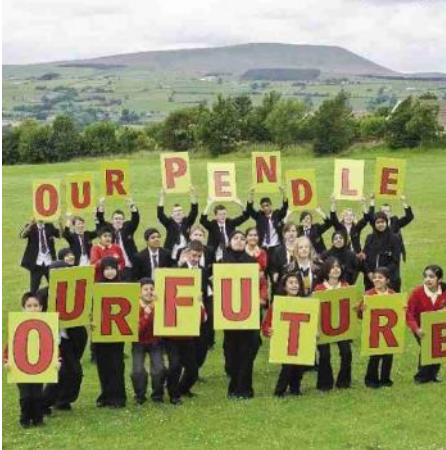


# Pendle Local Plan Part 2



## Site Allocations and Development Policies Preferred Options Report

February 2021



**Cover Photos:**

- Pendle Hill from Boulsworth (Lee Johnson)
- The Shuttle, Nelson Town Centre (Andy Ford / Eightimaging)
- Spring Mill, Fence (Skipton Properties)

## Foreword

### Pendle is a great place to live, work and enjoy life to the full

Attractive villages and hamlets nestle in the shadow of the borough's very own three peaks: Pendle, Weets and Boulsworth. Not too long ago, the fast flowing streams tumbling down their slopes powered the mills that fuelled the industrial revolution. Its legacy is borough rich with history and home to a highly skilled and industrious workforce.

Many world leading manufacturers are proud to call Pendle home. Rolls-Royce is at the heart of the largest aerospace manufacturing cluster in the country. In 1985, two of its former employees founded Hope Technology, a company that is leading innovation in the manufacture of bicycle components. The growth in popularity of cycling, athletics and endurance sports has also seen Science in Sport (SiS) emerge as a leading brand in sports nutrition for elite athletes and enthusiasts.

This entrepreneurial activity takes place amongst some of the most unspoilt, yet easily accessible landscapes in the country. They provide residents and visitors alike with the opportunity to enjoy the best of our natural environment.

The Forest of Bowland Area of Outstanding Natural Beauty (AONB) lies in the shadow of Pendle Hill. The area is famous for its association with the Pendle Witch trials of 1612. The South Pennine Moors are a Site of Special Scientific Interest (SSSI) renowned for their upland bird populations. These moors were the inspiration for the novel Wuthering Heights by Emily Brontë. Her sister Charlotte was also inspired by the area, with Wycoller Hall believed to be Ferndean Manor in her novel Jane Eyre.

With such riches, it's no surprise that walking and cycling are popular in Pendle. The Pendle Walking Festival is one of the longest running and most popular events of its kind in the country. The borough is also a mecca for amateur and professional cyclists. The Steven Burke Cycle and Sports Hub on the outskirts of Nelson is named after our very own Olympic gold medallist. British Cycling held the 2010 National Road Race Championship on the slopes of Pendle Hill. And in 2015 Stage 2 of the Tour of Britain finished on the high street in Colne. This historic market town also hosts the Colne Grand Prix, a closed circuit cycle race held every year since 2004.

With so much to enjoy and be proud about, it is important that future growth and development respects and, wherever possible, enhances the natural and built environment to further improve the quality of life for local people.

We care about our communities. It is important that this plan addresses the challenges they face today and recognises those that lie ahead.

We are living longer and expect to enjoy good health and greater prosperity in the years ahead. New homes are needed to help diversify the housing stock; deal with the needs of an aging population and attract new people into the area. New businesses will provide additional employment opportunities, meaning that fewer residents will have to travel outside the borough for work. They will also help to diversify and strengthen our local economy, making it more resilient in difficult times. Rapid advances in technology are changing how we communicate and the way we shop and our town centres need to adapt to meet this challenge.

I would like to take this opportunity to thank everyone who has taken time to comment during the preparation of this plan, and helped to shape the future of Pendle.



Councillor Mohammed Iqbal  
Leader of Pendle Council  
November 2020

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# 1. Introduction

## Why do we need a Local Plan?

- 1.1 Pendle Council is the local planning authority. As such, the government requires us to prepare a Local Plan. The role of the Local Plan is to set out our long term strategy for development and determine where growth should take place.
- 1.2 We adopted our first Local Plan in January 1999. This was replaced in May 2006. We are currently preparing a new two-part Local Plan.
1. [Pendle Local Plan Part 1: Core Strategy](#) was adopted in December 2015. It addresses eight priority goals that seek to deliver long term benefits for our community. To do this it uses 11 strategic objectives to guide development in Pendle from 2011-2030.
  2. [Pendle Local Plan Part 2: Site Allocations and Development Policies](#), allocates land for new development. It also designates areas where environmental protection is important. Planning policies set out detailed requirements for new development in the borough. They also provide guidance for officers who determine applications for planning permission.
- 1.3 We prepare the Local Plan in consultation with the local community and neighbouring authorities.

## What is a Local Plan?

- 1.4 Our Local Plan sets out a vision for the future of the Borough. The strategic policies it contains:
- Provide a positive response to our future growth and development needs
  - Establish a framework the preparation of neighbourhood plans
- 1.5 The policies and site allocations in the Local Plan describe the development that will happen during the lifetime of the plan. They also indicate where and when this development will occur. Their key objectives are to:
- Promote sustainable development
  - Stimulate economic and housing growth
  - Address climate change
  - Preserve and enhance the natural and historic environment
  - Encourage high quality design
  - Improve connectivity between places
  - Embrace community engagement

## Introduction

- 1.6 Once it has been adopted by the Council, the Local Plan becomes part of the [Development Plan](#) for the borough (see below). The policies and site allocations in the Local Plan provide the starting point for considering if applications for planning permission should be approved.
- 1.7 The [strategic planning policies](#) in the Core Strategy represent the foundations for future development and growth in the borough. They also provide the framework that [neighbourhood planning](#) must operate within. The Local Plan Part 2 includes two additional strategic planning policies. It also reconsiders the housing requirement figure set out in [Policy LIV1](#). This is necessary to take account of government guidance that has been issued since it was adopted in 2015 (See Policy LIV6).
- 1.8 Government legislation sets out the purpose and content of Local Plans. This information is in various Acts of Parliament and Statutory Instruments:
- [The Town and Country Planning Act 1990](#)
  - [Planning and Compulsory Purchase Act 2004](#)
  - [Planning Act 2008](#)
  - [Localism Act 2011](#)
  - [Housing and Planning Act 2016](#)
- 1.9 The Government also issues Regulations. These outline the detailed requirements to support the duties set out in these Acts. Parliament passes these Regulations, which are legally binding. Those influencing the preparation and content of Local Plans are:
- [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)
- 1.10 The [National Planning Policy Framework \(NPPF\)](#) addresses the economic, social and environmental needs of the nation.<sup>1</sup> It should be read in conjunction with the Government's [planning policy for traveller sites](#) and the [national planning policy for waste](#).
- 1.11 Section 3 of the NPPF sets clear expectations on how to develop a Local Plan. This is to ensure that it is justified, effective and consistent with national policy.
- 1.12 The NPPF is not prescriptive. As its name suggests, it provides a framework for the preparation of locally distinctive Plans. It makes clear that:
- Local Plans are central to the planning system in England;
  - There should be “a presumption in favour of sustainable development” and any planning applications that promote sustainable development, should normally be permitted; and
  - The purpose of planning is to help achieve sustainable development, but not at any cost.
- 1.13 When complete, the Local Plan should represent an ‘appropriate strategy’ when assessed against an adequate and proportionate evidence base, which is relevant, up-to-date and takes account of market signals (paragraph 31).

<sup>1</sup> All references to the NPPF relate to the version published on 19 February 2019, unless otherwise stated.

## Introduction

- 1.14 [Planning Practice Guidance](#) (PPG) sets out how to apply the planning policies in the NPPF. It was first published on 6 March 2014 and is regularly updated by the Government. The [guidance on plan-making](#) makes clear that the Local Plan must:
- Be positively prepared in cooperation with the local community, key stakeholders and other interested parties;
  - Set out broad locations and specific allocations of land for different purposes;
  - Highlight areas where particular opportunities or considerations apply (e.g. protected areas within the natural and historic environment);
  - Establish criteria-based policies to be taken into account by officers when considering planning applications for new development; and
  - Illustrate the geographical application of policies in the plan on the Policies Map.
- 1.15 The Local Plan must be subject to Sustainability Appraisal. This sets out how the Local Plan will help to achieve relevant environmental, economic and social objectives. It then judges the plan proposals against any reasonable alternatives.
- 1.16 The sustainability appraisal process meets the legal requirement for Strategic Environmental Assessment (SEA). If it reveals that the Local Plan is likely to affect certain habitats or species a Habitat Regulations Assessment (HRA) may also be needed.

### Neighbourhood Plans

- 1.17 To give local communities an opportunity to influence development in their area, the Localism Act 2011 enabled Parish and Town Councils to prepare Neighbourhood Plans. The Legislation governing the production and content these plans is in the following documents.
- [Localism Act 2011](#)
  - [The Neighbourhood Planning \(General\) Regulations 2012.](#)
  - [The Neighbourhood Planning Act 2017](#)
- 1.18 If successful at referendum, Neighbourhood Plans become part of the Development Plan. We then use their policies to determine planning applications. Details about where developers must consider policies in a Neighbourhood Plan are on our website:
- [www.pendle.gov.uk/neighbourhoodplans](http://www.pendle.gov.uk/neighbourhoodplans)

### The Development Plan

- 1.19 Planning Law<sup>2</sup> requires decisions on whether to grant or refuse an application for planning permission to be taken in accordance with the Development Plan, unless material considerations<sup>3</sup> indicate otherwise.

<sup>2</sup> As set out in [section 70\(2\) of the Town and Country Planning Act 1990](#) and [section 38\(6\) of the Planning and Compulsory Purchase Act 2004](#).

<sup>3</sup> A material consideration is a matter that should be taken into account when deciding a planning application or at an appeal against a planning decision.



## Introduction

- 1.20 The Development Plan is a set of statutory<sup>4</sup> documents that are used to guide the nature and location of development. The policies within them ensure that the decisions taken by planning officers are rational and consistent.
- 1.21 The Development Plan for Pendle includes:
- The Pendle Local Plan;
  - The Joint Lancashire Minerals and Waste Local Plan; and
  - Any Area Action Plans or Neighbourhood Plans that have been adopted.
- 1.22 The policies in a Development Plan Document (DPD) can be used to determine planning applications from the date they are first published. The NPPF (paragraph 48) sets out the weight you should give to these policies in decision taking. As a “rule of thumb” the more advanced a plan is, the greater the weight you must give to the policies within it.

### Pre-application Advice

- 1.23 You are advised to book a pre-application discussion with a planning officer before submitting a planning application. For a small fee they are able to offer detailed guidance and advice about your development proposals.

**Note:**

The Pendle Local Plan should be read as a whole alongside the accompanying **Policies Map** and any other documents that form part of the Development Plan for Pendle.

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<sup>4</sup> Statutory in this context refers to written law introduced by the national government.

## 2. Our Spatial Strategy: Where and How We Will Deliver

### Introduction

- 2.1 Our spatial strategy establishes the key principles that will guide development in the Borough up to 2030. It is the basis for the Council's promotion of, and support for, sustainable development in Pendle.

### Strategic Planning Policies

- 2.2 The policies in [Pendle Local Plan Part 1: Core Strategy \(2015\)](#) and the two in this section represent the strategic planning policies for Pendle. They are listed in Table 2.1 (below), for the avoidance of doubt.

