document. http://www.sportengland.org/playingfieldspolicy</p> <p>Sport England provides guidance on developing planning policy for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded. http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/</p> <p>Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 97 of the NPPF, this takes the form of assessments of need and strategies for indoor and outdoor sports facilities. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.</p> <p>Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England's guidance on assessing needs may help with</p>

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			<p>such work. http://www.sportengland.org/planningtoolsandguidance</p> <p>If new or improved sports facilities are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance notes. http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/</p> <p>Any new housing developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.</p> <p>In line with the Government's NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.</p> <p>Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.</p> <p>NPPF Section 8: https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities</p> <p>PPG Health and wellbeing section: https://www.gov.uk/guidance/health-and-wellbeing</p> <p>Sport England's Active Design Guidance: https://www.sportengland.org/activedesign</p>
C004	00336	Natural England Jacqui Salt	<p>Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals.</p> <p>We have reviewed the attached plan however Natural England does not have any specific comments on this neighbourhood plan.</p> <p>If the Neighbourhood Plan changes and there is the potential for environmental impacts, Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening exercises may need to be undertaken.</p>

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C005	00253	Lancashire Constabulary Davina Helm	<p>Please could you consider making strategic links to National, Regional and Local policies in relation to crime and security measures within the document (Evidence Base References) and other locality Neighbourhood Plans for consistency, as follows;</p> <p>Rationale: to keep people safe and feeling safe by reducing crime and anti-social behaviour across Lancashire.</p> <ul style="list-style-type: none"> <p>Section 17 of the Crime and Disorder Act 1998 (as amended by the Police and Justice Act 2006)</p> <p>(1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); and</p> <p>(b)the misuse of drugs, alcohol and other substances in its area crime and disorder in its area.</p> <p>Therefore, the legislation requires Pendle Council, as a responsible authority, to consider crime and disorder (including antisocial behaviour and other behaviour adversely affecting the local environment); and the misuse of drugs, alcohol and other substances in the exercise of all their duties, activities and decision-making. This means that in all policies, strategies and service delivery there is a need to consider the likely impact on crime and disorder.</p> <p>Pendle Core Strategy 2011 to 2030 – Our Foundations for a Sustainable Future: Improving the Environment We Live In</p> <p>Security</p> <p>8.63 Designing out crime and designing in community safety should be central to the planning and delivery of new development. Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder.</p> <p>8.68 Developments should be planned to be safe and secure for all users; 'designing out' crime and 'designing in' community safety, should be central to the planning and delivery of new development. Guidance on Crime Prevention through Environmental Design (CPTED) bases the attributes of safer, sustainable communities on seven key principles:</p> <ol style="list-style-type: none"> 1. Access and Movement: Places with well-defined routes, spaces and entrances that provide for convenient movement without compromising security. 2. Structure: Places where different uses do not cause conflict. 3. Surveillance: Places where all publicly accessible spaces are overlooked. 4. Ownership: Places that promote a sense of ownership, respect, territorial responsibility and community. 5. Physical Protection: Places that include necessary, well-designed security features. 6. Activity: Places where the level of human activity is appropriate to the location and creates a sense of safety at all times.

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			<p>7. Management and maintenance: Places that are designed with management and maintenance in mind, to discourage crime in the present and future.</p> <p>8.69 Schemes such as Secured by Design, a police initiative to encourage the building industry to adopt crime prevention measures in the design of new developments, are a valuable tool in helping to improve the security of developments. They also help to reduce the opportunity for crime and the fear of crime, creating a safer and more secure environment. This sense of freedom from crime is a fundamental element in enjoying a good quality of life. Good practice guides such as By Design, Safer Places: The planning system and crime prevention and Safer Places A Counter Terrorism Supplement offer guidance on issues such as natural surveillance and development layouts.</p> <p>Policy ENV 2 Achieving Quality in Design and Conservation Developments should be safe and secure for occupants and passers-by, reducing crime or the fear of crime. The Council will encourage buildings to obtain Secured by Design or similar standards.</p> <p>Further details on Secured by Design can be found at www.securedbydesign.com</p> <ul style="list-style-type: none"> • National Planning Policy Framework 2018 8. Promoting healthy and safe communities <p>S91: Planning policies and decisions should aim to achieve healthy, inclusive and safe places that are: b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and; S95: Planning policies and decisions should promote public safety and take into account wider security and defence requirements.</p> <p><u>Shop fronts</u></p> <p>In relation to the issue of shop front security matters within the draft (policy BDNP 06), you may wish to consider the following measures:</p> <ol style="list-style-type: none"> 1. Roller shutters - the draft document states ‘security shutters requiring planning permission and external shutters to shop fronts within the Conservation Areas will not normally be acceptable’; however, there may be more acceptable aesthetic solutions, such as open mesh roller shutters rather than those of solid construction, internal shutters, grilles or gates, dependant on each planning application. We would recommend that roller shutters comply with minimum security standards, such as LPS 1175: Issue 7 Security Rating 1 (increased rating for high-risk properties or high crime areas). In new developments, roller shutters should be integrated into the fabric of the building. These security features should be linked to the premises intruder alarm system. Padlocks used to secure grilles or gates should have a hardened steel body and

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			<p>be close shackle types, tested to BS EN 12320.</p> <ol style="list-style-type: none"> <li data-bbox="636 320 2051 480">2. Shop door recesses: we would normally ask that these features are ‘designed out’ of a development, due to the fact that they provide concealment, impede natural surveillance to entrance doors and collect detritus that could be used to commit arson. However, if these features are to be retained or encouraged for aesthetic purposes, we would urge you to recommend lockable metal products that cover the whole doorway i.e. ground to ceiling, to prevent them being scaled thus compromising their intended purpose <li data-bbox="636 517 2051 644">3. Door sets and windows: as a minimum standard, all replacement external door sets and windows should comply with PAS24:2016 enhanced security standard or LPS 1175: Issue 7, SR2: or STS 201 or STS 202: Issue 3, BR2. This includes any sliding/opening door sets that incorporate electrically operated release locks, such as ‘mag-locks’, as they must be strong enough to withstand attempts of forced entry with pressure or body weight. <li data-bbox="636 681 2051 777">4. Existing door sets and windows: these must be solid, robust and in good repair. Cylinder door locks should conform to BS EN 1303:2015 (TS007 3 Star standard) or mortice deadlock/sashlock that conform to BS 3621. Existing windows should incorporate key operated locks (keys removed); where not deemed emergency exits. <li data-bbox="636 813 2051 941">5. Glazing: Glazing in door sets and windows should include one pane of laminated glass that is securely fixed in accordance with the manufacturer’s instructions and certified to BS EN 356 2000 rating P1A (as a minimum standard). Existing stained or leaded glazing in conservation area or on listed buildings should be protected externally by a least one pane of laminated glazing to BS EN 365 2000 rating P1A or protected with roller shutters. <li data-bbox="636 978 2051 1042">6. Canopies and blinds: Preventing easy access onto low roofs or upper floor windows using canopies or blinds as climbing aids should be carefully considered during the early design phase of any development. <li data-bbox="636 1078 2051 1238">7. Lighting: External lighting should be sufficient to cater for lawful after dark activity and comply with BS 5489-1:2013. The lighting system should evenly distribute the light creating no dark shadows, provide good colour rendition, not cause glare or light pollution and should support both formal and informal surveillance of the site. The buildings themselves should also be illuminated at all external door sets with vandal resistant photoelectric ‘dusk until dawn’ light fittings. In conservation areas and for listed buildings, there will be more aesthetic products that could be utilised depending on the application. <li data-bbox="636 1275 2051 1370">8. Anti-ram raid bollards or other street furniture: where appropriate, we would ask that PAS 68:2013 bollards/street furniture, installed to PAS 69:2013, be incorporated to protect ATM’s or ‘high-risk’ shop front areas, including glazed curtain walling, roller shutters etc. to aid protection against hostile vehicles. <li data-bbox="636 1407 2051 1487">9. CCTV: As part of the overall security assessment of each scheme and as a complementary ‘tool’ to other security measures, we would recommend recorded and/or monitored HD 1080p (as a minimum) digital colour CCTV that conforms to BS EN 62676 series and GDPR 2018. Where not mounted on dedicated external poles or internally installed at entrances, it may

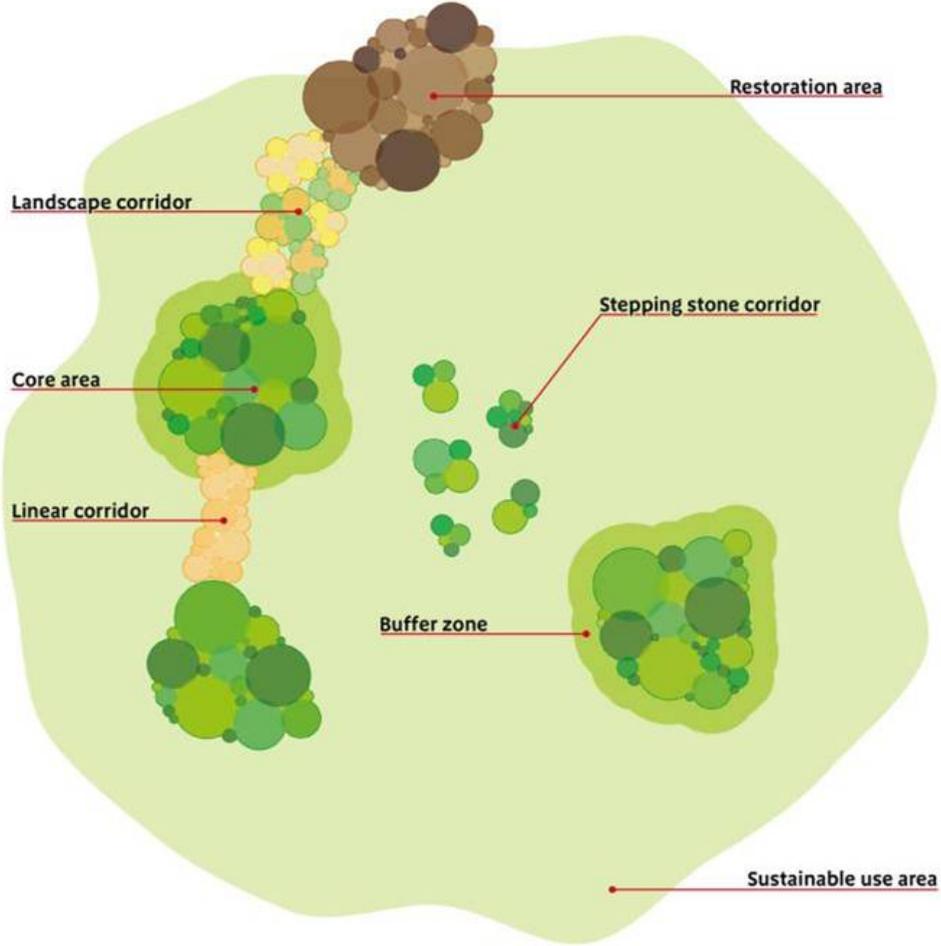
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			<p>necessitate cameras being incorporated on shop facades. This may be in conflict with buildings in conservation areas or listed buildings; however, we would welcome further discussion on this matter to consider alternative solutions.</p> <p>Also, we have noted that your draft consultation document makes reference to local parking provision; therefore, please could you consider adopting Safer Parking Scheme principles and standards when designing and developing these and other car parks. The Park Mark® Safer Parking Scheme is a Police Crime Prevention Initiative and is aimed at reducing both crime and the fear of crime in parking facilities. Further information about the Scheme can be found at www.parkmark.co.uk</p>
C006	01550	Historic England Sarah Howard	<p>Having considered the proposals we do not consider that there is a need for us to be involved in the development of the strategy for your area at this time. However in light of the heritage assets that are in the area, we consider that the conservation officer at [name of Council] is the best placed person to assist you in the development of your Neighbourhood Plan. They can help you to consider how the strategy might address the area's heritage assets.</p> <p>You might also consider contacting the staff at your local authority who look after the Historic Environment Record and give advice on archaeological matters. They should be able to provide details of not only any designated heritage assets but also locally-important buildings, archaeological remains and landscapes. Some Historic Environment Records may also be available on-line via the Heritage Gateway (www.heritagegateway.org.uk <http://www.heritagegateway.org.uk>). It may also be useful to involve local voluntary groups such as the local Civic Society, local history groups, building preservation trusts, etc. in the production of your Neighbourhood Plan.</p> <p>Your local authority might also be able to provide you with more general support in the production of your Neighbourhood Plan. National Planning Practice Guidance is clear that where it is relevant, Neighbourhood Plans need to include enough information about local heritage to guide planning decisions and to put broader strategic heritage policies from your local authority led local plan into action at a neighbourhood scale. If appropriate this should include enough information about local non-designated heritage assets, including sites of archaeological interest, to guide decisions.</p> <p>We have produced further information and guidance on how heritage can best be incorporated into Neighbourhood Plans. This signposts a number of other documents which your community might find useful in helping to identify what it is about your area which makes it distinctive and how you might go about ensuring that the character of the area is retained. These can be found at: http://www.historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/</p>
C007	00564	Wildlife Trust John Lamb	<p>I did submit a response (to the Regulation 14 public consultation) in July 2016, but these are not acknowledged in the Consultation comments on the Barrowford Neighbourhood Area proposal, and do not appear to have been taken into account. The initial comments still stand, and I wish them to be taken fully into account, although the requirements of the National Planning Policy Framework (NPPF) 2012, as referred to in the letter, has been replaced by the requirements in the NPPF 2018</p>