**Table 2.1 – Strategic Planning Policies for Pendle**

Policy	Title	LP1	LP2
<b>SDP 1</b>	Presumption in Favour of Sustainable Development	✓	
<b>SDP 2</b>	Spatial Development Principles	✓	
<b>SDP 3</b>	Housing Distribution	✓	
<b>SDP 4</b>	Employment Distribution	✓	
<b>SDP 5</b>	Retail Distribution	✓	
<b>SDP 6</b>	Future Infrastructure Requirements	✓	
<b>SDP 7</b>	Settlement Boundaries		✓
<b>SDP 8</b>	Developer Contributions and Infrastructure		✓
<b>SDP 9</b>	South Pennine Moors		✓
<b>ENV 1</b>	Protecting and Enhancing Our Natural and Historic Environments	✓	
<b>ENV 2</b>	Achieving Quality in Design and Conservation	✓	
<b>ENV 3</b>	Renewable and Low Carbon Energy Generation	✓	
<b>ENV 4</b>	Promoting Sustainable Travel	✓	
<b>ENV 5</b>	Pollution and Unstable Land	✓	
<b>ENV 6</b>	Waste Management	✓	
<b>ENV 7</b>	Water Management	✓	
<b>LIV 1</b>	Housing Provision and Delivery*	✓	
<b>LIV 2</b>	Strategic Housing Site: Trough Laithe	✓	
<b>LIV 3</b>	Housing Needs	✓	
<b>LIV 4</b>	Affordable Housing	✓	
<b>LIV 5</b>	Designing Better Places to Live	✓	
<b>WRK 1</b>	Strengthening the Local Economy	✓	
<b>WRK 2</b>	Employment Land Supply	✓	
<b>WRK 3</b>	Strategic Employment Site: Lomeshaye	✓	
<b>WRK 4</b>	Retailing and Town Centres*	✓	

## Our Spatial Strategy

Policy	Title	LP1	LP2
<b>WRK 5</b>	Tourism, Leisure and Culture	✓	
<b>WRK 6</b>	Designing Better Places to Work	✓	
<b>SUP 1</b>	Community Facilities	✓	
<b>SUP 2</b>	Health and Well-being	✓	
<b>SUP 3</b>	Education and Training	✓	
<b>SUP 4</b>	Designing Better Public Places	✓	

**Key:**

LP1 = Pendle Local Plan Part 1: Core Strategy

LP2 = Pendle Local Plan Part 2: Site Allocations and Development Policies

\* Indicates Strategic Policies of the Pendle Local Plan Part 1: Core Strategy which are updated and superseded by policies of the Pendle Local Plan Part 2: Site Allocations and Development Policies.

## Our Spatial Strategy

**Policy SDP7: Settlement Boundaries****Justification**

- 2.3 The NPPF requires Plans and decisions to apply a presumption in favour of sustainable development (paragraph 11). Plans should seek to “actively manage patterns of growth” to promote the use of public transport, walking and cycling. They should also “focus significant development in locations which are or can be made sustainable” (paragraph 103).
- 2.4 Settlement boundaries are used to direct development to the most sustainable locations. In doing so they help to protect the character of our countryside, villages and towns.
- 2.5 Settlement boundaries define where certain planning policies will and won’t be applied. They do not always include the full extent of the built up area. For example, ribbon development extending out along a main road is often excluded. Nor do settlement boundaries define the limit of the built up area. Any undeveloped land that it is necessary to build on, during the lifetime of the plan, will often be within them.
- 2.6 There is usually a presumption in favour of sustainable development within a settlement boundary. Land and buildings outside the settlement boundary are considered to be in the open countryside ([Policy ENV8](#)). Here development is subject to stricter planning policies and will only be permitted where the proposal:
- requires a countryside location;
  - meets an essential local need; or
  - supports rural diversification and sustainability of the countryside
- 2.7 Within the Forest of Bowland Area of Outstanding Natural Beauty (AONB), including within the defined settlement boundary of Barley, Newchurch-in-Pendle, Roughlee with Crow Trees, and Spen Brook proposals will also be examined in accordance with Policy ENV10.
- 2.8 The use of settlement boundaries helps to prevent the large urban area in the M65 Corridor merging with nearby rural settlements. The requirements of [Policy ENV8](#) and [Policy ENV11](#) are also relevant here.
- 2.9 Focusing development within our urban areas helps to promote urban renaissance by promoting the redevelopment of derelict sites and the conversion of vacant buildings. In turn this helps to support regeneration initiatives and improve the quality of the built environment. It also helps to support our established network of community facilities and services and enhances the prospects of improving them.
- 2.10 Promoting sustainable patterns of development provides a positive response to the Council’s declaration of a Climate Emergency.<sup>5</sup> It helps to promote walking and cycling and reduce the number of individual journeys that need to be made by car.

<sup>5</sup> Pendle Council is one of many local government administrations across the world to declare a Climate Emergency. This declaration is an acknowledgement that global warming exists. It is also an acceptance that

## Our Spatial Strategy

- 2.11 The settlement boundaries in this Plan are largely carried over from the Replacement Pendle Local Plan (2001-2016), adopted in May 2006. The approach for defining them remains sound. Where necessary amendments have been made to address any:
- Development that has taken place after 2006;
  - Development proposals set out in this Plan; and
  - Minor mapping errors.
- 2.12 The following principles guide how the settlement boundaries have been drawn:
- The settlement boundary encloses the existing built-up area. It includes any urban open spaces (e.g. parks and allotments), which form an integral part of the built-up area;
  - Natural open spaces adjoining the built-up area are not included. A possible exception is land enclosed by a major road or other clearly defined boundary;
  - Schools, sports centres and community halls, with functionally related grounds, are included. Buildings primarily associated with an open space use (e.g. club houses and changing facilities) are excluded; and
  - Sites adjoining the built up area where development is expected to occur, will be included if they are:
    - Allocated in this Plan or an adopted DPD;
    - Have the benefit of an extant planning permission; and
    - They meet the above criteria.

### Policy SDP7

#### Settlement Boundaries

1. Boundaries for the settlements listed in [Policy SDP2](#) are defined on the Policies Map.
2. There is a presumption in favour of sustainable development within a designated settlement boundary.
3. Within the settlement boundary proposals for development on previously developed (Brownfield) land are encouraged, subject to satisfying other policies in the Local Plan.
4. Outside the settlement boundary policies relevant to the open countryside apply (see [Policy ENV8](#)).
5. The following villages and hamlets do not have a defined settlement boundary and are situated within the open countryside (see [Policy ENV8](#)).
  - Bracewell
  - Winewall
  - Wycoller

the actions taken to date are not enough to limit the changes that it has generated. The decision stresses the need to adopt measures that try to mitigate or stop human-caused global warming.

## Our Spatial Strategy

### Monitoring and Delivery

<b>Strategic Objectives</b>	1 • 2 • 4 • 9 • 10	
<b>Local Plan Part 1 Policies</b>	SDP2 • SDP3 • ENV1	
<b>Local Plan Part 2 Policies</b>	ENV8 • ENV10 • ENV11 • LIV6 • LIV7 • LIV8 • WRK7 • SUP5	
<b>Targets</b>	<ul style="list-style-type: none"> <li>• Maintain integrity of settlement boundaries through decision making.</li> <li>• Delivery of development in accordance with the spatial strategy.</li> <li>• Increase the amount of development (housing, employment, retail and leisure) on previously developed land, and undesignated land within settlement boundaries.</li> <li>• Secure the delivery of identified allocations</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• Failure to demonstrate a deliverable five year land supply</li> <li>• Drop in housing delivery below 85% of need as set out in Housing Delivery Test</li> <li>• 50% or less of new development has occurred on Previously Development Land by 2025</li> <li>• No planning application on each allocated site by 2025</li> </ul>	
<b>Indicators</b>	SD01	Amount of new development completed in each settlement (in ha)
	SD02	Amount of new development completed within the settlement boundary
	SD03	Amount of new development completed on PDL (Borough wide)
	HS01	Number of new homes built over time (including by location)
	EC01	Amount of Employment Land completed over time (including by location)
		Site specific monitoring
<b>Delivery Agencies</b>	Pendle Council, Parish and Town Councils	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Pendle Local Plan</li> <li>• Determination of planning applications</li> <li>• Neighbourhood Plans</li> </ul>	



## Our Spatial Strategy

<b>Risks</b>	<ul style="list-style-type: none"> <li>• Only Greenfield sites are viable (L/M)</li> <li>• Only sites outside a designated settlement boundary are deliverable (L/M)</li> <li>• Funding is not available to make urban Brownfield sites viable to deliver (M)</li> <li>• Allocated sites fail to come forward (L)</li> <li>• A five year supply of sites cannot be maintained (L)</li> </ul>
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Liaise with key partners (e.g. HCA, PEARL, LEP) and private developers to bring forward sites within a designated settlement boundary</li> <li>• Housing Delivery Action Plan</li> <li>• Release of Reserve Sites</li> <li>• Determination of development in accordance with criteria set out in ENV8 and Paragraph 11 of the NPPF</li> <li>• Review of the Local Plan</li> </ul>
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Housing Delivery Test</li> <li>• Pendle Strategic Housing Land Availability Assessment</li> </ul>

## Policy SDP8: Developer Contributions and Infrastructure

### Justification

- 2.13 There is an expectation that developers address any adverse impacts arising from their development. Contributions will provide new physical or social infrastructure. They could also help to bring about economic or environmental benefits.
- 2.14 Developer contributions is the collective term used to describe arrange of payments that are used to help mitigate the impact of unacceptable development and make it acceptable in planning terms. These include:
- planning obligations secured under [Section 106 of the Town and Country Planning Act 1990](#) (as amended),
  - highway contributions secured under [Section 278 of the Highways Act 1980](#); or
  - payments secured through the Community Infrastructure Levy (CIL).<sup>6</sup>
- 2.15 Section 106 agreements focus on site specific interventions. They must be commensurate with the scale and type of development proposed. Anyone with an interest in land may enter into a planning obligation, which is enforceable by the local planning authority. Obligations may:
1. Restrict the development or use of land
  2. Require operations to be carried out in, on, under or over the land
  3. Require the land to be used in any specified way; or
  4. Require payments to be made to the local planning authority, either in a single sum or periodically.
- 2.16 [Regulation 122 of The Community Infrastructure Levy Regulations 2010](#) makes clear that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- a. necessary to make the development acceptable in planning terms;
  - b. directly related to the development; and
  - c. fairly and reasonably related in scale and kind to the development.
- 2.17 If an agreement is not complied with, it is enforceable against the person that entered into the obligation and any subsequent owner. Where there is a breach of the obligation the local planning authority can take direct action and recover expenses.
- 2.18 CIL represents a tax on development to fund the wide range of infrastructure needed as a result of development. Legislation is clear that the purpose of CIL is to ensure that *“all costs incurred in supporting the development of an area can be funded (wholly or partly) by owners or developers of land in a way that does not make development of the area economically unviable”*.<sup>7</sup>

<sup>6</sup> A CIL Charging Schedule sets the rates to be levied on new development. The Council has not adopted a CIL Charging Schedule due to concerns about viability.

<sup>7</sup> s. 205(2) of the Planning Act 2008 as amended by Part 6 Chapter 2 of the Localism Act 2011 s. 115(2)

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## Our Spatial Strategy

- 2.19 The requirements for developer contributions are set out in paragraphs 34 and 57 of the NPPF.
- 2.20 Paragraph 34 requires the contributions expected from new development to be set out in plans. This includes the *“levels and types of affordable housing provision required”*. It is important to find a working balance and set realistic expectations. Such policies *“should not undermine the deliverability of the plan”*.
- 2.21 Paragraph 57 states that planning applications *“should be assumed to be viable”* where they are compliant with up-to-date policies in an adopted plan that sets out the contributions expected from development.
- 2.22 After the costs of development have been met, the margin of profit must be great enough to provide a competitive return to the developer. [The PPG on Viability](#) makes clear that for the purpose of plan making an assumption of 15-20% of gross development value (GDV) is considered to offer a suitable return to developers in order to establish the viability of plan policies [Paragraph Reference ID: 10-018-20190509]. The Pendle Development Viability Study informs the level of contributions sought through Local Plan policies. It considers the economic case of development, relative to the level of risk.
- 2.23 The burden is on the applicant to show the *“particular circumstances”* which may *“justify the need for a viability assessment at the application stage”*. The standardised inputs to viability assessment are the same at the plan-making and application stages.
- 2.24 The planning guidance on viability explains that the intention is to address the price paid for land by developers, which *“under no circumstances will [...] be relevant justification for failing to accord with relevant policies in the plan”*.
- 2.25 Developer contributions from any number of schemes can be pooled. Each request must satisfy the relevant legal and policy tests. Pooling payments can help to provide large scale infrastructure projects that offer wider economic, environmental or social benefits.
- 2.26 The role of developer contributions going forward is likely to change. The report published by the governments [CIL Review Group](#) (2016) announced that replacement of CIL with a new *“streamlined low-level tariff”* should be considered.
- 2.27 The new tariff would be set at a lower rate than CIL but would capture far more developments. It would be mandatory for all local authorities and will apply to all developments. Any amendments to CIL and Section 106 agreements will be addressed through secondary legislation.
- 2.28 Lancashire County Council has published a non-statutory [Infrastructure and Planning](#) policy document. This sets out how LCC will engage with and inform the outcomes of the planning process, as an infrastructure provider that is potentially impacted on by proposed developments. The appendices to this document address contributions for highways; education; drainage and flood management.

## Our Spatial Strategy

- 2.29 Applicants are encouraged to seek pre-application advice from Pendle Council, Lancashire County Council and contact key infrastructure providers. This will help to identify and understand any capacity issues affecting highways, flood risk, school places, utilities (i.e. water supply, sewerage, electricity, gas) and broadband; helping to minimise delay at the application stage.