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			<p>Attachment 1: Comments from LWT originally submitted in July 2016:</p> <p>I am writing on behalf of the Lancashire Wildlife Trust with the following comments that relate to wildlife sites (statutory and non-statutory), notable habitats, notable species, ecological networks and net gains in nature in the Parish of Barrowford.</p> <p>The Wildlife Trust understands that the Neighbourhood Plan will need to conform to the policies in the Pendle Local Plan, and hopes that the Neighbourhood Plan will add further detail and be more proactive.</p> <p>The Natural Environment and Rural Communities (NERC) Act 2006 places a duty on all statutory authorities, including Borough and Parish Councils, to have due regard to biodiversity in the exercising of all of their functions. This means that both the Borough of Pendle and Barrowford Parish Council have a 'Biodiversity Duty' to conserve and enhance sites of importance for biodiversity through the preparation and implementation of the Neighbourhood Plan.</p> <p>In section 4.1, the Wildlife Trust agrees that the key issues should include Green Spaces, and Landscape and Natural Environment.</p> <p>In section 4.6, the Wildlife Trust agrees that green spaces such as allotments and other public and privately accessible spaces contribute towards the character of the Parish providing resources of nature conservation, recreation and community value. In order to develop policies to ensure they are protected and enhanced, the policies should apply to a) Sites, b) Habitats of importance, c) Species of importance, and d) in the context of the ecological networks, where applicable (see comments below).</p> <p>In section 4.7, there is no text to explain the status and importance of natural environment in the parish, which should be included. The map highlights the Leeds-Liverpool Canal as being the only site with a nature conservation designation in the Parish, but there are other areas that support habitats and species to which the Biodiversity Duty applies, see below, and the ecological networks that have been identified in the Parish could also be included on the map.</p> <p>For Policy BNDP 08 Local Green Spaces, the Wildlife Trust agrees that development for non-open land uses will only be permitted in very special circumstances: when the harm to the local green space and any other harm are clearly outweighed by other material considerations.</p> <p>The Wildlife Trust proposes that the following open space should be considered for protection as local green spaces:</p> <table border="1" data-bbox="642 1297 1915 1461"> <thead> <tr> <th data-bbox="642 1297 860 1366">Name of Site</th> <th data-bbox="860 1297 1108 1366">Distance from local community</th> <th data-bbox="1108 1297 1460 1366">Demonstrably special?</th> <th data-bbox="1460 1297 1915 1366">Local Character and not extensive tract of land?</th> </tr> </thead> <tbody> <tr> <td data-bbox="642 1366 860 1461">Disused quarry at SD844393</td> <td data-bbox="860 1366 1108 1461">300m from Carr Hall & Barrowford</td> <td data-bbox="1108 1366 1460 1461">The only area of acidic grassland & heathland in the Parish</td> <td data-bbox="1460 1366 1915 1461">The former quarry is an accessible feature of ecological, geological and historic value and is not extensive</td> </tr> </tbody> </table>	Name of Site	Distance from local community	Demonstrably special?	Local Character and not extensive tract of land?	Disused quarry at SD844393	300m from Carr Hall & Barrowford	The only area of acidic grassland & heathland in the Parish	The former quarry is an accessible feature of ecological, geological and historic value and is not extensive
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			 <p data-bbox="640 916 1514 943">Disused quarry at Barrowford from the public footpaths, 16.08.16 by John Lamb.</p> <p data-bbox="640 979 2029 1106">For Policy BNDP 09 Landscape Design, the Wildlife Trust agrees that development proposals should conserve, restore and enhance important local historic landscape features such as parkland planting and structures, hedges, ancient woodland and traditional orchards, and that small groups of, or individual mature and established trees, should be protected and incorporated into landscaping schemes wherever possible.</p> <p data-bbox="640 1142 2040 1268">For Policy BNDP 10 Biodiversity, the Wildlife Trust agrees that proposals which result in a loss of biodiversity will not normally be permitted, and that development that is likely to have either a direct or indirect adverse impact upon areas of local biodiversity importance should demonstrate that appropriate mitigation and/or compensation could be provided and where possible achieve a net enhancement to the biodiversity within the Parish.</p> <p data-bbox="640 1305 1048 1332">To answer the questions to BNDP 10:</p> <p data-bbox="640 1369 1115 1396">Would you agree with the policy approach?</p> <p data-bbox="640 1433 689 1460">Yes.</p>

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			<p>Are there any particular issues around biodiversity which you would like to see as part of the NDP?</p> <p>The NPPF requires there to be net gains in nature, hence it is not sufficient that the second paragraph applies only to ‘areas of local biodiversity importance’ (which would need to be defined in any case). BDNP10 needs to apply to a) Sites, b) Habitats of importance, c) Species of importance, and d) in the context of the ecological networks, where applicable.</p> <p>a) Sites. Sites in the parish must include both statutorily designated sites (Sites of Special Scientific Interest) and non-statutorily designated sites (Local Sites of biological and/or geological importance). There are no SSSIs in the Parish and the only site with a nature conservation designation in the Parish is the Leeds Liverpool Canal Site of Local Natural Biological Importance (SLNBI).</p> <p>b) Habitats. The Parish of Barrowford supports a variety of habitat types including semi-natural broadleaved woodland; plantation woodland; hedgerows; acidic, neutral and marshy grassland; amenity grassland; improved grassland; standing water (the Leeds-Liverpool Canal, reservoirs and ponds); running water (brooks/streams and waters); and built-up land (commercial/industrial and residential).</p> <p>Some of the habitat types in the Parish are Habitats of Principal Importance in England, as listed in Section 41 of the Natural Environment and Rural Communities Act (NERC) 2006, which includes the following:</p> <ul style="list-style-type: none"> • Lowland heathland • Lowland meadow • Lowland mixed deciduous woodland • Rivers <p>The Biodiversity Duty referred to in the third paragraph on page 1 also applies to the habitats listed above.</p> <p>c) Species. There are records of at least 46 protected and notable species in the Parish of Barrowford, including 21 plants, 14 birds, 10 moths, two fish (Brown/Sea Trout and Bullhead) and one mammal (Pipistrelle bat).</p> <p>Twelve of the 46 species are covered by planning legislation and 18 are Lancashire BAP species.</p> <p>Seventeen of the 46 species are both UK Biodiversity Action Plan (BAP) species and Species of Principal Importance in England, as listed in Section 41 of the NERC Act (2006), including the following:</p> <ul style="list-style-type: none"> • Four birds: Curlew, House Sparrow, Lapwing and Spotted Flycatcher, • One fish: Brown/Sea Trout, • 10 moths, and • Two plants: Grass-poly and Rampion Bellflower.

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			<p>The Biodiversity Duty referred to in the third paragraph on page 1, and in the habitats above, also applies to the species listed above.</p> <p>d) Ecological networks. The National Planning Policy Framework (NPPF) was published in March 2012 and paragraph/requirement 117 states that <i>“To minimise impacts on biodiversity and geodiversity, planning policies should:</i></p> <ul style="list-style-type: none"> • <i>plan for biodiversity at a landscape-scale across local authority boundaries;</i> • <i>identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation;</i> • <i>promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan;”</i> etc. <p>Paragraph/requirement 165 states that planning decisions <i>“should include an assessment of existing and potential components of ecological networks”</i>. The Lancashire Local Nature Partnership (funded by Natural England) commissioned the Lancashire Environment Record Network (LERN) and Lancashire Wildlife Trust to produce ecological network habitat maps for the county. LERN has produced ecological network habitat maps for grassland and woodland, which are available at the District, Parish and other levels. A wetland ecological network is still in preparation.</p> <p>The Neighbourhood Plan should take account of the ecological networks in the Parish, discuss the conservation of the components and/or identify opportunities for restoration and enhancement of the ecological networks and their functionality within and adjacent to the Parish boundary, see figure below as an example.</p>

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			 <p>The diagram illustrates an ecological network within a light green boundary. It features several interconnected components: a 'Restoration area' at the top right, a 'Landscape corridor' connecting it to a 'Core area' in the middle left, a 'Linear corridor' extending from the core area downwards, a 'Stepping stone corridor' consisting of small green patches in the center, a 'Buffer zone' around a cluster of green patches at the bottom right, and a 'Sustainable use area' at the bottom right. Red lines with dots point from text labels to each of these features.</p> <p>Figure from the 'Lawton Review' (2010) Making Space for Nature: a review of England's wildlife sites and ecological network. Report to Defra.</p> <p>Note: the environmental information will be provided free of charge to the Parish Council if the Borough Council signs up to the Memorandum of Agreement with the Lancashire Environment Record Network (LERN).</p>