### Policy SDP8

#### Developer Contributions and Infrastructure

1. To ensure that new development is acceptable in planning terms, it will only be permitted where:
  - a. adequate infrastructure to serve the proposed development can be shown to exist, without prejudicing existing users; or
  - b. any shortfall in the capacity of the existing infrastructure can be enhanced to serve the needs of existing users and the proposed development; or
  - c. new infrastructure can be provided to meet the additional needs of the proposed development, either as part of the development or through a financial contribution equivalent to the cost of remedying the infrastructure shortfall.
2. Where necessary and appropriate, fair and proportionate developer contributions will be sought from development to:
  - a. Secure new or improved services, facilities or infrastructure provision, and/or
  - b. Support affordable housing provision as set-out in [Policy LIV9](#); and/or
  - c. Make the development acceptable, in planning terms, through a legal agreement.
3. It is the responsibility of the applicant to justify the need for any review of viability at the application stage. Claims will be verified using an open book financial appraisal by an independent third party, prior to the submission of a planning application. The cost of this are to be met by the applicant.
4. The charging mechanisms by which developer contributions are achieved will be kept under review. If national policy and/or evidence show that economic viability in the borough has improved, the introduction of CIL (or a subsequent charging mechanism), to support wider infrastructure delivery in the area, may be introduced.

### Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 4 • 5 • 6 • 8 • 9 • 10
<b>Local Plan Part 1 Policies</b>	SDP6 • ENV1 • ENV3 • ENV5 • LIV4 • SUP3
<b>Local Plan Part 2 Policies</b>	LIV7 • LIV8 • WRK7
<b>Targets</b>	<ul style="list-style-type: none"> <li>• To deliver the necessary infrastructure to support proposed development</li> <li>• Delivery of minimum development requirements</li> </ul>

## Our Spatial Strategy

	<ul style="list-style-type: none"> <li>• Maximise affordable housing provision</li> <li>• Secure net increase in biodiversity, including:             <ul style="list-style-type: none"> <li>– Amount of locally designated sites (in ha);</li> <li>– Planted woodland</li> <li>– Overall extent of land supporting s41 Priority Habitats and Spaces.</li> </ul> </li> <li>• Increased provision and quality of open space in development.</li> <li>• Support and maintain local service provision and quality.</li> <li>• Reduce dependency on fossil fuels</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• Schemes essential to plan delivery, as identified in the Infrastructure Delivery Schedule, are not progressed in line with the adopted timetable.</li> <li>• Permitted/allocated sites stall or do not deliver as anticipated.</li> <li>• Affordable housing completions fall below the requirements of Policy LIV4</li> <li>• The Open Space Audit indicates/anticipate a shortfall in quantum and/or quality of an open space typology</li> <li>• The development would result in a shortfall of school places, require the need for additional education resources, and/or lead to greater pressures on frontline healthcare services.</li> <li>• The development would result in adverse impacts to highway safety and/or capacity, and public transport services.</li> <li>• Insufficient means is provided for the generation of electricity via renewable energy resources and reducing the proposed development's carbon footprint.</li> <li>• The development does not deliver a net gain for biodiversity.</li> </ul>	
<b>Indicators</b>	SD04	Progress against the Infrastructure Delivery Schedule
	EN01	Amount of energy generated by renewable sources for completed developments and those with planning permission.
	EN06	Number of new developments completed which incorporate beneficial biodiversity features
	EN08	Quality of open space by location using quality scoring and Green Flag standards

## Our Spatial Strategy

	HS01	Number of new homes built over time (including by location)
	HS05	Number of affordable homes completed by tenure and location
	HS06	Number of affordable homes granted permission by location.
	EC01	Amount of employment land completed over time by type and location
	CM04	Number of completed community facilities by type and location.
<b>Delivery Agencies</b>	Pendle Borough Council, Parish and Town Councils, private developers, Lancashire County Council, infrastructure providers, utility companies, the Environment Agency, the National Health Service and emergency services, registered providers, Pendle Leisure Trust.	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>Through the Development Management process, by way of S.106 Agreement or Community Infrastructure Levy.</li> <li>Grant funding/third party funding.</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>Funding for specific infrastructure projects cannot be identified or secured, or funding is withdrawn (L)</li> <li>Infrastructure providers have insufficient capacity to bring schemes forward at the required time to meet developer needs (L)</li> <li>Market change affecting demand, costs, availability of materials and/or labour (L-M)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>Liaise and work with partners and infrastructure providers to ensure investment plans include sufficient funding to deliver relevant infrastructure.</li> <li>Work with key partners to identify alternative approaches to provision such as Local Enterprise Partnership /Housing Infrastructure Fund.</li> <li>Review of development need, Infrastructure Requirements, and/or viability</li> <li>Wider Plan Review</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>National Planning Policy Framework (2019)</li> <li>Planning Practice Guidance</li> <li>Pendle Infrastructure Strategy</li> <li>Annual Monitoring Report</li> <li>Infrastructure Delivery Schedule</li> </ul>	



## Our Spatial Strategy

- Pendle Housing Strategy
- Pendle Housing Needs Assessment 2020
- Infrastructure and Planning (Lancashire County Council)

## Our Spatial Strategy

**Policy SDP9: Protecting the South Pennine Moors****Justification**

- 2.30 The South Pennine Moors is an internationally important natural resource. The whole of the area within the Pendle administrative boundary is categorised as a Site of Special Scientific Interest [“SSSI”]. Overlapping the SSSI are areas designated as:
- Special Protection Area [“SPA”] in recognition of the habitat it provides for an important assemblage of breeding moorland and moorland fringe birds.
  - Special Area of Conservation [“SAC”] in recognition that the site is representative of upland dry heath and transitions to acid grassland, wet heath and blanket bogs
- 2.31 The SPA and SAC are European Sites, as defined by [Regulation 8 of The Conservation of Habitats and Species Regulations 2017](#).
- 2.32 In Pendle the boundaries of the SPA and SAC are the same as that for the SSSI.
- 2.33 Natural England has defined [Impact Risk Zones](#) around each SSSI [“SSSI IRZs”]. The SSSI IRZs should be used to inform any assessment of the potential impacts that development may have on SSSIs; to ensure their protection and enhancement in line with the policies in the NPPF and the Development Plan.
- 2.34 Natural England’s local team staff have reviewed the SSSI IRZs and where necessary they have been varied to reflect specific local circumstances or particular development pressures. The SSSI IRZs reflect the particular sensitivities of the features for which the SSSI is notified. They indicate the types of development proposal which could potentially have adverse impacts on the SSSI. The SSSI IRZs also cover the interest features and sensitivities of European sites (SPA and SAC), which are underpinned by the SSSI.
- 2.35 In this policy:
- Zone A covers land up to 0.4km from the SPA and/or SAC boundary
  - Zone B covers land up to 2.5km from the SPA and/or SAC boundary
  - Zone C covers land up to 7.0km from the SPA and/or SAC boundary
- 2.36 The SSSI IRZ Dataset can be downloaded from the [Natural England Open Data Geoportal](#) and used in combination with other spatial data.

**Policy SDP9****Protecting the South Pennine Moors**

1. Subject to the exemption tests set out in [Article 6\(4\) of the Habitats Directive](#), any development which is likely to lead, directly or indirectly, to an adverse effect (either alone or in combination with other plans or projects) on the integrity of the SPA or SAC, which cannot be effectively mitigated, will not be permitted within any of the three Zones of Influence.

## Our Spatial Strategy

2. To mitigate adverse impacts on the SPA and SAC arising from an increase in the population, the following approach will be applied to all non-allocated residential developments within the Impact Risk Zone for the South Pennine Moors SSSI:
  - Zone A – Developments involving a net increase in dwellings will not be permitted unless, as an exception, it can be shown that the development and/or its use will not have an adverse impact on the integrity of the SPA or SAC.
  - Zone B – Residential development will be considered, where robust and up-to-date evidence shows that the proposed development will not affect a foraging habitat for qualifying species of the SPA.
  - Zone C – Where residential development results in a net increase of 10 or more dwellings, proposals must consider how the development may result in recreational pressures on the SPA or SAC, and how these can be effectively mitigated.
3. Measures to mitigate adverse impacts on the SPA and SAC arising from an increase in the local population can include:
  - a. On-site or off-site compensation in the form of Suitable Alternative Natural Greenspace [“SANG”] or other appropriate measures, including provision for long-term maintenance and management.
  - b. A financial contribution from the developer to fund:
    - i. The provision of additional SANG areas, to deflect pressure from moorland habitats, including provision for long-term maintenance and management.
    - ii. The implementation of access management measures to reduce the impact of visitors.
    - iii. A programme of habitat management, including the subsequent monitoring and review of measures.

## Monitoring and Delivery

<b>Strategic Objectives</b>	9 • 10
<b>Local Plan Part 1 Policies</b>	SDP2 • ENV1
<b>Local Plan Part 2 Policies</b>	SDP6 • ENV12 • ENV13
<b>Targets</b>	<ul style="list-style-type: none"> <li>• No loss of the South Pennine Moors SSSI/SPA/SAC to other uses.</li> <li>• Improvements to the condition of the South Pennine Moors SSSI/SPA/SAC</li> <li>• Increase provision and quality of open space in new developments</li> <li>• Net gains for biodiversity through new development.</li> </ul>
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• The condition of the South Pennine Moors SSSI/SPA/SAC is shown to decline.</li> </ul>

## Our Spatial Strategy

	<ul style="list-style-type: none"> <li>There is insufficient open space within the zone of influence for the development by area committee.</li> </ul>	
<b>Indicators</b>	EN05	Amount of land designated for biodiversity/geodiversity importance and its condition
	EN06	Number of new developments completed which incorporate beneficial biodiversity features
	EN08	Provision of open space by type and location
<b>Delivery Agencies</b>	Pendle Borough Council, developers, landowners, Natural England, Lancashire Wildlife Trust, South Pennine Moors Management Group, Parish and Town Councils	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>Determination of planning applications through the development management process.</li> <li>LIV7/LIV8, Neighbourhood Plans</li> <li>Work with partner organisations</li> <li>Implementation of the Lancashire Biodiversity Action Plan</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>The condition of the South Pennines Moorland deteriorates due to recreational pressure, natural events, and/or climate change (M-H)</li> <li>Absent of opportunity for SANG and/or open space provision (M)</li> <li>Requirement for SANG acts to restrict development in affected zones (M)</li> <li>Lack of cooperation from landowners (L)</li> <li>Insufficient funding available for maintenance and/or enhancement of biodiversity assets (M)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>Work with partners (such as Natural England, Lancashire Wildlife Trust, South Pennine Moors Management Group, and landowners) to identify opportunities to enhance the condition of the South Pennine Moors</li> <li>With key partners identify suitable and available locations for SANG</li> <li>Plan Review</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>National Planning Policy Framework</li> <li>Planning Practice Guidance</li> <li>Lancashire Biodiversity Action Plan</li> <li>Lancashire Green Infrastructure Strategy</li> </ul>	

## Our Spatial Strategy

- Pendle Biodiversity Audit
- Pendle Open Space Audit
- South Pennine Moors Site Improvement Plan (Natural England)

## Our Spatial Strategy



## Our Foundations for a Sustainable Future

## Our Foundations for a Sustainable Future

### 3. Our Foundations for a Sustainable Future: Improving the Environment We Live In

#### Introduction

- 3.1 Over two-thirds of Pendle is rural. The quality of the rural environment is formally recognised by government and widely appreciated by local people and visitors to the area. It also has an important role to play in helping to combat [climate change](#).
- 3.2 The Earth's climate has changed many times during the planet's history. Events range from ice ages to long periods of warmth. What's different about this period of the earth's history is that human activities are making a significant contribution to natural climate change.
- 3.3 The concentration of greenhouse gases in the earth's atmosphere is directly linked to the average global temperature. Carbon dioxide (CO<sub>2</sub>) accounts for about two-thirds of greenhouse gases. It is largely the product of human activities; in particular the burning of fossil fuels.
- 3.4 In 2018 a [United Nations report](#) announced that there could be only 12 years left to prevent irreversible damage from climate change. In response, over two-thirds of local authorities in Britain have declared a climate emergency. Pendle Council declared a climate emergency on 11 July 2019. This decision emphasises the need for local action to help introduce new measures to stop human-caused global warming.
- 3.5 But local authorities cannot act alone. The government plays a key role in many of the policy areas that are vital to reducing emissions and adapting to climate change. In May 2019 the UK was the first nation to declare a climate emergency. In June 2019 the government followed up this declaration with legislation setting net-zero emissions targets for the whole of the UK by 2050.
- 3.6 Meeting these targets may have implications for fuel poverty levels in a borough where many households cannot afford to keep adequately warm at a reasonable cost, given their income. A rise in fuel prices is likely to have an adverse effect on fuel poverty levels and the affordability of warmth. Energy efficiency improvements to the housing stock offer the potential to address both issues, but there are key considerations around how upgrades are implemented ([Policy LIV10](#)).
- 3.7 The policies in this section supplement or provide additional detail to those on the environment in [Pendle Local Plan Part 1: Core Strategy \(2015\)](#), which are listed below.

<b>Policy ENV 1</b>	Protecting and Enhancing Our Natural and Historic Environments
<b>Policy ENV 2</b>	Achieving Quality in Design and Conservation
<b>Policy ENV 3</b>	Renewable and Low Carbon Energy Generation
<b>Policy ENV 4</b>	Promoting Sustainable Travel
<b>Policy ENV 5</b>	Pollution and Unstable Land
<b>Policy ENV 6</b>	Waste Management
<b>Policy ENV 7</b>	Water Management

## Our Foundations for a Sustainable Future

### Policy ENV8: Open Countryside

#### Justification

- 3.8 The open countryside provides an attractive setting for the Borough's towns, villages and hamlets. These acknowledge the outstanding quality of the rural landscape and its value for biodiversity.
- 3.9 There are strong pressures for development in the countryside, particularly on the urban fringe. The Plan seeks to:
- prevent the coalescence of settlements
  - maintain the predominantly open and undeveloped character of the open countryside, particularly in the gaps between settlements
  - protect the separate character and identity of settlements, including their setting
- 3.10 The countryside can and should accommodate some new development. It is necessary to help:
- support the rural economy
  - sustain infrastructure and services
  - provide a choice of good quality housing for existing and new residents
- 3.11 Balanced against this is the need to protect:
- the character of rural settlements
  - valued landscape character
  - wildlife habitats and species
  - recreational opportunities
  - good quality agricultural land
- 3.12 To help realise these objectives new development in the open countryside should be of an appropriate scale. It should also occupy a sustainable location, unless material considerations dictate otherwise.

#### Policy ENV8

##### Open Countryside

1. Boundaries for each of the settlements listed in [Policy SDP2](#) are defined on the Policies Map.
2. Villages and hamlets without a defined settlement boundary are in the open countryside (see [Policy SDP7](#)).
3. Outside a defined settlement boundary development will only be permitted where it:
  - a. Requires a countryside location
  - b. Meets an essential local need (see Policy LIV4)

## Our Foundations for a Sustainable Future

- c. Supports rural diversification and sustainability of the countryside – including support for tourism facilities and accommodation that accord with [Policy WRK15](#)
  - d. Secures the future of a historically interesting building or structure that is substantially intact.
4. New development will only be permitted where it retains or enhances the rural character of the area. It should not lead to the coalescence of settlements identified in [Policy SDP2](#), or any villages and hamlets in the open countryside (see [Policy SDP7](#)).
5. Development within the Forest of Bowland Area of Outstanding Natural Beauty (AONB) will also be assessed against [Policy ENV10](#).
6. Development within the Green Belt will also be assessed against [Policy ENV11](#).

### Monitoring and Delivery

<b>Strategic Objectives</b>	1 • 2 • 4 • 9 • 10	
<b>Local Plan Part 1 Policies</b>	SDP2 • ENV1 • WRK1	
<b>Local Plan Part 2 Policies</b>	SDP7 • ENV9 • ENV10 • ENV11 • WRK15 • WRK16	
<b>Targets</b>	<ul style="list-style-type: none"> <li>• Deliver development in accordance with the Spatial Strategy and Settlement Hierarchy.</li> <li>• New dwelling(s) in the open countryside will be exceptional unless developed in accordance with policy.</li> <li>• Sustainable development which supports the resilience and diversification of the rural economy.</li> <li>• Achieves the highest level of design and conservation.</li> <li>• Development provides a net gain in biodiversity.</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• Less than 70% of development occurs in settlements within the M65 Corridor and West Craven Towns.</li> <li>• Major development is permitted in the open countryside contrary to policy.</li> <li>• Up-to-date evidence illustrates a specific need for development within the open countryside.</li> <li>• Development would adversely affect land identified within the Lancashire Green Infrastructure Strategy.</li> </ul>	
<b>Indicators</b>	SD05	Number of times the Design Principles SPD has been used as a reason for refusal of a development.
	HS01	Number of new homes built over time (including by location)

## Our Foundations for a Sustainable Future

	HS05	Number of affordable homes completed by tenure and location
	HS13	Number of dwellings completed that addresses a specific housing need.
<b>Delivery Agencies</b>	Pendle Borough Council, private developers, Natural England, Lancashire Wildlife trust, AONB Joint Advisory Committee, Parish Councils, landowners, voluntary groups, Historic England	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Determination of planning applications through the Development Management Process.</li> <li>• Allocated sites through the Pendle Local Plan Part 2: Site Allocations and Development Policies and Neighbourhood Plans</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Only Greenfield sites are viable (M)</li> <li>• Only sites outside a designated settlement boundary are deliverable (M)</li> <li>• A five year supply of sites cannot be maintained (L-M)</li> <li>• Development has an adverse effect on the built and/or natural environment (L-M)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Local needs for development in the rural area identified through the Pendle Local Plan Part 2: Site Allocations Development Policies and Neighbourhood Plans directed towards sustainable settlements.</li> <li>• Rural Exception Policy (LIV9).</li> <li>• Community Right to Build Order (where appropriate) in dialog with necessary bodies/partners.</li> <li>• Reserve Site/Part 5 of policy</li> <li>• Plan Review.</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Lancashire Biodiversity Action Plan</li> <li>• Lancashire Green Infrastructure Strategy</li> <li>• Forest of Bowland AONB Management Plan</li> <li>• Development in the Open Countryside SPG</li> <li>• Pendle Biodiversity Audit</li> <li>• Pendle Open Space Audit</li> </ul>	

## Our Foundations for a Sustainable Future

### Policy ENV9: Landscape Character

#### Justification

- 3.13 The landscape we see today have evolved over time through a combination of natural forces and human intervention. Guiding its continued change, whilst meeting our economic, social and environmental needs is a key role for planning.
- 3.14 Different types of development will result in varying levels of impact. Their position within the landscape is an important consideration.
- 3.15 The [European Landscape Convention \(2000\)](#) promotes landscape protection. It tasks planning with maintaining the unique blend of characteristics we value so highly in our rural and urban landscapes.
- 3.16 The NPPF recognises the need to enhance the natural and local environment. Protecting valued landscapes acknowledges the intrinsic character and beauty of the countryside. It is built on an appreciation of the different roles and character of a particular area.
- 3.17 The accompanying [practice guidance](#) requires Local Plans to include strategic policies for the conservation and enhancement of the natural environment, including landscape. In this context landscape includes designated landscapes and the wider countryside.
- 3.18 New development should respond to the character and qualities inherent in the local landscape. A robust understanding of local landscape character provides the necessary context and setting for all development.
- 3.19 All landscapes have some degree of value. But some are more highly valued than others. The significant landscape value of the area around Pendle Hill has received national recognition. It forms part of the Forest of Bowland Area of Outstanding Natural Beauty (AONB). Development within the AONB boundary (see Policies Map) is addressed by [Policy ENV10](#).
- 3.20 Pendle's varied landscapes are amongst its most important assets. The Borough is defined by the upland moors atop the hills of Pendle, Boulsworth and Weets. These areas afford visitors extensive views across the north of England and offer important habitats for upland bird populations and other wildlife.
- 3.21 In recognition of this [Policy ENV1](#) requires new development to safeguard or enhance local landscape character. It should have regard to the Lancashire Landscape Character Assessment. This provides a detailed look at the different landscapes across the county. It identifies the cultural, historic, social and environmental qualities present within each landscape. It also assesses their value. The following landscape character areas are present in Pendle:
- Moorland Plateaux (01)
  - Moorland Hills (02)
  - Moorland Fringe (04)
  - Industrial Foothills and Valleys (06)



## Our Foundations for a Sustainable Future

- Drumlin Field (13)
- Rolling Upland Farmland (14)
- Industrial Age (23)
- Suburban (24)

- 3.22 Natural England has prepared national character area profiles. These identify similar broad landscape areas. Three character areas are present in Pendle: Bowland Fringe and Pendle Hill (33), Lancashire Valleys (35), and Southern Pennines (36).

### Policy ENV9

#### Landscape Character

1. Development proposals will be expected to respect and where possible enhance the landscape in which they are located.
2. Proposals should ensure that:
  - a. The design and layout of the development is sympathetic to the distinctive character of the existing landscape through a combination of its siting (position), scale and massing.
  - b. Any negative impacts should be mitigated by incorporating appropriate design solutions such as structural landscaping (see [Policy ENV19](#)).
3. The following aspects of landscape character should be conserved and where possible enhanced through sensitive design or mitigation measures:
  - a. The locally distinctive pattern of natural features such as trees, hedgerows, woodland, field boundaries (including dry-stone walls and gate posts), watercourses and water bodies.
  - b. The separate identity of settlements; their locally distinctive character and landscape settings.
  - c. The transition between man-made and natural landscapes at the urban fringe.
  - d. Visually sensitive skylines, geological and topographical features.
  - e. Landscape features of cultural, historic and heritage value.
  - f. Important views and vistas.
  - g. Tranquillity and the need to protect against intrusion from light pollution, noise, and motion.
4. Proposals for development outside the Forest of Bowland AONB that is sufficiently prominent (in terms of its siting or scale) to impact on the special qualities of the AONB, as set out in the most up to date Management Plan, must also demonstrate that it would not adversely affect its setting.

## Our Foundations for a Sustainable Future

### Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 4 • 9 • 10
<b>Local Plan Part 1 Policies</b>	ENV1
<b>Local Plan Part 2 Policies</b>	ENV19
<b>Targets</b>	<ul style="list-style-type: none"> <li>• Ensure that development protects and enhances designated or valued landscapes.</li> <li>• Encourage applicants to take local landscape character into account through development proposals.</li> </ul>
<b>Triggers</b>	None identified.
<b>Indicators</b>	
<b>Delivery Agencies</b>	Pendle Borough Council, Natural England, Lancashire County Council (AONB Unit), Pennine Prospects
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Determination of planning applications through the Development Management process.</li> <li>• Implementation of the Development in the Open Countryside and AONB SPD</li> <li>• Implementation of the Forest of Bowland AONB Management Plan</li> </ul>
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Pressure to develop Greenfield sites as a result of poor viability in urban areas (M)</li> <li>• Lack of cooperation from landowners (L)</li> <li>• Insufficient consideration of design for development taking place in rural areas (L-M)</li> </ul>
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Neighbourhood Plans</li> <li>• TPOs</li> <li>• Character Areas</li> <li>• Enforcement</li> <li>• Review of designations</li> </ul>
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Development in the Open Countryside and AONB SPD</li> <li>• Forest of Bowland AONB Management Plan</li> </ul>

## Our Foundations for a Sustainable Future

### Policy ENV10: Areas of Outstanding Natural Beauty (AONB)

#### Justification

- 3.23 The NPPF states that valued landscapes should be protected *in a manner commensurate with their statutory status*” (paragraph 170).
- 3.24 An area of outstanding natural beauty (AONB) is an expanse of countryside protected by the [Countryside and Rights of Way Act 2000](#) (CROW Act). Natural England designates these areas in recognition of their national importance. The designation seeks to conserve and enhance their significant landscape value.
- 3.25 The [Forest of Bowland AONB Management Plan 2019-2024](#) makes clear that “*development within and close to AONBs is expected to conform to a high standard of design, to be in keeping with local distinctiveness and, fundamentally, seeks to conserve and enhance the AONB’s natural beauty*”.
- 3.26 The [Forest of Bowland Landscape Character Assessment](#) (2009) provides details of the area’s landscape character. The main landscape character types within the AONB are:
- Moorland Hills (02) – Pendle Hill (02e), Whitemoor / Burnmoor (02f)
  - Moorland Fringe (04) – South Pennine Fringe (04g), North Pendle Fringe (04i)
- 3.27 Paragraph 172 of the NPPF states that only in exceptional circumstances, and where it can be demonstrated to be in the public interest, should planning permission be granted for major development within an AONB. This is because of the likely harm it would cause to the nation’s long term interest of conserving these special places.
- 3.28 The Local Plan employs a criteria-based approach to assessing proposals for new development. This avoids undermining the purpose of the national designation. It also addresses the special qualities and value of the AONB. Consistent with national policy it focuses development in settlements with the most services and facilities. This helps to ensure that new development takes place in the most sustainable locations. It also helps to minimise the level of impact on the open countryside and preserve sensitive settlement edges.