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			<p>Re: Net gains in nature. Paragraph/requirement 9 and 109 of the NPPF requires the planning process to deliver net gains in nature. This could be achieved in a number of ways, for example:</p> <ul style="list-style-type: none"> • When planning applications are approved, the Council can require the applicant to submit a Site Management Plan and a fully costed action plan lasting a minimum of five years, or for the duration of temporary developments such as wind farms and solar farms. The applicant can be required to dedicate a commuted sum, e.g. through a Section 106 agreement, in order to deliver the Site Management Plan. • Biodiversity Offsetting. Biodiversity offsets are conservation activities that are designed to give biodiversity benefits to compensate for losses - ensuring that when a development damages nature (and this damage cannot be avoided) new, bigger or better nature sites will be created. They are different from other types of ecological compensation as they need to show measurable outcomes that are sustained over time. In 2013 the government published guidance on how offsetting might be introduced in England (see https://www.gov.uk/guidance/biodiversity-offsetting). • Through the Community Infrastructure Levy (CIL). <p>I trust that these comments from the Wildlife Trust will be taken fully into account.</p> <p>Attachment 2: Comments from LWT submitted in response to consultation held between 8 February 2019 and 22 March 2019:</p>									
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			<p>but there are other areas that support habitats and species to which the Biodiversity Duty applies, see below, and the ecological networks that have been identified in the Parish could also be included on the map.</p>	<p>similar features within the Parish. This network is important for leisure, recreation, tourism and ecological reasons. Through the NDP this existing network will be protected and enhanced.</p>	
			<p>Policy BNDP 08 - Local Green Spaces [now BNDP 07]. The Wildlife Trust agrees that development for non-open land uses will only be permitted in very special circumstances: when the harm to the local green space and any other harm are clearly outweighed by other material considerations.</p> <p>The Wildlife Trust proposes that the following open space should be considered for protection as local green spaces: Disused quarry at SD844393See table</p>	<p>8.7.2 The Steering group has carried out an assessment of the proposed spaces set against the NPPF criteria. The following table demonstrates the justification for designation of each site in accordance with the NPPF:</p>	<p>There is no reference to the disused quarry, although the table referred to in 8.7.2 does make mention of wildlife & wildlife corridors in the case of some of the sites.</p>
			<p>Policy BNDP 09 Landscape Design [now BNDP 08 – Landscape Views]. The Wildlife Trust agrees that development proposals should conserve, restore and enhance important local historic landscape features such as parkland planting and structures, hedges, ancient woodland and traditional orchards, and that small groups of, or individual mature and established trees, should be protected and incorporated into landscaping schemes wherever possible.</p>	<p>This is now BNDP 08 but is now headed ‘Landscape Views’.</p>	
			<p>Policy BNDP 10 Biodiversity [now BNDP 09 – Green Infrastructure]. The Wildlife Trust agrees that proposals which result in a loss of biodiversity will not normally be permitted, and that development that is likely to have either a direct or indirect adverse impact upon areas of local biodiversity importance should demonstrate that appropriate mitigation</p>	<p>This is now BNDP 09 – Green Infrastructure 1. The network of paths, fields, watercourses and water features, woodland, grassland and other green infrastructure features within the Parish should be protected and enhanced for their recreational and</p>	<p>The requirement from the NPPF has been picked up, but not the rest of the comments and the whole thrust of the policy seems to be less focussed on biodiversity than the 2016 document. The opportunity to include some very worthwhile statements regarding</p>

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			<p>and/or compensation could be provided and where possible achieve a net enhancement to the biodiversity within the Parish. To answer the questions to BNDP 10: Would you agree with the policy approach? Yes. Are there any particular issues around biodiversity which you would like to see as part of the NDP?</p> <p>The NPPF requires there to be net gains in nature, hence it is not sufficient that the second paragraph applies only to ‘areas of local biodiversity importance’ (which would need to be defined in any case). BNDP10 needs to apply to a) Sites, b) Habitats of importance, c) Species of importance, and d) in the context of the ecological networks, where applicable.</p> <p>Information regarding sites, habitats, and ecological networks was provided.</p> <p>ecological value. 2. Development proposals should seek to: a. maintain this green infrastructure network and, where possible, should enhance the green infrastructure network by creating new connections and links in the network; b. restore existing green infrastructure; c. introduce features that enhance the existing green infrastructure network. 3. Development that would disrupt or sever this network will not be permitted unless suitable compensatory provision can be provided to establish a new network connection within the immediate vicinity of the site.</p> <p>biodiversity haven’t been taken on board! However, the NDP isn’t proposing anything that goes beyond what is stated in the Local Plan, which will still be the document that we would fall back on. The dropping of reference to biodiversity is very disappointing. Green infrastructure is how people use, or can make use of, the network of green and blue spaces, whereas biodiversity or wildlife, ecological networks or wildlife corridors and ecosystem services all overlap with Green Infrastructure, but are separate things, hence packaging it all up as Green Infrastructure could cause confusion.</p>
C008	00332	Wood plc on behalf of National Grid	<p>National Grid has appointed Wood to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.</p> <p>About National Grid National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales and National Grid Electricity System Operator (NGESO) operates the electricity transmission network across the UK. The energy is then distributed to the eight electricity distribution network operators across England, Wales and Scotland. National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK’s four gas distribution networks where pressure is reduced for public use. National Grid previously owned part of the gas distribution system known as ‘National Grid Gas Distribution limited (NGGDL). Since May 2018, NGGDL is now a separate entity called ‘Cadent Gas’. To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and</p>

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			<p>strategies which may affect National Grid's assets.</p> <p>Specific Comments An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high-pressure gas pipelines. National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.</p> <p>Electricity Distribution The electricity distribution operator in Pendle Council is Electricity Northwest. Information regarding the transmission and distribution network can be found at: www.energynetworks.org.uk</p> <p>Appendices - National Grid Assets Appendix 1 provides a map of the National Grid network across the UK.</p>
C009	00152	Environment Agency Carole Woosey	<p>We have reviewed the draft plan in relation to our remit and we would like to make the following recommendations:-</p> <p>We have identified that parts of the neighbourhood plan area are located in Flood Zone 3 and are at a high risk of flooding, yet there is no reference to this as a constraint in the Neighbourhood Plan. It would be advisable to acknowledge the risk of flooding and avoid inappropriate development in such areas.</p> <p>We would also recommend that Policy BNDP 01 – New Housing in Barrowford is amended to include the following statement:</p> <p style="text-align: center;"><i>All new housing development proposals will be assessed against the following:</i></p> <p style="text-align: center;"><i>e) They do not have an adverse impact on flood risk.</i></p> <p>Beyond the above recommendation we have no further detailed comments in relation to the plan to make at this stage. However, we welcome the inclusion of policy BNDP 10 Biodiversity. The Environment Agency supports any approach that advocates environmental net gain as outlined in the National Policy Planning Framework (NPPF) paragraphs 170, 174 and 175 and in chapter 1 of the Environment Agency's 25 year plan. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf</p> <p>We note that there are no areas designated for development beyond those already published in the Pendle Local Plan adopted in 2015, however should the aspiration of the Neighbourhood Plan change, please consult us so that we can provide appropriate comments.</p>

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C010	00539	United Utilities Ellie Levenson	<p><u>Barrowford Neighbourhood Plan Regulation 16</u> Thank you for your email and links to the draft neighbourhood plan.</p> <p>United Utilities works closely with Pendle Council to understand future development sites and impact on our infrastructure.</p> <p>It is important that we highlight that as the water and sewerage company for Pendle, we have statutory obligations which include:</p> <ul style="list-style-type: none"> • The right to connect domestic wastewater flows to the public sewer. This includes foul and surface water; and • A domestic supply duty in respect of public water supply. <p>United Utilities seeks to work with all parties to ensure all surface water from new development is drained in the most sustainable manner, in line with the surface water hierarchy (see specific comments for more detail).</p> <p>We wish to highlight our <u>free pre-application service</u> for applicants to discuss and agree drainage strategies and water supply requirements. We cannot stress highly enough the importance of contacting us as early as possible. Enquiries are encouraged by contacting:</p> <p>Developer Services - Wastewater Tel: 03456 723 723 Email: WastewaterDeveloperServices@uuplc.co.uk Website: http://www.unitedutilities.com/builder-developer-planning.aspx</p> <p>Developer Services – Water Tel: 0345 072 6067 Email: DeveloperServicesWater@uuplc.co.uk Website: http://www.unitedutilities.com/newwatersupply.aspx</p> <p>It is important that United Utilities is kept aware of any development proposed within your neighbourhood plan over and above the Council's allocations. We encourage further consultation with us at an early stage should you look to allocate any sites in the future over and above the allocations determined by the council.</p> <p><u>Specific Comments</u> United Utilities recommends additional wording with respect to Surface Water Management. We recommend the following is included in the plan, as a separate policy.</p>

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			<p><i>“New development should be designed to maximise the retention of surface water on the development site and to minimise runoff. The approach to surface water drainage should be considered in liaison with the LLFA, the public sewerage undertaker and where appropriate the Environment Agency”.</i></p> <p><i>Surface water should be discharged in the following order of priority:</i></p> <ul style="list-style-type: none"> • <i>An adequate soakaway or some other form of infiltration system.</i> • <i>An attenuated discharge to watercourse or other water body.</i> • <i>An attenuated discharge to public surface water sewer.</i> • <i>An attenuated discharge to public combined sewer.</i> <p><u>Summary</u> Moving forward, we respectfully request that Barrowford Parish Council continue to consult with United Utilities on all future planning documents. We are keen to continue working in partnership with you and Pendle Council to ensure that all new growth can be delivered sustainably.</p>
C011	00505	The Coal Authority Melanie Lindsley	<p>The Coal Authority is a non-departmental public body which works to protect the public and the environment in coal mining areas. Our statutory role in the planning system is to provide advice about new development in the coalfield areas and also protect coal resources from unnecessary sterilisation by encouraging their extraction, where practical, prior to the permanent surface development commencing.</p> <p>As you will be aware the Neighbourhood Plan area lies within the current defined coalfield.</p> <p>According to the Coal Authority Development High Risk Area Plans, there are potential risks from past coal mining activity in the form of probable unrecorded coal workings at shallow depth.</p> <p>It is noted that the Neighbourhood Plan does not allocate any sites for development at the current time and on this basis we have no specific comments to make.</p>
C012	01568	Pendle Borough Council	<p><u>Report of Planning Building Control & Licensing Services Manager to Policy & Resources Committee on 19 March 2019</u></p> <p><u>Introduction</u></p> <p>1 In England, the Statutory Development Plan, against which all applications for planning permission are assessed, can include three types of plan.</p> <p>2 In Pendle, Lancashire County Council prepares the Minerals and Waste Local Plan and Pendle Council prepares the Local Plan, which sets out the strategic and non-strategic planning policies for the Borough.</p>

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			<p>3 The Localism Act 2011 introduced a third type of plan, giving local communities an opportunity to influence development in their area. Neighbourhood Plans (“NPs”) can be prepared by a Parish or Town Council. NPs must conform to strategic planning policies and cannot propose less development than set out in the Local Plan. Once completed and made, NPs become part of the Development Plan. Any proposals for development within the neighbourhood area will then need to be determined in accordance with policies in the NP and the Local Plan, unless material considerations indicate otherwise.</p> <p>4 NPs are subject to the same requirements as Local Plans. NP’s have to comply with the national planning policy and are assessed against the content of the National Planning Policy Framework 2018 (“NPPF”). They also have to conform to the strategic policies of the Local Plan.</p> <p>5 Planning legislation also requires that NPs comply with the “Basic Conditions”. These are described in Schedule 4B of the Town & Country Planning Act 1990. For clarity these are:</p> <ul style="list-style-type: none"> • the plan has regard to national policies and advice contained in guidance issued by the Secretary of State, • the making of the plan contributes to the achievement of sustainable development, • the making of the plan is in general conformity with the strategic policies contained in the development plan for the area of the authority, • the making of the plan does not breach, and is otherwise compatible with, EU obligations <p>6 NPs should express the wishes of the local community. They are not subject to the same level of need for robust evidence that Local Plans are subject to; but nevertheless, must be based on an appropriate evidence base. Importantly, NPs need to address planning issues and their policies need to reflect legitimate planning aims.</p> <p>7 NP’s cannot alter the process of determining planning applications or the formal planning process. As detailed in the suggested comments the NP has elements within it which seek to alter the statutory process such as for example policy BNDP 2 which seeks to allow the Parish to negotiate on Section 106 agreements.</p> <p>8 We have made comments on several previous iterations of the NP. The publication version the Parish have submitted has unfortunately not addressed many of the comments made and regrettably there are a number of objections that need to be made to its content in order to make it a workable document.</p> <p><u>Development of the Barrowford NP</u></p> <p>9 Table of timeline for Barrowford Neighbourhood plan.</p>

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			<p>12 The Barrowford Neighbourhood Plan was submitted to Pendle Council in accordance with Regulation 15 in July 2018 but was withdrawn in August 2018 due to concerns expressed about its conformity with the Local Plan and National Planning Policy.</p> <p><u>Meeting the Basic Conditions</u></p> <p>13 Full comments on the content of the NP, its conformity with the Strategic Polices of the Local Plan and national Planning Policy are contained in Appendix 2. The following outlines the key concerns.</p> <p>14 The NP is poorly drafted. Several policies would be useable policies for planning officers in the determination of planning applications.</p> <p>i Status of Barrowford</p> <p>The adopted Local Plan sets out spatial development principles in Policy SDP2. This is a strategic policy for the purposes of plan making. It establishes a four-tier spatial hierarchy to help guide new development to the most sustainable locations in the borough. Nelson (including Brierfield), Colne and Barnoldswick are designated as Key Service Centres and represent the first tier. The second tier of Local Service Centres includes the settlements of Barrowford and Earby.</p> <p>Beneath the third tier (Rural Service Centres) sits a fourth tier of settlement: Rural Villages. Villages have a specific status in Local Plan making and national policy and settlements which are referred to as villages need to reflect that status.</p> <p>Village is a specific term used in a number of ways in national policy. In the NPPF it is used to describe a hierarchy in that it refers to villages and towns, which leads on to the level of development that can be accommodated. For example, there are different policies in the NPPF for villages and towns in relation to Green Belt.</p> <p>Throughout the NP, Barrowford is referred to as a village, both in terms of the justification (supporting) text and policy. Altering the description of Barrowford from that contained in Policy SDP2 of the Local Plan changes the spatial hierarchy set out in the Local Plan. The NP cannot alter this Strategic Policy and the NP therefore needs to be changed to reflect the settlement hierarchy in the Local Plan. An explanation is available in appendix 2.</p> <p>ii Policy BNDP 01 – Housing</p> <p>The Barrowford NP requires developments to incorporate green technology and a low carbon footprint into new development. No viability evidence has been produced to support this requirement, this conflicts with paragraph 153 (a) of NPPF. There are also no definitions upon which a developer can refer to explain what is meant by these terms or the standards of what is a “low carbon footprint”. Nor is there a methodology in there for decision makers to be able to assess these. The incorporation of technology beyond building regulation standards is not a policy requirement in the Framework. In order to justify it there needs to be some evidence that it is achievable in a way that does not compromise the viability of development. The NP does not consider these implications and thus is</p>

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			<p>contrary to paragraph 34 of the Framework.</p> <p>Policy BNDP 01 either needs to be amended to reflect the evidence that there is on design or there needs to be a proportionate evidence base provided to justify the policy.</p> <p>iii Policy BNDP 02 – Infrastructure</p> <p>The policy states that development will only be granted permission if it has provided, or can be provided with, the necessary infrastructure. The policy is therefore re-entering the question of the quantum of development that will be allowed in the Parish. The level of development has already been tested as part of the examination for the Local Plan Part 1 and the NP cannot look behind the strategic policies as to where development will be delivered.</p> <p>An example of this legislative hierarchy within the Barrowford NP is the matter relating to s106 agreements and requests for money towards specific projects. Regulation 122 of the Community Infrastructure Levy Regulations 2010 states that a planning obligation may only constitute a reason for granting planning permission if:</p> <ul style="list-style-type: none"> • it is necessary to make the development acceptable in planning terms; • the obligation is directly related to the development; and • the obligation is fairly and reasonably related in scale and kind to the development. <p>The intended Barrowford NP Policy BNDP 2 in relation to s106 agreements is not in conformity with higher tier planning policy or legislation.</p> <p>iv Policy BNDP 03 – Travel and Transport</p> <p>The proposed policy indicates that development proposals will be considered, amongst other criteria, on the use of electric vehicles. No policy can require an assessment of what a potential occupier of premises may use in terms of transport.</p> <p>The policy also requires that every development will have to demonstrate improvements to existing cycleway and footpaths. This in essence requires every development, whether it affects a footpath or cycleway, to consider this. Developments should only provide infrastructure that is necessary to make it acceptable. The policy also does not require provision only to demonstrate if improvements are needed. Even if there were evidence to support it the wording is imprecise.</p> <p>The policy should either be amended so that it relates more clearly to the specific circumstances where development may infrastructure require improvements, or be removed.</p> <p>v Policy BNDP 07 – Local Green Spaces</p> <p>The allocation and protection of Local Green Spaces are proposed at paragraph 100 of the Framework. This requires that three criteria need to be met in order to support their designation. A Local Green Space designation</p>

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			<p>should only be used where the green space is:</p> <ul style="list-style-type: none"> • in reasonably close proximity to the community it serves; • demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and • local in character and is not an extensive tract of land. <p>The NP includes areas that are very clearly extensive tracts of land; areas that are too remote from the community to comply with the Framework and areas where there is no supporting evidence that meets the test to demonstrate that they are demonstrably special to the local community. To pass the test of being demonstrably special, it is not simply a matter that an area has value to a community; a value has to be based on evidence of the special nature and characteristics of the land. Unfortunately, despite several attempts to elicit this assessment, the NP contains no evidence of the characteristics of the land that lead to it being valued by the community and the policy if therefore not compliant with the Framework.</p> <p>vi Policy Justification</p> <p>The justification text supporting many of the policies fails to provide links to strategies they seek to support, or the evidence that has been used to help formulate the policy position and reflect local distinctiveness.</p> <p><u>Summary</u></p> <p>15 The Barrowford Neighbourhood Plan has was submitted and subsequently withdrawn in 2018. Some changes have been made to this revised version of the Plan, but overall it remains largely unchanged. In some areas, it does not comply with the strategic policies in the Local Plan. It is recommended that Pendle Council objects to the NP in its current form, and requests that it is amended in order to meet the basic conditions.</p> <p><u>Appendices</u></p> <ol style="list-style-type: none"> 1. Barrowford Neighbourhood Plan Submission Report (January 2019) 2. Comments on the Barrowford Neighbourhood Plan Submission Report (Regulation 16) – see below <p><u>RESOLVED</u></p> <p>(1) That the submission of the Barrowford Neighbourhood Plan be noted.</p> <p>(2) That formal written representations be submitted, in response to the Regulation 16 public consultation, setting out the Council’s concerns about the Barrowford Neighbourhood Plan in its current form.</p>

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			<p><u>Appendix 2 – Comments on the Barrowford Neighbourhood Plan Submission Report (Regulation 16)</u></p> <p>General Comments</p> <ul style="list-style-type: none"> • Better sequencing and structure could help to avoid repetition on issues such as parking • The table of contents makes reference to “two visions” at (1) and (7) which could be confusing for the casual reader. • The numbering of paragraphs throughout the document does not follow a consistent hierarchy or pattern, which is ultimately confusing for the reader. <p>Section 1 - Vision</p> <ul style="list-style-type: none"> • The vision sets out a future for Barrowford. <p>Section 2 – Introduction</p> <p>2.6 The Core Strategy refers to Barrowford as a village within the spatial portrait (paras 3.23 and 3.24), which is a general preamble and has no policy status. In terms of planning policy Barrowford is designated as a Local Service Centre (Policy SDP2, page 53).</p> <p>This needs to be amended to reflect the upper tier strategic policies.</p> <ul style="list-style-type: none"> – Further on the issue of the settlement status of Barrowford, it is accepted a reference is made to Barrowford as a village in the Local Plan at 3.23/3.24. However, this describes the current situation and is part of a spatial portrait of Pendle. The status of Barrowford in the settlement hierarchy is then dealt with later in the Local plan and it is designated as a Local Service Centre. – Barrowford is designated as a Local Service Centre in the settlement hierarchy of the Local Plan. These have specific functions that are different to villages which are a fourth tier settlement. – The term village has specific policy connotations which are different to Local Service Centres. – The NP is not in general conformity with the Part 1 Local Plan as it seeks to alter the status of the settlement by referring to it as a village. This can be altered by the Inspector but unless it is then the NP should not be adopted as it would conflict with the strategic settlement hierarchy policies in the Local Plan. <p>Section 3 – Why is the Barrowford Neighbourhood Development Plan important?</p> <p>3.1 Paragraphs 2.1 and 2.2 could be included here to create a section that focuses on the Planning Policy context.</p> <ul style="list-style-type: none"> • Give consideration to the merger of Chapters 2 and 3 with sub headings dividing the policy context from the historical context, or creating separate chapters for each. <p>Section 4 – Community Consultation – what has happened so far?</p> <ul style="list-style-type: none"> • The information here should ideally be removed from the Plan and incorporated into the accompanying Consultation Statement. The wording included in paragraph 2.1 in the introduction is sufficient for the final version of the Plan. At the very least this chapter should be relegated to an Appendix. <p>4.6 The consultation events could be placed into a table with dates, brief description etc</p>

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			<p>Section 5 - Key Issues for Barrowford</p> <p>5.1.4 This paragraph and the quotation that follows should be removed.</p> <ul style="list-style-type: none"> - The individual sections within this chapter lack any “forward vision” that can be realised either through the Neighbourhood Plan or the Local Plan. - evidence is required to show pressure on infrastructure and resources <p>5.1.5 The term village is used and needs to reflect the spatial hierarchy of the Local Plan.</p> <p>5.2.4 This paragraph and the bullet points that follow have no bearing on the Neighbourhood Plan as they relate to an evidence base on matters not dealt with in the NP. They are matters that can be raised through the Part 2 Local Plan process and are not relevant to the NP and should be removed.</p> <p>5.2.5 Same comment as 5.2.4</p> <p>5.3.1 Refers to June 2018 for GP statistics, are there any further figures that are up to date?</p> <p>5.3.4 Is there any evidence available for further pressure on resources? The Local Plan was examined including the provision of appropriate infrastructure and was found to be sound. The NP seeks to</p> <p>5.3.5 Are there any figures for provision of education for the future?</p> <p>5.4.1 Referred to as a village.</p> <p>5.4.3 Referred to as a village.</p> <p>5.4.5 Referred to as a village</p> <p>There is reference to infrastructure being provided through S106 agreements but there is no evidence supplied to suggest a network nor if S106 agreements can led to this being able to be provided. There is linked to comments on policy BNDP 2 and BNDP 3.</p> <p>5.5.3 Referred to as a village.</p> <p>5.6.3 The sentence needs completing.</p> <p>5.6.7 The sentence is confusing and should be reworded.</p> <p>Section 6 - Key Issues arising from National and Strategic Planning Policy</p> <ul style="list-style-type: none"> • Merge with Chapter 3 <p>6.4 ‘draft Neighbourhood Plan’ - should read submission</p> <p>Section 7 - Vision and Objectives</p> <ul style="list-style-type: none"> • The repetition of the Vision here is unnecessary and potentially confusing as it appears in the Table of Contents twice • The objectives would be better following the Vision earlier in the document. <p>7.1 Refer to village- value’s. Settlements do not have values and this needs to be re-worded to specify what they are as well as altering the term village.</p> <p>7.2.1 This relates to upper tier strategy, which has already been determined in Pendle Local Plan Part 1: Core Strategy (December 2015). The Local Plan sets the level of development and the NP cannot alter that. As written it is not in accordance with upper tier policy in the Local Plan or NPPF.</p> <p>No mention is made of meeting the full objectively assessed need for housing, housing types or the tenure mix.</p>