#### Policy ENV10

##### Areas of Outstanding Natural Beauty (AONB)

1. The boundary of the Forest of Bowland AONB is identified on the Policies Map.
2. This policy applies to all land lying within the designated boundary of the AONB, including that within the following settlements:
  - Barley
  - Newchurch-in-Pendle
  - Roughlee and Crow Trees
  - Spen Brook

## Our Foundations for a Sustainable Future

3. All development should be sustainable, consistent with the primary purpose of AONB designation<sup>8</sup>, and support the special qualities of the AONB as set out in the most up to date Management Plan for the area.
4. Within the AONB, and its immediate setting, all proposals should address the capacity of the landscape and its ability to accommodate the development. Great weight will be given to the conservation and enhancement of landscape character; the natural environment; wildlife; cultural heritage and the historic environment.
5. Major development will not be permitted unless exceptional circumstances exist and it can be shown to be in the public interest. Consideration of such schemes will be assessed against the criteria set out in the NPPF.
6. The intimate nature of the landscape within the AONB means that relatively small-scale development proposals may be considered to be significant, depending on the local context.
7. To promote vibrant communities, and help maintain local service provision, small scale growth and investment within the AONB will be supported for the following purposes, provided that it does not cause adverse harm to the landscape:
  - a. Agriculture and horticulture
  - b. Residential – conversions and rural exception sites (see [Policy LIV9](#))
  - c. Engineering operations and essential infrastructure
  - d. Sustainable tourism
8. Development proposals outside a defined settlement boundary (i.e. within hamlets or the open countryside) will be treated as exceptions and will only be permitted where they demonstrate that there would be no adverse impact on settlement or landscape character; and that it:
  - a. Requires a rural location
  - b. Will help to sustain an existing business, including farm diversification and tourism schemes
  - c. Supports tourism (see [Policy WRK 16](#))
  - d. Adjoins a settlement and contributes to the meeting of a proven and essential housing need in that location (see [Policy LIV9](#))
  - e. Represents a sensitive and appropriate reuse, redevelopment or extension of an existing and structurally sound building

### Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 4 • 9 • 10
<b>Local Plan Part 1 Policies</b>	SDP2 • SDP7 • ENV1
<b>Local Plan Part 2 Policies</b>	LIV8 • WRK12

<sup>8</sup> As set out in the National Parks and Access to the Countryside Act 1949; confirmed by Section 82 of the Countryside and Rights of Way Act 2000.

## Our Foundations for a Sustainable Future

<b>Targets</b>	<ul style="list-style-type: none"> <li>• Conserve and enhance the landscape and scenic beauty of the AONB.</li> <li>• The conservation and enhancement of wildlife and cultural heritage.</li> <li>• Promote sustainable and high quality design.</li> </ul>	
<b>Triggers</b>		
<b>Indicators</b>		
<b>Delivery Agencies</b>	Pendle Borough Council, Parish Councils, Natural England, Lancashire County Council (AONB Unit)	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Determination of planning applications through the development management process.</li> <li>• Consideration of the AONB Management Plan through design making.</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Development pressures for new development within or close to the boundary of the AONB (L-M)</li> <li>• Development is not of a high quality design (M)</li> <li>• Lack of cooperation from landowners (L)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Review guidance for assessing development within the AONB with key partners.</li> <li>• Enforcement Action</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Design Principles SPD</li> <li>• Open Countryside and AONB SPD</li> </ul>	

## Our Foundations for a Sustainable Future

### Policy ENV11: Green Belt

#### Justification

- 3.29 National Planning Policy confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts being their openness and permanence (See NPPF Paragraph 133).
- 3.30 The NPPF (paragraph 134) sets out five purposes for including land in Green Belt, namely:
1. To check the unrestricted sprawl of large built-up areas
  2. To prevent neighbouring towns merging into one another
  3. To assist in safeguarding the countryside from encroachment
  4. To preserve the setting and special character of historic towns
  5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land
- 3.31 Whilst they are not reasons for designation, land in the Green Belt can also:
- Provide access to, and preserve key views of, the countryside from urban settlements;
  - Maintain a strong rural landscape character by retaining the physical separation, setting, scale and character of rural villages;
  - Offer opportunities for leisure and recreation; and
  - Help to combat the effects of climate change by capturing carbon; preventing flooding in urban areas and protecting the water supply.
- 3.32 The Green Belt in Pendle forms part of the wider North West Green Belt. This adjoins the South and West Yorkshire Green Belt.
- 3.33 The first planning document to identify areas of Pendle for inclusion in the Green Belt was the North East Lancashire Structure Plan (1979). But it was not until the adoption of the Pendle Local Plan (1999) that the detailed boundaries were formally designated.
- 3.34 In 2019, the Green Belt in Pendle covers a total area of 2,036 hectares; approximately 12% of the Borough. The broad areas of Green Belt are situated between:
- a. Padiham and Burnley (north of the A671) and Barrowford
  - b. Nelson and Barrowford
  - c. Barrowford and Colne
  - d. Colne and Foulridge
  - e. Colne and Laneshaw Bridge
  - f. Colne and Trawden
- 3.35 The primary purpose of each of these broad areas of Green Belt is to check the unrestricted sprawl of large built-up areas. The aim is to prevent neighbouring towns and villages from merging into one another.

## Our Foundations for a Sustainable Future

- 3.36 Reflecting the commitment made in the Core Strategy, in 2017 Pendle Council commissioned an independent review of the Green Belt. This considered how parcels of land perform against the five purposes of Green Belt both on an individual and collective basis. It provides clear and robust conclusions on the relative value of each parcel of land to the Green Belt. The same methodology was used to assess whether any parcels of land adjacent to the Green Belt boundary also contributed to the five purposes of including land within the Green Belt.<sup>9</sup> No changes to Green Belt boundaries are proposed in response to the conclusions of this assessment.
- 3.37 In parallel, the Council has also assessed whether exceptional circumstances required in national planning policy to release land from within the Green Belt to meet development needs exist. To understand this, a two part review has been undertaken. Firstly, the Council has undertaken a review of the housing requirement to ensure that it remains up-to-date and consistent with the latest evidence of housing needs. This review has concluded that the housing needs of the Borough have reduced necessitating the adoption of a revised housing requirement (see Policy LIV6). Secondly, the Council has thoroughly assessed the potential housing land supply in the Borough. This assessment has shown that a significant supply of available and developable land exists beyond the Green Belt, which is both capable of meeting residual housing needs, and providing a sustainable pattern of development which is consistent with Policy SDP3 of the Core Strategy. Furthermore this supply is sufficient to ensure that existing Green Belt boundaries are capable of enduring beyond the end of the plan period. No amendments to existing Green Belt boundaries are therefore proposed in response to development needs.
- 3.38 Policy ENV11 seeks to protect the Green Belt from inappropriate forms of development, applying the approach set out in National Planning Policy. There are some major development sites which are located in the Green Belt that pre-date its designation. The NPPF is not prescriptive in how the development of these sites is to be considered by decision makers, so additional policy is provided to address appropriate development at these locations.

### Policy ENV11

#### Green Belt

1. The boundary of the Green Belt in Pendle is defined on the Policies Map.
2. The construction of new buildings in the Green Belt is considered inappropriate except where a proposal complies with the requirements of the NPPF (paragraphs 145 and 146).
3. Any extension or alteration to a building that has an adverse impact on the openness of the Green Belt is inappropriate.
4. Proposals for inappropriate development will only be approved where 'very special circumstances', as set-out in the NPPF, can be shown to exist.<sup>10</sup>

<sup>9</sup> Eight parcels outside the Green Belt were assessed. These included those identified in Policy 3A of the Replacement Pendle Local Plan 2001 – 2016. This policy protected three parcels of land from development during the plan period. But "*should long term pressure for development after 2016 prove that the areas will not be required for development, consideration will be given for their inclusion within the Green Belt.*"

<sup>10</sup> Very special circumstances' will not exist unless the potential harm is clearly outweighed by other considerations (NPPF, paragraph 144).

## Our Foundations for a Sustainable Future

5. The following sites fall within the definition of a Major Developed Site within the Green Belt:
  - a. Burnley Waste Water Treatment Works, Wood End Road, Reedley
6. Redevelopment or limited infilling at the Burnley Waste Water Treatment Works, which is associated with its continued use, will not be considered inappropriate development in the Green Belt subject to compliance with the provisions set out in the NPPF and provided that:
  - b. new development is limited in height to that of existing buildings;
  - c. no major increase in the developed area of the site is proposed;
  - d. any increase in the overall footprint, or any change in the location of buildings, can be shown to have positive environmental benefits in terms of reductions in visual intrusion, traffic generation and/or levels of emissions (noise and odour); and
  - e. mature vegetation along the site boundary and in areas surrounding the site is maintained.

### Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 4 • 9 • 10
<b>Local Plan Part 1 Policies</b>	ENV1
<b>Local Plan Part 2 Policies</b>	SDP7 • ENV8
<b>Targets</b>	<ul style="list-style-type: none"> <li>• To maintain and safeguard the openness of the Green Belt and prevent urban sprawl and coalescence of settlements.</li> <li>• Ensure that the boundaries of the Green Belt are maintained as defined.</li> <li>• To encourage appropriate uses of the Green Belt promoting recreational and leisure activity.</li> <li>• To allow economic activity and needs of local communities living within the Green Belt to be met sustainably and in accordance with national planning policy.</li> </ul>
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• Inappropriate development takes place in the Green Belt.</li> </ul>
<b>Indicators</b>	
<b>Delivery Agencies</b>	Pendle Borough Council, private developers, landowners, Town and Parish Councils
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Determination of planning applications through the Development Management process.</li> </ul>



## Our Foundations for a Sustainable Future

<b>Risks</b>	<ul style="list-style-type: none"> <li>• Poor viability in urban areas results in increasing pressure to develop greenfield (and Green Belt) land (L-M)</li> <li>• A shortage of available suitable land adjoined to the Borough's largest and sustainable settlements for development results in the need for Green Belt land to be developed (L-M)</li> <li>• Development takes place in the Green Belt which harms its openness (L-M)</li> </ul>
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Enforcement</li> <li>• Further guidance through a future SPD</li> <li>• Consider the need for revisions to the extent of the Green Belt through a future review of the Local Plan</li> </ul>
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> </ul>

## Our Foundations for a Sustainable Future

### Policy ENV12: Green Infrastructure

#### Justification

- 3.39 The term green infrastructure (GI) was introduced to raise the profile of those elements of our environment that help to support a sustainable, healthy and enjoyable way of life.
- 3.40 The NPPF defines green infrastructure as:  
*“a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.”*
- 3.41 This network of natural and semi-natural spaces is diverse in character. It includes:
- parks, playing fields, allotments and cemeteries
  - formal and private gardens
  - green roofs and walls
  - woodland and street trees
  - highway verges and hedgerows
  - rivers, lakes and canals
- 3.42 Collectively these spaces may appear to separate our neighbourhoods, towns and villages, but their use is equally likely to bring them together. They also form vital linkages for wildlife (see [Policy ENV13](#)).
- 3.43 The NPPF requires a Local Plan to set out a strategic approach to conservation and enhancement of the natural environment, including green infrastructure (paragraph 20).
- 3.44 The interactions between individual GI assets are complex and their functions are wide-ranging. An integrated approach to design and management will help to unlock their full potential and deliver a wide range of economic, social and environmental benefits.
- 3.45 Planning Practice Guidance shows how GI can make a positive contribution to a range of critical challenges we face in the 21st century. These include, but are not limited to:
- health and wellbeing
  - social cohesion
  - food and energy security
  - avoiding the fragmentation of habitats
  - climate-change mitigation and adaptation
  - carbon sequestration<sup>11</sup>

<sup>11</sup> Carbon sequestration describes the process of capturing carbon dioxide from the atmosphere. This can be achieved naturally through biological, chemical, and physical processes, or artificially. The long-term storage of CO<sub>2</sub> and other forms of carbon can help to mitigate or reverse global warming and help to avoid climate change.