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			<p>Section 8 - Barrowford Policies</p> <ul style="list-style-type: none"> • The table essentially repeats the “Table of Contents” and is superfluous in its current form. <p>BNDP 01 - New Housing in Barrowford</p> <p>1. Housing sites outside the designated settlement boundary can come forward until Part 2 of the Local Plan is adopted (see Core Strategy, Policy LIV1, page 127). As written the policy i contradicts Local Plan Policy SDP2 and the NPPF and may fail the relevant test in the Basic Conditions.</p> <p>c) ‘protect and enhance’ is a higher test than NPPF for all development. The NPPF sets out very clear polices on the level of protection and consideration to be given to heritage assets and the policy needs to reflect this or provide evidence to suggest why more stringent criteria will apply.</p> <p>d) ‘significantly’ – anything less than significantly would pass the policy test. Impacts do not have to be significant to lead to a refusals of development that impact on residential amenity.</p> <p>e) The phrase “<i>that would cause significant harm to the character of the village</i>” would have the effect of only being able to object to a development if its impact was significant to the whole village. The policy should reflect that harm to the local area would be sufficient grounds to refuse permission and that that harm need not necessarily be significant to lead to a refusal. As written the policy requires a further test to that set out in the Local Plan, but offers no further justification for this. The “loss of off street parking” may be acceptable where it is replaced, or in a location where there is over-capacity within the existing provision.</p> <p>h) Adding the words “where permitted” at the end of the sub-paragraph does not adequately address the initial concern, particularly in relation to viability, ‘where permitted’ – who permits this. Viability testing will be necessary if these requirements are to be adopted; otherwise the policy is not compliant with paragraph 34 of NPPF (2019).</p> <ul style="list-style-type: none"> • There may occasionally be conflicts between the need for good design (criterion (a)) and the use of some green technologies (criterion (h)). The policy does not address how it will deal with situations where there is an incompatibility. • The policy appears to be silent on conversions. <p>8.1.3 This requirement should be included within the policy rather than the justification text, or be deleted.</p> <p>8.1.4 This explanation does not address “over-development” in terms of design, which is the focus of the policy.</p> <p>BNDP 02 – Infrastructure</p> <p>2. This is not a policy but a statement of intent. Parishes and communities are consulted on planning applications and can make comments on them as they wish to. The policy does not add to this process and is not a proper local plan policy. It should be omitted from the NP.</p> <p>8.2.2 Addresses transport issues that are better dealt with under Policy BNDP03</p> <p>8.2.5 The justification text mentions highways improvements and the construction of a bypass, which are outside the scope of the Neighbourhood Plan.</p> <p>8.2.3 Scale is relative, refers to larger scale but what is meant by this?</p>

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			<p>8.2.5 If the Plan is advocating new facilities then that should be in policies that are underpinned by an appropriate evidence base. Otherwise the commentary is not justified and should be removed.</p> <p>BNDP 03 – Travel and Transport</p> <p>1. The policy as it stands only requires impact s to be minimized. If they are but the impact is still unacceptable the policy can be interpreted as being fulfilled simply as impacts are minimized. There needs to be a criteria that says unacceptable impacts will not be allowed.(b) electric vehicle use – we need to know how this will done and whether viable</p> <ul style="list-style-type: none"> • There is some repetition with Policy BNDP02. • The policy is not sufficiently decisive to allow a planning officer to come to a clear decision. See the extract from Policy 5 of the Tattenhall Neighbourhood Plan below for an example of clearer wording: <i>Development should:</i> • <i>Identify the realistic level of traffic it is likely to generate. It must assess the potential impact of this traffic on pedestrians, cyclists, road safety, parking and congestion within the parish and include measures to mitigate any impacts. Development that would give rise to unacceptable highway dangers will not be permitted.</i> <p>BNDP 04 – Supporting Existing Businesses</p> <ul style="list-style-type: none"> • This policy also refers to parking, referred to in BDNP 03. A separate policy to address parking should be considered to consolidate the issue. <p>1 (b) the word ‘significant’ is misleading, case law indicates it does not have to be at this level</p> <p>BNDP 05 – Newbridge Local Shopping Frontage</p> <ul style="list-style-type: none"> • No comments <p>BNDP 06 – Design of shop fronts</p> <ul style="list-style-type: none"> • The photographs do not have a clear policy purpose and add nothing to the content of the NP. They should be removed. • Policies 1 and 2 repeat Pendle policy, only 3 is unique to BDNP, ‘will not normally be acceptable’ implies there may be exceptions ,if so, what are they? <p>BNDP 07 – Local Green Spaces</p> <ul style="list-style-type: none"> • Other than the individual site attributes listed in the table after paragraph 8.7.2 the justification substantially repeats the NPPF. • Mention should be made of the Rossendale, Burnley and Pendle Playing Pitch Strategy (2016) and the Pendle Open Space Audit (2008 and 2018 update), which are the main sources of evidence for open space in Pendle. It would also be useful to make reference to the emerging Green Infrastructure Strategy (2018). • There is no assessment of scale to determine whether any of the sites identified can be considered to be “<i>extensive tracts of land</i>”. This is required to fulfil the requirements of the policies in the NPPF. The NP cannot be demonstrated to meet the basic conditions in the absence of this consideration.

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			<ul style="list-style-type: none"> • The table following this paragraph appears to be the full extent of the assessment, but does not constitute a robust methodology setting out how each Local Green Space has been identified and assessed. • To avoid the potential for policy conflict, designation as LGS is not normally considered to be appropriate if a site is already protected by another policy designation (e.g. open space), although such a policy designation could be used to support the proposal to designate as LGS, where this is considered to be more appropriate. • The Policy and designations are not robust and the NP is not in general conformity due to the absence of any analysis addressing the requirements as set out in the NPPF. • The requirement of the NPPF also is that the designations need to be of importance to the community for a justifiable reason eg the area is intrinsically beautiful etc. The evidence in the NP does not demonstrate this adequately to justify the designations. <ol style="list-style-type: none"> 1. Barrowford Memorial Park <ul style="list-style-type: none"> • Designated as Open Space (PK001/PK002). • The site represents a large tract of land and is not appropriate for designation as Local Green Space. 2. Bullholme Playing Fields <ul style="list-style-type: none"> • Designated as Open Space (OS001). • Together with Barrowford Memorial Park, the site represents an extensive tract of land and is not appropriate for designation as Local Green Space. 3. Victoria Park <ul style="list-style-type: none"> • Designated as Open Space (PK003/PK004/PK008). • The site represents a large tract of land and is not appropriate for designation as Local Green Space. 4. Allotment Sites <ul style="list-style-type: none"> • Designated as Open Space (AL003, AL017, AL055, AL005 & AL044). • Para 100 (b) of the NPPF requires that to be designated as a local green space, the land must be “demonstrably special to a local community”. The supporting information is considered to fall short of this requirement. 5. Land between Broadway & Gisburn Road <ul style="list-style-type: none"> • Designated as Open Space (AG007). • Unclear why this area of open space is “demonstrably special to the local community.” 6. Field to rear of Holmefield House / The Holden Centre <ul style="list-style-type: none"> • Designated as Open Space (AG006). • Unclear why this area of open space is “demonstrably special to the local community.” 7. Triangle of Land at Dickie Nook <ul style="list-style-type: none"> • Designated as Open Space (AG008). • Unclear why this area of open space is “demonstrably special to the local community.” 8. Water Meetings & Utherstone (Huddleston) Wood <ul style="list-style-type: none"> • Support the identification of this site, which is acknowledged to be of local significance, although it is somewhat remote from the local community. • The sentence beginning “In recent years ...” contains a typo.

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			<p>9. Pasture Lane Wildlife Area</p> <ul style="list-style-type: none"> Designated as Open Space (WD388). Para 100 (b) of the NPPF requires that to be designated as a local green space, the land must be “demonstrably special to a local community”. The supporting information is considered to fall short of this requirement. <p>10. Land at North Park Avenue Carr Hall</p> <ul style="list-style-type: none"> Designated as Open Space (PK008). Unclear why this area of open space is “<i>demonstrably special to the local community.</i>” <p>11. Land situated between Carr Hall Road, Wheatley Lane Road, Parrock Road and footpath leading from Parrock Road to Wheatley Lane Road adjacent to Trough Laithe</p> <ul style="list-style-type: none"> Whilst it is agreed that this area of land should remain open, from the evidence available it is not clear why LGS is the most appropriate designation. The site represents a large tract of land and is not appropriate for designation as Local Green Space. Para 100 (b) of the NPPF requires that to be designated as a local green space, the land must be “demonstrably special to a local community”. The supporting information is considered to fall short of this requirement. In the column addressing special characteristics, a sentence refers to “The Green Belt Consultation ... still being developed” The Green Belt Assessment was published in 2017, so this information is no longer correct. <p>12. Trough Laithe Strategic Housing Site</p> <ul style="list-style-type: none"> Pendle Local Plan Part 1: Core Strategy, Policy LIV2 allocates the land as a strategic housing site. Column 3 – typo. Should read “Grade II Listed” It is not feasible to designate ‘parts of a site’ as Local Green Space before their full extent is known – as a consequence the extent of the site(s) cannot be shown on Figure 9. <p>13. Land between Carr Hall Road and the Lomeshaye Industrial Estate</p> <ul style="list-style-type: none"> An extensive tract of land in the open countryside, designated as Green Belt. Para 100 (b) of the NPPF requires that to be designated as a local green space, the land must be “demonstrably special to a local community”. The supporting information is considered to fall short of this requirement. <p>14. Land adjacent to Carr Hall Road and Wheatley Lane Road</p> <ul style="list-style-type: none"> The site represents an extensive tract of land in the open countryside. It forms part of the Green Belt and falls within the Carr Hall & Wheatley Lane Conservation Area. Para 100 (b) of the NPPF requires that to be designated as a local green space, the land must be “demonstrably special to a local community”. The supporting information is considered to fall short of this requirement. <p>BNDP 08 – Landscape Views</p> <ul style="list-style-type: none"> The policy wording implies that all development, irrespective of its scale or location, will need to take its impact on these locally important views into consideration. This is too restrictive and the policy needs to reflect the requirements for different spatial locations. Clarify what is meant by the phrase “<i>visual amenities (sic) of the immediate surroundings.</i>” The requirement for new development not to disrupt “<i>wider landscape views</i>” is not appropriate in planning policy,