## Our Foundations for a Sustainable Future

- 3.46 At a local level well-designed GI can help to create a sense of place. It does so by responding to and enhancing local landscape and townscape character. High quality, safe and accessible environments attract investment and people.
- 3.47 In a wider landscape context, conservation and enhancement of the natural environment helps to arrest the decline of biodiversity. New habitat creation strengthens the ecological network allowing for species conservation and dispersion.
- 3.48 High density urban development dating back to the late 19<sup>th</sup> and early 20<sup>th</sup> century represents an efficient use of land, but has resulted in a fragmented GI network. In the M65 Corridor many areas suffer from deficiencies and/or poor access to GI.
- 3.49 This is a difficult position to redress given the poor levels of economic viability in many of our towns. To achieve a reasonable return on their investment developers seek to maximise site utilisation. This restricts the opportunity to introduce new GI in the densely populated urban areas, where it is most needed. But even the smallest contributions can provide stepping stones and help to create new wildlife corridors.
- 3.50 GI does not respect administrative boundaries. Its protection and enhancement requires collaboration with neighbouring authorities and other key stakeholders. This includes the Local Nature Partnerships (LNPs) and Local Enterprise Partnerships (LEPs). Joint working allows us to consider how wider strategies can help to address any strategic cross-boundary issues.
- 3.51 We want to create a more coherent and integrated network of multi-functional GI sites. New development can help by providing new GI assets. In turn this can assist regeneration and conservation activity.
- 3.52 Where appropriate, proposals should incorporate GI in line with any site specific considerations and policies in the Local Plan or a Neighbourhood Plan. Favourable consideration will be given to proposals that have used the [“Building with Nature”](#) standards to integrate nature-friendly features into the development process.

### Policy ENV12

#### Green Infrastructure

1. The Council will seek to protect and enhance Pendle’s green infrastructure assets. Where feasible, and appropriate to do so, the Council will seek to develop further connections between these assets.
2. Development proposals will normally be supported where they:
  - a. Make a positive contribution to the delivery of a high quality multi-functional green infrastructure network.
  - b. Address the needs identified in the Pendle Green Infrastructure Strategy.
  - c. Avoid significant loss or harm to an existing green infrastructure asset. This includes the severance or disruption of a linear network connection such as a public right of way (e.g. footpath, cycleway, bridleway etc.) or ecological feature (e.g. wildlife corridor, hedgerow, ancient semi natural woodland or water environment).

## Our Foundations for a Sustainable Future

- d. Include measures that avoid any potential harm to the green infrastructure network. Or where harm cannot be avoided, sufficiently mitigate its effects (also refer to [Policy ENV12](#)).
  - e. Restore, enhance and/or make additional on-site green infrastructure provision.
  - f. Restore, enhance or create linkages to the wider green infrastructure network.
  - g. Make a positive contribution to improving the physical health and well-being of the local and wider community.
  - h. Incorporate improvements to biodiversity and the ecological network through the restoration, enhancement or creation of additional habitat.
3. Unless stated elsewhere, the Council will not normally be responsible for the long term management and/or maintenance of green infrastructure. Where appropriate, the Council will seek to secure contributions towards these costs through planning obligations or legal agreements.

### Monitoring and Delivery

<b>Strategic Objectives</b>	1 • 2 • 4 • 9 • 10	
<b>Local Plan Part 1 Policies</b>	ENV1 • SUP2	
<b>Local Plan Part 2 Policies</b>	ENV13	
<b>Targets</b>	<ul style="list-style-type: none"> <li>• Maintain and enhance the Green Infrastructure network in Pendle</li> <li>• Secure opportunities for the expansion of the Green Infrastructure network</li> <li>• Increase the provision of open space in new developments.</li> <li>• Increase the amount (in hectares) of locally designated sites.</li> <li>• Increase the amount of woodland planted in the Borough.</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• No additional local sites identified and designated by 2025</li> <li>• 5% or less increase in woodland cover by 2025</li> <li>• 1% or less increase in overall open space provision arising from new development by 2025.</li> </ul>	
<b>Indicators</b>	EN05	Amount of land designated for biodiversity/geodiversity importance and its condition (including changes in area and condition) by type of designation.
	EN05a	Net change in area of land supporting s41 Priority Habitats and Species.

## Our Foundations for a Sustainable Future

	EN06	Number of new developments completed which incorporate features beneficial biodiversity features.
	EN08	Provision of open space by type and location (including trends overtime)
<b>Delivery Agencies</b>	Pendle Borough Council, private developers, Town and Parish Councils, Lancashire Wildlife Trust, Natural England, voluntary groups	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Determination of planning applications through the development management process.</li> <li>• Engagement with key partners to deliver the right schemes in the right locations.</li> <li>• Developer contributions/Section 106 Agreements</li> <li>• Implementation of the Pendle Green Infrastructure Strategy</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Development pressure affecting existing Green Infrastructure network (L-M)</li> <li>• Threats to Green Infrastructure due funding costs (re: management) and/or climate change (M)</li> <li>• Commitments to made to enhance Green Infrastructure through the planning process are not delivered and/or renegotiated (M)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Close working with developers/delivery partners to secure maintenance and delivery of Green Infrastructure.</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Pendle Green Infrastructure Strategy</li> <li>• Pendle Open Space Audit</li> <li>• Lancashire Biodiversity Action Plan</li> <li>• Pendle Biodiversity Audit</li> <li>• Lancashire Green Infrastructure Strategy</li> </ul>	

## Our Foundations for a Sustainable Future

### Policy ENV13: Biodiversity and Ecological Networks

#### Justification

- 3.53 Action is required both globally and locally to help reduce the loss of biodiversity. The drivers of this loss are largely man-made and include:
- land-use change, including urbanisation and deforestation
  - over consumption and the production of waste
  - pollution
  - climate change impacts
  - intensive agriculture
  - the introduction of non-native invasive species
- 3.54 The significance of this loss is not just ecological. It has serious implications for climate change and our general health and well-being, both now and in the future.
- 3.55 The United Kingdom has international duties to halt biodiversity loss and enable net gain. In England local planning authorities must have regard for conserving biodiversity in the exercise of all public functions.<sup>12</sup>
- 3.56 The [State of Nature 2016](#) report was the result of a collaboration between UK conservation and research organisations. It revealed that the “no net loss” approach to planning for biodiversity was failing. In response the [DEFRA 25 Year Environment Plan](#) (2018) introduced the concept of ‘biodiversity net gain’ stating that:

*“We [the government] will embed an ‘environmental net gain’ principle for development, including housing and infrastructure”.*

#### Biodiversity Net Gain

- 3.57 Biodiversity net gain is an approach to development that leaves biodiversity in a better state than before. It encourages developers to provide an increase in appropriate natural habitat and ecological features over and above that being affected. It is hoped that the loss of biodiversity through development will be halted and ecological networks can be restored.
- 3.58 It is good practice to build environmental net gain into project documentation from the outset. Engaging key stakeholders throughout the project life cycle will help to consider how net gain can have a positive social impact.
- 3.59 Chapter 15 of the NPPF (2019) seeks to address this new DEFRA requirement. It seeks to minimise impacts and provide (measurable) net gains for biodiversity. This includes establishing coherent ecological networks that are more resilient to current and future pressures. The [PPG on the Natural Environment](#) highlights the need for proportionate evidence to inform development decisions. It also clarifies the responsibilities for protected and priority species and habitats.

<sup>12</sup> This statutory duty is outlined in the [Natural Environment and Rural Communities Act 2006](#) [“The NERC Act”]

## Our Foundations for a Sustainable Future

- 3.60 Biodiversity net gain still relies on the application of the mitigation hierarchy to avoid, mitigate or compensate for biodiversity losses. It is additional to these approaches. The [Draft Environment Bill 2018](#) makes clear that the mitigation hierarchy, set out below and in Figure 3.1, remains at the heart of the revised approach:

- |               |  |
|---------------|--|
| 1. Avoid      | Find an alternative site or design the development to avoid/retain ecologically valuable habitat(s)  |
| 2. Mitigate   | Time development to avoid or minimise the disturbance of species and replace or restore any disturbed habitat with as good, or better, quality habitat(s).   |
| 3. Compensate | As a last resort employ biodiversity offsetting to create new habitat(s) of high ecological value either on-site or in an appropriate off-site location. Such sites can provide different types of habitat(s) to those that are lost provided that they are locally important and enhance local biodiversity. Such habitats should contribute wherever possible to creating a more cohesive ecological network by linking with the surrounding landscape or neighbouring developments. |

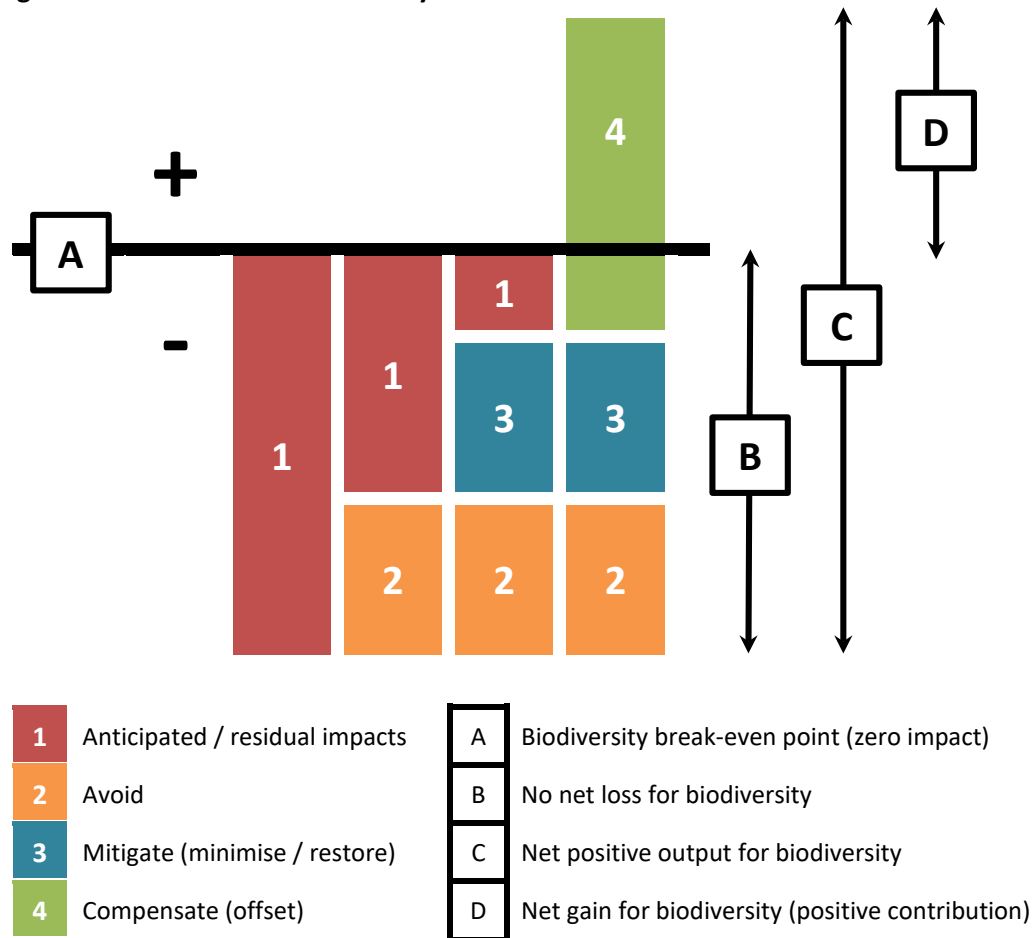
- 3.61 The NPPF notes that where possible opportunities to secure measurable net gains for biodiversity should be pursued (paragraph 175).

### Mitigation and Compensation

- 3.62 It is not always possible, nor is it always effective, to achieve net gain within the boundaries of a development site. In such circumstances biodiversity offsetting can offer a solution. This will provide net gain via a financial or practical contribution to nature conservation in nearby areas (Figure 3.1).
- 3.63 The Policies Map shows the location of 'biodiversity net gain areas'. These are locations where biodiversity off-setting will help to create strategic biodiversity areas. Biodiversity net gain areas would also be considered as SANG fulfilling the requirements of Policy SDP9.
- 3.64 Designated sites, wildlife corridors and biodiversity opportunity areas should not be regarded as constraints, but should inform development proposals and guide the design of new developments. These areas are the building blocks for establishing a coherent ecological network. They help to fulfil the requirements of the NPPF with regard to the conservation of biodiversity. They also provide wider ecosystem benefits by enhancing our green infrastructure ([Policy ENV12](#)). .
- 3.65 Biodiversity net gain measures should be proportionate to the scale of the development. But any compensatory provision should be accessible and of a viable size. On small sites where there is minimal loss of habitat of low ecological value will need small scale net gain measures. Examples of these include the provision of swift nest bricks and bat boxes. In built up urban areas, the creation of roof habitats and green walls may be an option. Larger sites could incorporate new woodland; species rich wildflower meadows, or water features that meet the needs of wildlife and sustainable drainage (see [Policy ENV7](#)).

## Our Foundations for a Sustainable Future

**Figure 3.1: Net Gain for Biodiversity**



Source: Adapted from Rio Tinto and biodiversity: Achieving results on the ground (2008)

- 3.66 Metrics<sup>13</sup> are commonly used to calculate the biodiversity value of sites and to work out what might constitute net gain. The DEFRA [Technical Paper: The metric for the biodiversity offsetting pilot in England](#) (March 2012) and [accompanying guidance](#) provide one example of a matrix calculation for biodiversity.

### Protected Species

- 3.67 Building work, demolition or any disturbance to trees or hedgerows may have an impact upon protected species. Species such as bats, which use roof spaces as roost or hibernation sites, and birds that nest under the eaves of buildings are protected from harm by law. Further information can be found in the [Wildlife and Countryside Act 1981](#).
- 3.68 If the presence of bats or nesting birds is suspected your planning application will need to include a survey report. This should include details of any mitigation measures to safeguard the protected species from the adverse effects of the development.
- 3.69 Planning conditions or obligations may be necessary to ensure that these measures are implemented. Such measures can include, for example, avoiding carrying out any work during the bird breeding season, or the inclusion of artificial nest boxes as part of the

<sup>13</sup> Metrics are a set of quantifiable measurements used to assess the status of a particular subject.



## Our Foundations for a Sustainable Future

development. Permission may be refused where the survey information and proposed mitigation measures included with an application are considered to be inadequate (see Policies ENV1 and ENV10 for further information).

### Ecological Appraisal and Assessment

- 3.70 It is essential that the presence or otherwise of protected species, and the extent that they may be affected by a proposed development, is established before planning permission is granted. This will typically involve the developer commissioning an ecological appraisal. The British Standard for Biodiversity (BS 42020: 2013) offers detailed guidance on ecological appraisal.
- 3.71 A Preliminary Ecological Appraisal [“PEA”] employs desk based research and/or on-site surveys to:
- clarify any statutory obligations regarding biodiversity
  - outline the likely impacts of the proposed development
  - identify opportunities for mitigation, compensation and enhancement
  - consider if consultation with the statutory bodies is necessary<sup>14</sup>
  - show the need for any consents or special licences
  - determine if a more detailed Ecological Impact Assessment is required
- 3.72 Ecological Impact Assessment [“EclA”] is a more detailed iterative process. It is formally required as part of an Environmental Impact Assessment [“EIA”] but can be usefully employed on any development project. EclA will help to highlight the potential for significant ecological impacts within the development site or the surrounding area. This will allow the design to be amended to meet the principles of the avoid-mitigate-compensate hierarchy (Figure 3.1).
- 3.73 [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#) indicate when a detailed Environmental Impact Assessment [“EIA”] is required. The [PPG on Environmental Impact Assessment](#) offers further guidance.
- 3.74 The Planning Inspectorate [“PINS”] has stated that the biodiversity duty also applies to permitted development, according to The Conservation of Habitats and Species Regulations 2017 (Regulation 9).
- 3.75 Land affected by the presence of invasive species such as Japanese Knotweed, Giant Hogweed and Himalayan Balsam is regarded as contaminated land (see [Policy ENV18](#)).

### Policy ENV13

#### Biodiversity and Ecological Networks

1. All development proposals should carry out a proportional assessment of their potential impact on local ecology. Where any adverse impacts are identified an ecological appraisal should be prepared. This should address the requirements of

<sup>14</sup> The statutory bodies are the Environment Agency, Natural England and Historic England.

## Our Foundations for a Sustainable Future

the British Standard for Biodiversity (BS 42020: 2013) and be proportionate to the level of harm identified.

2. Where the presence of bats or nesting birds is suspected an Environmental Report should be submitted alongside the planning application.
3. All development proposals in Pendle will be expected to:
  - a. Deliver an overall measurable net gain for biodiversity using an agreed biodiversity matrix calculation.
  - b. Demonstrate that the mitigation hierarchy (i.e. avoid, mitigate, compensate) has been followed.
  - c. Avoid any negative impact on irreplaceable habitats such as;
    - i. Ancient semi-natural woodland
    - ii. Ancient and veteran trees
    - iii. Priority habitats<sup>15</sup>
    - iv. Upland peat bogs
  - d. Avoid any adverse impact on sites of European importance for nature conservation – e.g. Special Protection Areas (SPA) or Special Areas for Conservation (SAC) – either directly or indirectly, including through increased recreation pressure on these sites ([Policy SDP9](#)).
4. Where a net gain for biodiversity cannot be secured on-site, off-site provision should, in the first instance, be directed towards designated ‘biodiversity net gain’ areas.
5. Development within a wildlife corridor defined on the Policies Map will not be permitted where it would prejudice its character or purpose.
6. Where feasible to do so, developers will be required to align their biodiversity targets with those for other development sites close to their site.

### Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 4 • 9 • 10
<b>Local Plan Part 1 Policies</b>	ENV1
<b>Local Plan Part 2 Policies</b>	ENV7 • ENV10 • ENV12 • ENV16
<b>Targets</b>	<ul style="list-style-type: none"> <li>• Increase the amount (size in ha) of locally designated sites.</li> <li>• Increase the amount of woodland planted in the Borough.</li> <li>• No net loss of s41 Priority Habitat and an increase in the overall extent of land support s41 Priority Habitats and Species.</li> </ul>
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• No additional local sites identified and designated by 2025</li> </ul>

<sup>15</sup> As identified by Natural England

## Our Foundations for a Sustainable Future

	<ul style="list-style-type: none"> <li>• 5% or less increase in woodland cover by 2025</li> <li>• 1% or less increase in open space provision associated with new development by 2025.</li> </ul>	
<b>Indicators</b>	EN05	Amount of land designated for biodiversity/geodiversity importance and its condition (including changes in area and condition) by type of designation.
	EN05a	Net change in area of land supporting s41 Priority Habitats and Species.
	EN06	Number of new developments completed which incorporate features beneficial biodiversity features.
	EN08	Provision of open space by type and location (including trends overtime)
<b>Delivery Agencies</b>	Natural England, Lancashire Wildlife Trust, Lancashire Environment Record Network, Pendle Borough Council, private developers, Town and Parish Councils, voluntary groups	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Determination of planning applications through the development management process.</li> <li>• Engagement with key partners to deliver the right schemes in the right locations.</li> <li>• Developer contributions</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Increased pressure to develop greenfield sites due to poor site viability in urban areas (M)</li> <li>• Poor viability affects deliverability of contributions/ecology measures (M)</li> <li>• Lack of cooperation from landowners (L)</li> <li>• Insufficient funding available for maintenance and/or enhancement of biodiversity assets (M-H)</li> <li>• Declining in quality and role in biodiversity areas due to neglect, litter, climate change (M-H)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Close working with developers/delivery partners to secure maintenance and delivery of Green Infrastructure.</li> <li>• Available funding directed to strategic biodiversity sites.</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Biodiversity Offsetting Metric (DEFRA)</li> </ul>	

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- State of Nature 2016
- DEFRA 25 Year Environmental Plan
- Lancashire Biodiversity Action Plan
- Pendle Biodiversity Audit
- Forest of Bowland AONB Management Plan

## Our Foundations for a Sustainable Future

### Policy ENV14: Local Green Space

#### Justification

- 3.76 The planning system has, for many years, protected areas of open space and land of high environmental value. Local Green Space is a discretionary planning designation introduced by the NPPF. It enables communities to identify areas of land that are of particular local importance and merit extra protection.
- 3.77 By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances.
- 3.78 Local Green Space can only be considered for designation in a Local Plan or Neighbourhood Plan. And the NPPF is clear that the designation of a site should be consistent with wider plan objectives (paragraph 99). Local Green Space must be capable of enduring beyond the plan period. It should complement investment in homes, jobs and other essential services. The designation will not be appropriate for many green or open spaces. To qualify a site must be:
- In reasonably close proximity to the community it serves.
  - Demonstrably special to a local community and hold 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.
- 3.79 Detailed criteria for the designation of Local Green Space are set out in [Appendix 5](#).
- 3.80 Planning Practice Guidance includes information on the designation of Local Green Space. Appendix 2 sets out the specific criteria used to assess sites nominated for designation as Local Green Space in Pendle. Neighbourhood Plans must be in general conformity with the Local Plan. Unless there is a justified reason, they should use the same criteria to designate Local Green Space.
- 3.81 A 'call for sites' in 2017 allowed parish and town councils to nominate sites for designation as Local Green Space. Those that meet the criteria are designated in this Plan. Appendix 6 provides a list of sites and a Statement of Significance setting out their 'unique and special characteristics'.
- 3.82 The policy for managing development within a designated Local Green Space is consistent with that for the Green Belt ([Policy ENV11](#)).

#### Policy ENV14

##### Local Green Space

1. Sites designated as Local Green Space are listed in [Appendix 6](#) and defined on the Policies Map.
2. The sites listed in Appendix 6 - and any Local Green Space sites designated in a subsequently adopted DPD or Neighbourhood Plan - will be protected from any

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development that causes harm to the “special qualities” of the site, as defined in the Statement of Significance.

3. Development on land designated as Local Green Space is considered as inappropriate and will only be granted planning permission in the following very special circumstances:
  - a. Buildings for agriculture and forestry.
  - b. Art installations or the provision of appropriate facilities for outdoor sport, outdoor recreation and cemeteries, provided that they preserve the openness of the Local Green Space and do not conflict with the purposes of including land within it.
  - c. The re-use of a building that is of permanent and substantial construction.<sup>16</sup>
  - d. The extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building.
  - e. The replacement of a building, provided the new building is for the same use and not materially larger than the one it replaces.
  - f. Engineering operations.

### Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 4 • 9 • 10
<b>Local Plan Part 1 Policies</b>	ENV1
<b>Local Plan Part 2 Policies</b>	
<b>Targets</b>	<ul style="list-style-type: none"> <li>• Safeguard and where possible enhance designated Local Green Spaces for recreational enjoyment and amenity value of communities.</li> <li>• Value of Local Green Space is not lost.</li> </ul>
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• The integrity of designated Local Green Space is under threat.</li> </ul>
<b>Indicators</b>	None identified
<b>Delivery Agencies</b>	Pendle Borough Council, Town and Parish Councils, voluntary groups.
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Partnership working with key partners to ensure that Local Green Spaces are maintained and safeguarded.</li> <li>• Determination of planning applications through the development management process.</li> </ul>
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Development pressure due to poor viability in urban areas (L)</li> </ul>

<sup>16</sup> For new dwellings the phrase “permanent and substantial construction” will not normally include timber buildings or structures, as these will normally require significant modification to be considered habitable.

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	<ul style="list-style-type: none"><li>• Funding for maintenance reduced or withdrawn (M-H)</li><li>• Access to areas of Local Green Space in private ownership is withdrawn (M)</li></ul>
<b>Contingencies</b>	<ul style="list-style-type: none"><li>• Review of Local Green Space Designations</li></ul>
<b>Key Linkages</b>	<ul style="list-style-type: none"><li>• National Planning Policy Framework (2019)</li><li>• Planning Practice Guidance</li></ul>

## Our Foundations for a Sustainable Future

### Policy ENV15: Open Space

#### Justification

- 3.83 Open space makes a valuable contribution to the well-being of individuals. It is highly valued by local communities. In urban areas it provides opportunities for relaxation, recreation, education and enjoyment.
- 3.84 Open space fulfils a wide variety of needs for residents, workers and visitors. It helps to improve local amenity and quality of life. It provides opportunities for healthy living. It offers chance to step back and admire the best of our built environment. It can also be a valuable component in our Green Infrastructure network ([Policy ENV12](#)).
- 3.85 Open space typologies include: parks and gardens, natural and semi-natural spaces, green corridors, amenity and local green space, provision for children, allotments, civic spaces and areas offering opportunities for sport and recreation.
- 3.86 The NPPF requires policies on open space, sport and recreation to be based on robust and up to date assessments of needs and opportunities. The following evidence base documents inform this policy and several others in the Local Plan, notably ENV15 and SUP6:
- Rossendale, Pendle & Burnley Playing Pitch Strategy, Action Plan and Assessment (Knight, Kavanagh & Page, 2016)
  - Pendle Review of Indoor Sports Review (Pendle Council, 2017)
  - Pendle Open Space Audit (Pendle Council, 2019)
  - Pendle Green Infrastructure Strategy (Pendle Council, 2019)
- 3.87 These studies look at open space from different perspectives. Each identifies where existing stock of sites could be improved, or redeveloped, and highlights areas of the borough where additional provision may be needed. The [Pendle Open Space Audit](#) (2019) has established local standards for the quantity, quality and accessibility of open space.
- 3.88 The provision of sport and recreation facilities is primarily dealt with in [Policy SUP6](#).
- 3.89 Open space sites may also have the potential to support ground source heating systems for nearby homes (see Policies ENV2 and ENV19).