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			<ul style="list-style-type: none"> • Are there any traditional orchards, if so, where are they? • The landscape views section lacks any evidence and therefore justifying the policy lacks an evidence base on which the policy is based. <p>BNDP 09 – Green Infrastructure</p> <ul style="list-style-type: none"> • The extent of the GI Network in Pendle will not be defined until the adoption of Pendle Local Plan Part 2: Site Allocations & Development Policies in 2019. <p>BNDP 10 – Newbridge Character Area</p> <ul style="list-style-type: none"> • These could be pulled together in a single policy considering heritage, conservation and design issues within the “Character Area”. • If you haven’t already done so, recommend reading the published guidance from Planning Aid (link below): https://www.ourneighbourhoodplanning.org.uk/storage/resources/documents/How_to_prepare_a_character_assessment.pdf • These could be pulled together in a single policy considering heritage, conservation and design issues within the “Character Area”. • If you haven’t already done so, recommend reading the published guidance from Planning Aid (link below): https://www.ourneighbourhoodplanning.org.uk/storage/resources/documents/How_to_prepare_a_character_assessment.pdf • 8.10.2 This has not been formally agreed with Pendle Council and should be deleted. • The following advice was previously supplied to consultants Kirkwells by the council’s Conservation Officer, Rosemary Lyons and highlighted in the Council’s representation submitted in response to the Regulation 14 consultation: <ul style="list-style-type: none"> – <i>‘in respect of the identified ‘Character Area ‘ I think you would need to define initially what you mean by ‘character area’ and what its purpose would be (to maybe lead on to consideration as a CA?); how the boundary was derived and what special qualities does the area have that create that character, e.g. historic growth around bridge and along turnpike, relationship to mills, early pre-1850’s age of many of the cottages, simple functional building style derived from function (handloom weaving), some back to back cottages, consistent materials of local stone and stone slate, any original stone flags/setts to public realm, important views, open spaces/trees etc...</i> – <i>This would then lead into and inform suitable criteria for protecting that quality and significance, e.g. preserving local character and distinctiveness, preserving appearance of buildings by retaining original features and form, retaining original materials (particularly stone slates), retaining chimneys, etc.’</i> <p>Appendices</p> <ul style="list-style-type: none"> • No comments

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C013	00258	Marcus Hudson LCC	<p>Lancashire County Council has been given notice from Barrowford Parish Council and Pendle District Council the latest consultation of the Barrowford Neighbourhood Plan January 2019. Lancashire County Council would like the following information to be accepted as the official response from Lancashire County Council.</p> <p><u>Education Strategy</u></p> <p>Section 14 of the Education Act 1996 dictates that Lancashire County Council's statutory obligation is to ensure that every child living in Lancashire is able to access a mainstream school place in Lancashire. Some children have Special Educational Needs for which they access school provision outside of Lancashire. Special Educational Needs provision is managed by LCC's SEND Team and is not covered by this response. The Strategy for the provision of school places and school's capital investment 17/18 to 19/20 provides the context and policy for school place provision and schools capital strategy in Lancashire. Over the coming years, Lancashire County Council and its local authority partners will need to address a range of issues around school organisation in order to maintain a coherent system that is fit for purpose, stable, and delivering the best possible outcomes for children and young people.</p> <p>Pressure for additional school places can be created by an increase in the birth rate, new housing developments, greater inward migration and parental choice of one school over another. If local schools are unable to meet the demand of a new development there is the potential to have an adverse impact on the infrastructure of its local community, with children having to travel greater distances to access a school place.</p> <p>In a letter from the DfE to all Chief Executives, the Minister of State for Housing and the Parliamentary Under Secretary of State for Schools jointly stated that 'where major new housing developments create an additional need for school places, then the local authority should expect a substantial contribution from the developer towards the cost of meeting this requirement.'</p> <p>The SPT produces an Education Contribution Methodology document which outlines the Lancashire County Council methodology for assessing the likely impact of new housing developments on school places, where necessary mitigating the impact, by securing education contributions from developers.</p> <p>In order to assess the impact of a development the School Planning Team consider demand for places against the capacity of primary schools within 2 miles and secondary schools within 3 miles. These distances are in line with DfE travel to school guidance and Lancashire County Councils Home to School Transport Policy.</p> <p>Planning obligations will be sought for education places where Lancashire primary schools within 2 miles and/or Lancashire secondary schools within 3 miles of the development are:</p> <ul style="list-style-type: none"> • Already over-subscribed, • Projected to become over-subscribed within 5 years, or • A development results in demand for a school site to be provided.

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			<p><u>Response to the consultation</u></p> <p>The submission version of the Barrowford Neighbourhood Plan is the latest and last opportunity to respond before the plan is submitted for independent inspection. Prior to this stage the School planning Team provided a response August 2018 providing an update of the current provision across the two primary schools, the table below updates the position as of January 2019.</p> <table border="1"> <thead> <tr> <th>Number on Roll</th> <th>2018</th> <th>2019</th> </tr> </thead> <tbody> <tr> <td>Barrowford St Thomas</td> <td>121</td> <td>122</td> </tr> <tr> <td>Barrowford School</td> <td>396</td> <td>374</td> </tr> </tbody> </table> <p>The strategic site at Trough Laithe remains as a significant contributor of school places within the area, the circa 500 dwellings have been included in the forecast for the area which predicts there to be a shortfall of places by 2031/32. This assumes that all dwellings will come forward by this time. In addition smaller developments with a planning area contribute to the impact of mainstream schools</p> <p>Previous consultations made reference to a new school, at this point School Planning would not be actively looking at providing a new school within the area and would review the potential capacities at existing schools. The education strategy sets out the preferred option would be to create additional places at existing school where possible through exploring existing internal capacity or through expansion where feasible.</p> <p>It is understood that the strategic site has not started to deliver new housing, however, the impact and potential financial contributions have been reviewed and forwarded to Pendle Planning Officers, the strategic sites remains under review. I conclusion Lancashire County Council will work closely with colleagues within Pendle BC Planning Department to monitor the progress of new housing across the district and the potential impact on the education provision. In conjunction with the latest stages of the districts emerging local plan adoption, Lancashire County Council welcome the opportunity to respond and engage with Parish Councils throughout the neighbourhood plan providing up to date information that helps shape the future of parish communities ensuring the right infrastructure is in place to meet the growing demand.</p>	Number on Roll	2018	2019	Barrowford St Thomas	121	122	Barrowford School	396	374
Number on Roll	2018	2019										
Barrowford St Thomas	121	122										
Barrowford School	396	374										
C0014	01543	PWA Planning Paul Walton	<p>1. INTRODUCTION</p> <p>1.1. PWA Planning is retained by Marcus Kinsman Limited (MKL), a company which has interests (alongside the joint landowners) in land within Barrowford, specifically land to the north of Wheatley Lane Road and south west of Pasture Lane and extending to some 10.5 hectares.</p> <p>1.2. It is intended that MKL will submit a planning application for a residential-led development before the end of summer 2019. The application will be supported by a suitable development partner, which will help to ensure a timely delivery of the proposed development, should planning permission be granted for the final proposals.</p>									

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			<p>1.3. In advance of an application, pre-application advice has been sought and provided by Pendle Council and such advice will be followed during the final preparation of the application and during its determination. In addition, submissions have been made to the Pendle Strategic Housing Land Availability Assessment (SHLAA) and appropriate representations will be made to the emerging Pendle Site Allocations DPD. A copy of the submissions made to the SHLAA is attached at Appendix 1 to this document and provides a plan of the proposed application site.</p> <p>1.4. As part of this process, it is considered appropriate for MKL to make suitable representations to the 2019 draft of the Barrowford Neighbourhood Plan (NP) given that this document will eventually form a part of the adopted development plan for Pendle and hence its content could help to inform the planning process and the determination of the planning application.</p> <p>2. COMMENTS ON NEIGHBOURHOOD PLAN (2019 DRAFT)</p> <p>2.1. MKL generally supports the content of the NP, which is a generally well-prepared document which looks to complement and support the main development strategy of the Pendle Local Plan in the manner expected of a neighbourhood plan, as set out in statute and as per national guidance contained in NPPF (Feb 2019). In particular ...</p> <p style="padding-left: 40px;">“Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.” (NPPF Paragraph 13)</p> <p style="padding-left: 40px;">“Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.” (NPPF Paragraph 29)</p> <p style="padding-left: 40px;">“Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.” (NPPF Footnote 16)</p> <p>2.2. A key consideration for MKL is the degree to which the NP would help support and guide sustainable residential-led development on the site in which MKL has an interest and which for which planning permission will be sought (identified in Appendix 1). The site sits on the edge of, but outside, the established settlement boundaries of Barrowford (as defined at Figure 2 of the NP). It is noted that in broad terms there is nothing within the NP which would preclude the grant of planning permission on land outside of the established settlement boundaries, though it is unclear how other policies of the NP might be applied to such developments and hence whether this is a missed opportunity.</p> <p>2.3. It is noted that the NP does not seek to include policies and allocations which aim to meet its identified housing requirement, preferring to leave this role to that of the Pendle Local Plan, through the Local Plan : Part 2 Site Allocations and Development Management Policies DPD, which is being progressed by Pendle Council. Paragraph 5.1.3 of the NP states that ...</p>

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			<p>“Any further allocations for housing will be dealt with in the Pendle Local Plan Part 2: Site Allocations and Development Management Policies, which Pendle Council is currently working on. The Council has published a draft breakdown of the housing requirement figure within the M65 Corridor for the settlements of Nelson, Colne and Brierfield and Barrowford.”</p> <p>2.4. Such an approach is supported by MKL, on the understanding that the lack of a specific land use allocation within the NP is not then seen as a barrier to residential, or other form, of development of any site which can otherwise provide for sustainable development and where it can support the wider housing needs of the area. It seems clear from the other statements within the NP that it is not the intention that the NP be used as a device to ‘block’ development which lies outside of the established settlement boundaries.</p> <p>2.5. MKL notes that the principal policy in the NP which deals with housing development is Policy BNDP01 – New Housing in Barrowford, which relates specifically to development proposals within the established settlement boundaries (plus the strategic allocation at Trough Laithe). The policy states that ...</p> <p>“Within the Barrowford settlement boundary (see Figure 2) new housing development proposals will be appropriate when they: ...”</p> <p>2.6. It then follows that the development of sites outside of the settlement boundary, will not then be subject to the requirements of Policy BNDP01, despite this being a policy aimed at delivering more sustainable forms of residential development. MKL believe this to be an oversight and a missed opportunity, given that it seems clear that, to meet its strategic housing requirement, it will be necessary for the local planning authority to positively support greenfield sites on the edge of existing settlements. Indeed this is explicitly provided for within the Pendle Local Plan : Part 1 Core Strategy which at Policy LIV1 states that ...</p> <p>“...To further encourage significant and early delivery of the housing requirement, proposals for new housing development will also be supported where they accord with other policies of the Core Strategy and are on:</p> <p>Non-allocated sites within a Settlement Boundary where they are sustainable and make a positive contribution to the five year supply of housing land;</p> <p><u>And until such time that the Council adopts the Pendle Local Plan Part 2: Site Allocations and Development Policies Sustainable sites outside but close to a Settlement Boundary, which make a positive contribution to the five year supply of housing land, including those identified in the Strategic Housing Land Availability Assessment (SHLAA).”</u></p>

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			<p>2.7. Such a situation is further recognised within the NP at paragraph 8.1.3 where it is acknowledged that ...</p> <p style="text-align: center;">“Development outside the settlement boundary will need to be considered in line with the NPPF and relevant Local Plan policies.”</p> <p>2.8. It is expected that the site controlled by MKL will be brought forward as a site which meets the criteria highlighted above within LIV1 of the Core Strategy, i.e. outside but close to a settlement boundary and which makes a positive contribution to the five year supply of housing land. This being the case it would seem to render the NP redundant in terms of shaping the type of development within the site. MKL believe that this would be a missed opportunity for the developers and the NP Group and the local community to work together to deliver a type of development which supports the aspirations within the NP.</p> <p>2.9. It is therefore suggested that Policy BNDP01 be amended in the following manner to address this issue. MKL has also made specific suggestions as to other changes which would help to ensure that the policy is more clearly defined (red highlighted text is additional / amended) ...</p> <p style="text-align: center;">1. Within the Barrowford settlement boundary (see Figure 2) and on other sustainable sites outside but close to the settlement boundary (which make a positive contribution to the five year supply of housing land) new housing development proposals will be appropriate when they:</p> <ul style="list-style-type: none"> a) are of high quality design; b) protect and enhance the Parish’s landscape settings in accordance with Policy BNDP 08 of this plan and Policy ENV1 of the Core Strategy; c) protect and wherever possible enhance designated and non-designated heritage assets in accordance with their significance; d) do not have a significantly adverse impact on residential amenity; e) do not lead to the development of residential gardens that would cause significant harm to the character of the village by reason of over-development (see 8.1.4), significant loss of useable garden spaces for both existing and proposed new properties, and loss of off-street car parking; f) are sustainably suitably located for the residents to access local facilities and services by active modes of travel; g) are appropriate to the surrounding local context (street/road/wider locality), in terms of size, scale, design and character, to its immediate setting; h) seek to incorporate green renewable technology and to reduce the overall “carbon footprint” of new developments, where permitted; i) use orientation of buildings to make best use of solar energy. <p>2.10. MKL supports the principles behind Policy BNDP02 – Infrastructure. It is a well understood principle within the planning system that new development proposals will directly help to mitigate any impacts which may arise as a result of the development proposals.</p>

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			<p>2.11. It is of course required that planning obligations aimed at enhancements to infrastructure of all forms remain subject to the statutory requirements laid down in the Community Infrastructure Regulations 2010. Planning Practice Guidance clarifies that ...</p> <p style="padding-left: 40px;">“Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework.” Paragraph: 002 Reference ID: 23b-002-20190315</p> <p>2.12. It is therefore important that in seeking to achieve the aspirations set out in Policy BNDP02 – Infrastructure, particularly where there is a perception of a pre-existing quantitative or qualitative deficiency or other local issue, to be aware that it is often not possible for individual development proposals to address such matters. Misconceptions that new development ought to address existing problems are common and it is important that NP policies do not give weight to such misunderstandings.</p> <p>2.13. MKL consider that Policy BNDP02 – Infrastructure should be amended to ensure that it is more positively worded, rather than appearing as a negatively framed policy whose aim is to resist new development proposals. It is therefore suggested that the policy be amended in the following manner ...</p> <p>“To mitigate the impact of development and to secure the necessary improvements to infrastructure within the village, the Parish council will work with other stakeholders to ensure that:</p> <ol style="list-style-type: none"> 1. Subject to compliance with other relevant policies new development proposals will be supported if the necessary infrastructure, facilities and services are capable of supporting the proposed development, or where mitigation can be provided as part of the development when necessary. This will allow the development to proceed without an unacceptable adverse impact on existing provision; 2. The local community through the Parish Council is given the opportunity to input into development proposals within the neighbourhood plan, such as those subject to Section 106 agreements and other planning obligations. <p>2.14. MKL supports the principles behind Policy BNDP03 – Travel and Transport, though again it is preferable that the policy is positively worded to support development proposals which address key concerns and where such development has potential to offer such benefits. MKL suggest that the policy be amended as follows :-</p> <ol style="list-style-type: none"> 1. New development proposals will be supported where they include measures that minimise the traffic impact on residents and other land uses. Proposals will be assessed in terms of the following: <ol style="list-style-type: none"> a) measures that seek to reduce the need to travel by road;

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			<p>b) measures that maximise the use of sustainable forms of transport, including the use of electric vehicles; c) inclusion of off-street car and other vehicle parking; d) street design that priorities prioritise safety for all pedestrians especially along Gisburn Road.</p> <p>2. Where possible, improvements to existing cycleways and footpaths should be considered demonstrated as part of any new development that has the potential to be accessed on foot or cycle and has implications for transport, in order to reduce the need to use the private car and maximise safety and connectivity through the village;</p> <p>3. New transport projects should preserve and enhance the historic character and street pattern of the village.</p> <p>2.15. MKL supports the principle that new development proposals should not cause significant material harm to interests of acknowledged importance. It is established practice that one such interest is landscape setting and impacts on this landscape setting can be a key consideration in any new development proposal. In principle therefore MKL supports Policy BNDP08 – Landscape Views. However given the highly subjective nature of these issues, it is important that this policy is not written in an overly prescriptive manner and is not then used as a tool to seek to frustrate new development proposals based around personal opinion as to the materiality and scale of any landscape impact. It is recognised that the policy supports the use of qualified landscape professionals in terms of undertaking assessments of impact and this is fully supported. MKL considers that Policy BNDP08 – Landscape Views could be amended slightly to improve its content and help to ensure it can be used objectively to support and enhance new development proposals. The following changes are suggested ...</p> <p>Some important local views and vistas are designated in Figure 10. Development within the plan area that has the potential to materially impact on these views and vistas will be expected required to meet the following criteria:</p> <p>1. Locally important views are valued considered special and new development proposals which have the potential to materially impact on these views must take into consideration any likely significant adverse impacts on these views through suitably accredited landscape appraisals and visual impact studies.</p> <p>2. Development proposals will be required to incorporate the following landscape design principles, when relevant:</p> <p>2.1. Height, scale, and form of buildings should not significantly adversely disrupt the visual amenities of the immediate surroundings or wider landscape views.</p> <p>2.2. Development proposals should give careful consideration to the light pollution which they produce. This should be minimised wherever possible, in particular, external and security lighting should be minimal, unobtrusive and energy efficient.</p> <p>2.3. Development proposals should conserve, and wherever possible restore and enhance important local historic landscape features such as parkland planting and structures, hedges, ancient woodland and traditional orchards.</p>

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			<p>Individual or small groups of mature and established trees, should be protected and incorporated into landscaping schemes wherever possible.</p> <p>2.16. With the above amendments, MKL would generally support the publication of the NP and would encourage the NP Group and others to use the plan in a positive manner to support new development proposals which have the potential to create sustainable patterns of development which can support the local community. For its part, MKL would be very pleased to engage with the local community, the NP Group and the Parish Council on its development proposals and to work with these groups to help in securing a development which responds to all of the development issues, including some of the those raised in the NP.</p> <p>Appendix 1: Copy of submissions by MKL to the call for sites / strategic housing land availability assessment</p>
CD015	00531	<p>Turley Anna Relph</p> <p>for Peel Investments (North) Ltd.</p>	<p>I am pleased to provide representations to the Barrowford Neighbourhood Plan (NP) – Submission Draft (January 2019) on behalf of Peel Investments (North) Ltd (“Peel”).</p> <p>Context Peel has previously made representations to the Regulation 14 consultation on the draft Neighbourhood Plan in December 2017. Peel also submitted representations to the Neighbourhood Plan in December 2018 after a further consultation on the Draft Neighbourhood Plan was started in December 2018, though that consultation was revoked. It has now been reopened and Peel’s representations are contained herein.</p> <p>As the Council is aware, Peel’s land and development interests within the Neighbourhood Plan area comprise the approved residential development at Trough Laithe, for which outline planning permission for up to 500 dwellings was granted in February 2017 (LPA ref. 13/15/0327P), as well as land immediately to the south at Riverside Business Park, which benefits from planning permission for a mix of uses, including offices, hotel, a pub / restaurant and a crèche. The first phase of development at Riverside Business Park, known as Vantage Court, was completed in 2008 and provides 3,710 sq m of office accommodation. Peel’s representations to the draft Neighbourhood Plan are made in the context of these development interests.</p> <p>Peel continues to support the progression of the Barrowford Neighbourhood Plan which, in general terms, reflects and recognises Barrowford’s development commitments in line with the adopted Pendle Core Strategy (December 2015). Peel would like to take this opportunity to provide further comments on detailed aspects of policies within the draft Neighbourhood Plan and the extent to which these meet the Basic Conditions tests and comply with national planning policy.</p> <p>Section 1: Vision Peel supports the Parish Council’s vision for Barrowford in 2030 and the key objectives that are identified in order to help achieve this vision. In particular, Peel supports the recognition of the importance of providing <i>“a wide variety of housing types suiting the needs of all sections of society”</i>.</p>

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			<p>This ambition reflects national planning policy which seeks to <i>“support the Government’s objective of significantly boosting the supply of homes”</i> by ensuring that <i>“a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay”</i>¹.</p> <p>Paragraph 1.3 of the draft NP notes that policies in the Plan <i>“will be given full weight by Pendle Council, in its role as the local planning authority, when considering planning applications within the parish / neighbourhood area”</i>. This reflects that, once it has been ‘made’, the NP will become part of the statutory development plan and its policies will take precedence over existing non-strategic policies in a local plan covering a neighbourhood area, where they are in conflict. However, national policy does confirm that, where a policy conflict arises, policies within a neighbourhood plan will be superseded by strategic or non-strategic policies that are adopted subsequently².</p> <p>Section 2: Introduction Figure 2 (on page 8 of the NP) shows the key Local Plan designations affecting the neighbourhood area, including the Strategic Housing Site at Trough Laithe and the Protected Employment Area at Riverside Business Park. This is an accurate reflection of the planning status of these sites.</p> <p>Section 5: Key Issues for Barrowford Chapter 5 of the NP identifies a number of ‘key issues’ for the Parish; those of relevance to Peel’s interests within the Parish relate to housing (section 5.1) and business and retail (section 5.5).</p> <p>Housing Paragraph 5.1.1 of the draft NP recognises that Barrowford is located within the ‘M65 Corridor’ and will <i>“play its role in providing appropriate housing and employment opportunities as well as continuing its role with the offer of niche retail”</i>.</p> <p>The adopted Core Strategy seeks to focus significant housing and employment growth within the M65 Corridor (Policies SPD2 and SDP3 relate). In terms of housing development, the Core Strategy anticipates that c. 70% of the new housing development required over the plan period (to 2030) will be located within the M65 Corridor, as recognised at Figure 3 of the draft NP.</p> <p>Paragraph 5.1.2 of the draft NP recognises that the Strategic Housing Site at Trough Laithe was allocated in the Core Strategy in order to increase housing delivery and that an outline planning application for up to 500 dwellings on the site has been approved.</p> <p>Footnote 3 of the draft NP states that the planning application for the Trough Laithe site was approved on 25 January 2016. That date is incorrect and should be updated to reflect that the application was approved, and outline planning permission granted, on 14 February 2017 (as stated on the decision notice).</p> <p>The draft NP goes on to state (at paragraph 5.1.3) that any further allocations for housing will be dealt with in the Pendle Local Plan Part 2: Site Allocations and Development Management Policies document. Whilst that document is still being prepared,</p>

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			<p>Pendle Council has published a draft breakdown of the housing requirement for the settlements within the M65 Corridor, including Barrowford.</p> <p>The Scoping Report and Methodology³ for the emerging Local Plan Part 2 (Site Allocations & Development Policies) indicates that 10% of the total requirement for new housing in the M65 Corridor will be directed towards Barrowford in order to meet housing needs and take account of the land that is potentially available, viability and the good level of service provision and facilities in the village, which additional development would help to support⁴.</p> <p>In total, it is expected that a further 230 dwellings will be required in Barrowford over the period to 2030, in addition to the delivery of 500 dwellings at Trough Laithe, completions since 2011 and existing commitments⁵. Pendle Council considers that this level of housing development “will help to meet the housing needs of Barrowford”⁶, but notes that the housing requirement for each settlement “should only be regarded as a minimum”⁷.</p> <p>The draft NP recognises the need to accommodate further housing development in Barrowford over the period to 2030, in addition to the delivery of the Trough Laithe site. The NP does not seek to identify additional sites to accommodate further housing development and instead defers this process to the Local Plan Part 2. The recognition that further housing development will be required broadly accords with national policy, which confirms that neighbourhood plan should not “promote less development than set out in the strategic policies for the area”⁸.</p> <p>Business and Retail</p> <p>Section 5.5 of the draft NP identifies ‘Business and Retail’ as a further ‘key issue’ for the Parish and, therefore, the Neighbourhood Plan. The text within Section 5.5 discusses the retail offer of Barrowford, but makes no reference to other forms of business and / or employment opportunities more generally. This section should be expanded to reflect the importance of the already developed accommodation at Riverside Business Park in terms of providing high-quality employment floorspace for local businesses.</p> <p>Section 7: NDP Vision & Objectives</p> <p>As noted above (in relation to Section 1), Peel supports the Parish Council’s vision for Barrowford in 2030 and the key objectives that are identified in order to help achieve this vision.</p> <p>The key objective relating to Housing at paragraph 7.2.1 of the NP supports this ambition, by seeking “to achieve a level of new housing which is appropriate to the village and its level of public services and infrastructure”.</p> <p>Delivery of housing at Trough Laithe Farm would help to achieve this ambition and accord with the strategic housing allocation in the adopted Core Strategy (Policy LIV2 relates). In particular, the site is capable of providing a range of housing sizes, types and tenures in order to respond to local needs.</p>

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			<p>Section 8: Barrowford Policies</p> <p><i>Policy BNDP01: New Housing in Barrowford</i> Draft Policy BNDP01 sets out a range of criteria which are intended to be taken into account when considering proposals for new housing within the settlement boundary. The principle of such a policy, which seeks to secure high quality development, is welcomed.</p> <p>Peel has previously commented on the detailed wording of Policy BNDP01 (see representations to Regulation 14 consultation), and suggested some minor amendments that are considered necessary to ensure that development is not unduly constrained and is able to come forward as needed, whilst being delivered in a manner that is compatible with wider objectives. It is noted that the changes previously suggested by Peel have not been incorporated into the Draft Neighbourhood Plan. These are critical to the ability of the Neighbourhood Plan to deliver the planned development requirements. Peel wishes to reiterate its request that the Neighbourhood Plan is updated to reflect these comments and suggested amendments.</p> <p>The suggested changes to Policy BNDP01 are summarised as follows (words in red denote additional text proposed):</p> <ul style="list-style-type: none"> • Criterion b) should read ‘seek to protect and enhance the Parish’s landscape settings in accordance with Policy BNDP 08 of this plan and Policy ENV 1 of the Core Strategy, where possible’ • Criterion c) should read ‘seek to conserve, protect and enhance designated and non-designated heritage assets in accordance with their significance’ • Criterion f) should read ‘are or can be made to be sustainability located for the residents to access local facilities and services by active modes of travel’ • Criterion g) should read ‘are appropriate to considered in the surrounding local context of its surroundings and seek to achieve a form of design (street / road / wider locality), in terms of size, scale, design and character, which responds positively to its immediate setting’ <p>It is also important that the Neighbourhood Plan adds to and complements the Core Strategy. It must not duplicate policy requirements that are in force through the Core Strategy. The issue of green and low carbon design (subject to criterion h of Draft Policy BNDP 01) is adequately covered within the Pendle Core Strategy (Policy ENV2), with very clear expectations as to the design standards sought and which will be enforced through the determination of planning applications. For this reason, Criterion h) does not have a clear purpose and should be removed.</p> <p>In the event that Criterion h is to remain, it should be amended to reflect the requirements of Policy ENV 2 of the Core Strategy to ensure consistency with this as required by the ‘Basic Conditions’ tests.</p> <p>Notwithstanding this, Peel also notes that Criterion h) is not sufficiently precise as to what is expected of new development in terms of incorporation of ‘green technology’ and ‘low carbon footprint.’ This creates uncertainty and risk in the planning system</p>

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			<p>and could stifle much needed development.</p> <p>Moreover, not all development will be capable of incorporating green and low carbon technology into the design. As a minimum Criterion h should be amended to confirm that the incorporation of green technology and low carbon footprint measures should be incorporated into development ‘where possible’.</p> <p>Policy BNDP02: Infrastructure Draft Policy BNDP02 seeks to permit new development only if the necessary infrastructure, facilities and services exist, or can be provided via the development, to enable the development to proceed without an unacceptable adverse impact on existing provision.</p> <p>Peel supports the objective of this policy, and recognises the importance of ensuring that infrastructure and services are able to cope with the anticipated demand generated by new development, and to secure improvements to existing provision where necessary. Such an approach aligns with national policy, as well as Policy SDP6 of the Core Strategy which encourages developers to engage with relevant utility and infrastructure providers to ensure that sufficient capacity is available, or can be made available, to allow their scheme to proceed.</p> <p>Part 2 of draft Policy BNDP02 indicates that the Parish Council will “input into development proposals within the neighbourhood plan area, such as those subject to Section 106 agreements and other planning obligations”.</p> <p>Barrowford Parish Council has the power to request that Pendle Council (as the Local Planning Authority) notifies them of any application for planning permission or approval of reserved matters within the parish⁹. This provides the Parish Council with the opportunity to comment on any relevant applications within the Barrowford Parish, including making any comments about infrastructure provision and any requirements for improvement. It will then be for Pendle Council, as the local planning authority, to determine whether the development proposals can be accommodated, and request financial contributions towards the improvement of relevant infrastructure / services where such requests meet the requirements of planning law¹⁰ and national planning policy¹¹.</p> <p>Policy BNDP03: Travel and Transport Draft Policy BNDP03 seeks to require new development proposal to “include measures that minimise the traffic impact on residents and other land uses”. This requirement goes well beyond national planning policy which confirms that: “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.” [our emphasis] As currently drafted, Policy BNDP03 fails to meet the ‘Basic Conditions’ as it does not have regard, or reflect, the approach in national policies.</p> <p>Policy BNDP07: Local Green Spaces Draft Policy BNDP07 identifies a number of sites which the Parish Council intend to designate as Local Green Space (LGS) under</p>

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			<p>provisions within the Framework (Paragraphs 99 and 100 of the revised Framework relate).</p> <p>The list of sites that the Parish Council wish to designate as Local Green Space includes '12. Trough Laithe Footpath and Wildlife Corridors'. Whilst the location / extent of this proposed designation is not shown on the corresponding plan (Figure 9), it is apparent from the explanatory text and description within the table on pages 52 and 53 of the draft NP that the footpaths / corridors referred to include those which cross the allocated Strategic Housing Site at Trough Laithe and the Protected Employment Area at Riverside Business Park.</p> <p>Peel objects to the proposed designation of the 'Trough Laithe Footpath and Wildlife Corridors' as Local Green Space, as proposed</p> <p>National policy makes clear that the designation of land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services¹². It goes on to confirm that the Local Green Space designation should only be used where the green space is:</p> <ul style="list-style-type: none"> (a) in reasonably close proximity to the community it serves; (b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and (c) local in character and is not an extensive tract of land¹³. <p>As the Parish Council recognise, the Trough Laithe site benefits from outline planning permission for up to 500 houses. The Parameters & Principles Plan¹⁴ approved as part of that permission indicates the location of parcels of residential development, as well as indicative areas of open space and structural planting. The areas of indicative open space shown include a central parcel beneath the existing pylons as well as a green buffer to the existing Public Right of Way (PROW) that crosses the site. The approved drawing provides a clear framework for future developer(s) / housebuilder(s) to work from when preparing detailed proposals for the 'Reserved Matters' comprising layout, landscaping, scale and appearance. Detailed discussions will take place at that time, as part of the statutory period of consultation required on an application for the approval of reserved matters, including in relation to the treatment of the PROW and open space provision.</p> <p>The proposed designation of the 'Trough Laithe Footpath and Wildlife Corridors' as Local Green Space fails to reflect national planning policy and the allocation of the wider Trough Laith site as a Strategic Housing Site within the adopted Core Strategy. The policy therefore, as currently drafted, fails to have appropriate regard to national policy and is not in general conformity with strategic local planning policy.</p> <p>It is recommended that reference to 'Trough Laithe Footpath and Wildlife Corridors' be removed from Policy BNDP07 to ensure that the Neighbourhood Plan meets the 'basic conditions'.</p>

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			<p>Policy BNDP09: Green Infrastructure</p> <p>Peel’s previous representations to the Neighbourhood Plan provided comments on Policy BNDP09 which do not appear to have been taken into account in updating the Neighbourhood Plan. These are reiterated through this representation with a repeated request that the Neighbourhood Plan is updated to reflect these comments and in order that the development needs of Barrowford can be met without undue restriction.</p> <p>Part 1 of Draft Policy BNDP09 refers to green infrastructure which should be protected and enhanced for their recreational and ecological value. The policy should be clear that the protection afforded to these green infrastructure assets only extends to a protection of their recreation and ecological function, not protection per se. Suggested alternative wording to achieve this is provided below:</p> <p><i>‘The recreation and ecological function of Barrowford’s green infrastructure, comprising its network of paths, fields, watercourses and water features, woodland, grassland and other green infrastructure features should be protected and enhanced where possible.’</i></p> <p>A consequential amendment to Part 2 should be made:</p> <p><i>‘Development proposals should seek to maintain the recreation and ecological function of the green infrastructure network and, where possible, should enhance this function by creating new connections and links in the network; restoring existing green infrastructure; or by introducing new features that enhance the existing recreation and ecological function of the green infrastructure network’</i></p> <p>In respect of Part 3, the requirement to restrict development which ‘severs’ the network of green infrastructure unless compensatory measures are taken to provide a suitable reconnection of the severed areas is understood.</p> <p>However, the requirement to restrict development which ‘disrupts’ this is not appropriate. Disruption in this context is a somewhat ambiguous term. For instance, it could be interpreted as meaning the connectivity of green infrastructure must remain wholly unchanged in terms of the route of the connections and the character and condition of the land which these connections pass through. This places an onerous restriction on how land which, aside from a Public Right of Way running through it, may have no recreational value and is not otherwise worthy of protection, is used in the future. The use of the word ‘disrupt’ should be removed from Part 3 of the policy therefore.</p> <p>The integrity and connectivity of the green infrastructure network can be protected through the ‘severing’ restriction imposed by Part 3. There is no overriding requirement for the additional ‘disruption’ restriction which is onerous, open to wide interpretation and which potentially presents an unintended constraint to Barrowford and the wider Borough meeting its development requirements.</p>

Comment ID	Representor ID	Organisation / Representor	Verbatim Comments
			<p>-----</p> <ol style="list-style-type: none"> 1. Paragraph 59, National Planning Policy Framework (MHCLG, February 2019) 2. Paragraph 30, National Planning Policy Framework (MHCLG, February 2019) 3. Pendle Council, October 2016 4. Table 3.10: Proposed Spatial Distribution of New Housing in Pendle, 2011-2030, Local Plan Part 2: Scoping Report & Methodology (Pendle Council, October 2016) 5. Table 3.11: Proposed Distribution of New Housing in Pendle, 2011-2030, Local Plan Part 2: Scoping Report & Methodology (Pendle Council, October 2016) 6. Table 3.10: Proposed Spatial Distribution of New Housing in Pendle, 2011-2030, Local Plan Part 2: Scoping Report & Methodology (Pendle Council, October 2016) 7. Paragraph 3.63, Local Plan Part 2: Scoping Report & Methodology (Pendle Council, October 2016) 8. Paragraph 29, National Planning Policy Framework (MHCLG, February 2019) 9. Schedule 1, Paragraph 8, Town and Country Planning Act 1990 (as amended) 10. Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) 11. Paragraph 56, National Planning Policy Framework (MHCLG, February 2019) 12. Paragraph 99, National Planning Policy Framework (MCHLG, July 2018) 13. Paragraph 100, National Planning Policy Framework (MCHLG, July 2018) 14. Drawing no. 145H-82B