#### Policy ENV15

##### Open Space

1. Designated areas of Open Space with a site area of 0.2ha or greater are identified on the Policies Map. Sites below this threshold are shown on larger scale plans in the Open Space Audit.
2. Public open space is a valuable resource offering considerable public benefit. Built facilities for sport and recreation together with any land identified as open space on the Policies Map, or in the most recently adopted Open Space Strategy, will normally be protected from development.

##### New Open Space



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3. Where possible, built sports facilities attracting large visitor numbers should be located in Key Service Centres ([Policy SDP2](#)) and be easily accessible by public transport, cycling and walking.
4. The additional pressures arising from new development and/or any identified deficiencies in open space provision should be mitigated through the on-site provision of open space.
5. New open space must be well-designed and fit for purpose ([Policies LIV5 and WRK6](#)). Future management and maintenance of these new spaces will be secured by appropriate planning conditions or legal agreements.
6. Where it can be demonstrated, to the satisfaction of the Council, that the on-site provision of new open space is not feasible, off-site improvements to open space provision will be sought. In order of preference developers will be required to:
  - a. Provide new open space on an appropriate site
  - b. Make a financial payment, to secure:
    - i. An alternative site for the provision of new open space
    - ii. Improvements to the quality, accessibility and management of existing open space provision
    - iii. Improvements to the quality, ecological value and accessibility of green infrastructure assets ([Policy ENV12](#)),
7. The amount and type of new open space to be provided should address the needs set out in the most recent Open Space Strategy adopted by the Council, or will be secured through a payment to serve the needs of the development.
8. Financial payments will be secured through a Section 106 contribution, or through the Community Infrastructure Levy (CIL), should a charging schedule be adopted during the plan period.

### Existing Open Space

9. Development involving the loss of open space will be granted permission where:
  - a. The proposal includes alternative provision that is equivalent or better in terms of quantity, quality, accessibility and management arrangements
  - b. The loss of poor quality open space is outweighed by the public benefits of the development
  - c. Evidence can be provided that the open space site is no longer needed
  - d. The loss of does not lead to a deficiency for that open space typology within the Electoral Ward and/or Area Committee area in which it is located. This calculation will be based on evidence in the most up-to-date Open Space Strategy.
  - e. The site is not suitable to meet any identified deficiency in another open space typology
  - f. There is no adverse impact on:
    - i. A designated landscape or townscape feature
    - ii. A heritage asset or its setting
    - iii. Ecological value on a site designated for its biodiversity value or the integrity of the Green Infrastructure network

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- iv. Existing recreational facilities
  - v. Amenity value
  - vi. The level of flood risk (particularly beyond the boundary of the site)
10. The redevelopment and replacement of existing buildings will be permitted where this maintains or enhances the use of the open space or its context.
  11. The design of replacement structures should be sensitive to their setting; not normally exceed the footprint or height of the existing structure; and wherever feasible incorporate living roofs/walls and Sustainable Drainage Systems (SuDS).
  12. Development adjacent to an area of existing open space should seek to safeguard its appearance and wider setting by having no adverse impact on:
    - a. Accessibility
    - b. Amenity value (including any important views out of the site)
    - c. Ecological value
- Other**
13. Residential developments that will contribute to recreational pressure on the South Pennine Moors SPA and SAC will be required to mitigate these effects through provision of new natural green spaces for recreation or to contribute towards improvements to existing open spaces including Suitable Alternative Natural Greenspace [“SANG”].
  14. Within the Forest of Bowland AONB, new or enhanced open space should reflect the primary purpose and special qualities of the AONB.

## Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 3 • 4 • 5 • 7 • 8 • 9 • 10	
<b>Local Plan Part 1 Policies</b>	ENV1 • LIV5 • SUP2 • SUP4	
<b>Local Plan Part 2 Policies</b>	ENV9 • ENV10 • ENV12 • ENV16 • LIV7 • LIV8	
<b>Targets</b>	<ul style="list-style-type: none"> <li>• To deliver well-linked open space to enable healthy lifestyles</li> <li>• Improve accessibility to quality open space.</li> <li>• Provide open space that caters for the needs and responds to the demands of all.</li> <li>• Open Space created in new housing developments.</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• 1% or less increase in open space provision associated with new development by 2025.</li> <li>• 5% reduction or less in the number of sites achieving a low quality score in each of the relevant open space typologies recorded in the Open Space Audit/Green Infrastructure Strategy by 2025.</li> </ul>	
<b>Indicators</b>	EN07	Quality of open space by location.

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	EN08	Provision of open space by type and location over time
<b>Delivery Agencies</b>	Pendle Borough Council, voluntary groups, private developers, Town and Parish Councils.	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Working with developers and key partners through the development design process re: open space requirements, layout, design and standards.</li> <li>• Allocated development identified through the Pendle Local Plan Part 2 Site Allocations and Development Policies Plan, or Neighbourhood Plans</li> <li>• Site Development Briefs</li> <li>• Determination of planning applications through the development management process</li> <li>• Planning conditions/obligations/legal agreements</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Site constraints such as viability or opportunity limits or prevents suitable open space provision (M)</li> <li>• Open Space damaged or destroyed by poor maintenance, antisocial behaviour, climate change (M)</li> <li>• Open Space is given little consideration through the design process (M)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Work with key partners to identify priorities for open space enhancement and maintenance.</li> <li>• More detailed guidance through the publication of an SPD.</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Pendle Open Space Audit</li> <li>• Lancashire Green Infrastructure Strategy</li> <li>• Pendle Biodiversity Action Plan</li> </ul>	

## Our Foundations for a Sustainable Future

### Policy ENV16: Trees and Hedgerows

#### Justification

- 3.90 Trees, woodlands and hedgerows are an integral part of both the urban and rural landscape. Their presence brings a wide range of environmental, economic and social benefits.
- 3.91 Within our towns and villages, trees and hedgerows make a positive contribution to the sense of place. They play an important role in providing visual amenity, screening and privacy. They also support biodiversity; promote healthy communities and help to address climate change.
- 3.92 When granting planning permission [Section 197 of the Planning Act 1990](#) requires the Council impose conditions, where appropriate to:
- Secure the preservation or planting of trees; and
  - Ensure that any necessary tree preservation orders are made under [section 198 of the Act](#).
- 3.93 On large scale developments the appointment of a suitably qualified landscape designer and arboricultural consultant to the design team is recommended, throughout the development process.

#### Existing Trees and Hedgerows

- 3.94 The vital role played by mature trees and hedgerows is recognised in national planning policy and guidance. It also recognises the benefits that arise from integrating them into new developments.
- 3.95 All trees, and the impact of development upon them, are a material consideration in the determination of a planning application. In the interests of preserving their value for amenity, protection may be afforded to individual trees; groups of trees; or woodlands by virtue of:
- A Tree Preservation Order (TPO)
  - Conservation Area status; or
  - A condition attached to a planning application.
- 3.96 Paragraph 175 (c) of the [NPPF](#) states that when local planning authorities are determining planning applications, they should consider whether: *"development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists."*
- 3.97 It is an offence to cut down, uproot, prune, lop or damage tree subject to a TPO without first obtaining the consent of the Council. Similarly, under the [Hedgerow Regulations 1997](#), it is unlawful to remove or destroy most countryside hedgerows without first obtaining written permission from the Council.<sup>17</sup>

<sup>17</sup> Hedgerows forming part of a garden boundary are excluded.

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- 3.98 Development proposals should give careful consideration to any trees or hedgerows present on-site. They should avoid damage to such features, even where they are not protected. If this is not possible, in order of preference, measures should be put in place to provide for mitigation, damage reduction, or compensation.
- 3.99 Where the retention or removal of trees or established hedgerows is a consideration within the design process, pre-application advice should be sought. This can include a meeting on site with the Council's Environment Officer.

### New Trees and Hedgerows

- 3.100 Structural planting can help to soften the impact of new development. It can help to define linkages between features and create new public spaces. Individual and small groups of trees can provide solar shading. Pre-application advice should be sought to determine an appropriate planting scheme.
- 3.101 Development proposals should consider arboricultural and landscape requirements at an early stage. Good planning and design will help to achieve a high quality sustainable development.
- 3.102 New planting should have regard to opportunities identified in the Pendle Green Infrastructure Strategy and the requirements of [Policy ENV15](#).
- 3.103 To enhance the prospect of tree establishment and appropriate planting, applicants are recommended to seek pre-application advice. This will address the choice of stock; site preparation; transport handling and storage; aftercare and management.

### Policy ENV16

#### Trees and Hedgerows

1. All development proposals should demonstrate that opportunities for the conservation, restoration, enhancement or planting of trees, woodland and hedgerows have been considered and incorporated, wherever practicable.
2. Where trees and woodland could be affected by development, the submission of an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) will be required. A Tree Protection Plan may be required by attaching an appropriate condition of the planning permission. Reports should meet the requirements of British Standard (BS 5837:2012).
3. When granting planning permission, any condition requiring details of the trees to be retained and protected during site operations will be in accordance with the British Standard (BS 5837:2012).
4. Prior to commencement of any work on-site, applicants must demonstrate that any agreed protection measures are in place.
5. Any arboricultural works should be carried out in accordance with the British Standard (BS 3998:2010).

#### Protected Trees and Ancient Woodland

6. Buffer zones should be used to protect ancient woodland and individual ancient or veteran trees from any adverse impacts associated with development, including

## Our Foundations for a Sustainable Future

the construction phase. The size and type of the buffer zone will vary depending on the nature of the development:

- a. Ancient woodland – a minimum of 15 metres to avoid root damage.<sup>18</sup> As a precautionary principle a larger buffer zone should be considered to prevent adverse impacts on the woodland habitat from pollution and trampling.<sup>19</sup>
  - b. Veteran trees – a minimum of 15 times the diameter of the tree, or 5 metres from the edge of the tree's canopy if that area is larger than 15 times the diameter of the tree.
7. Works to protected trees will only be granted consent where these would:
- c. Not adversely affect the appearance of the tree and the contribution it makes to amenity.
  - d. Improve the health and/or amenity value of the tree.
8. The felling of protected trees, groups of trees or woodland to facilitate development, will only be permitted in exceptional circumstances. To demonstrate exceptional circumstances the Council will need to be satisfied that the loss is outweighed by the public benefits of the development and that the tree(s):
- a. Are in poor health
  - b. Have lost their intrinsic amenity value
  - c. Are likely to cause harm or damage to the structural integrity of any new buildings or structures on the site and that this cannot be remedied by other reasonable means
  - d. Enhance the survival or growth of other protected trees or hedgerows.
9. Where the felling of a protected tree is permitted, replacement planting will normally be required. This planting should take place in a location agreed with the Council and include appropriate species (see Replacement and New Tree Planting below).

### Non-Protected Trees and Hedgerows

10. The proposed loss or damage of non-protected trees, woodland or hedgerows should be avoided. Where it can be shown that this is unavoidable, appropriate replacement or compensation will be required (see Replacement and New Tree Planting below).

### New and Replacement Planting

11. Proposals for the planting of new trees and hedgerows should include details of:
- a. The planting proposals, including specifications and timings
  - b. Implementation in accordance with the approved details
12. The design and layout of new developments, both above and below ground, should ensure that any retained or new trees are able to grow and mature in the space provided.

<sup>18</sup> Standing advice on [ancient woodland, ancient trees and veteran trees: protecting them from development](#) (Forestry Commission and Natural England, October 2014), as amended

<sup>19</sup> [Planning for Ancient Woodland](#) (Woodland Trust, July 2019).

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13. The final size and shape of tree and shrub species should be taken into account in the planting design to ensure that there will not be future conflict with buildings and use of space.
14. Native species will normally be preferred, but particularly along boundaries with the open countryside and for large scale planting.
15. The use of hedgerows and trees, rather than fencing, to define the boundaries of a development, and any individual plots within it, is encouraged. This is particularly important where these share a border with the open countryside.
16. For each tree lost, the provision of two (2) replacement trees, or a minimum commuted sum payment of £500.00 (excluding VAT) per new tree will be required.

### Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 4 • 9 • 10	
<b>Local Plan Part 1 Policies</b>	ENV1	
<b>Local Plan Part 2 Policies</b>	ENV9 • ENV12 • ENV13 • ENV19	
<b>Targets</b>	<ul style="list-style-type: none"> <li>• Protect existing veteran and important trees to the built and environmental character of an area, residential amenity from inappropriate and damaging development.</li> <li>• Ensure that s.41 Priority Habitats are maintained, replaced, and enhanced through new developments.</li> <li>• Ensure that existing and proposed trees are thoroughly considered through the design process.</li> <li>• Increase tree coverage within the Borough.</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• 5% or less increase in woodland cover by 2025</li> </ul>	
<b>Indicators</b>	EN05a	Net change in area of land supporting s41 Priority Habitats and Species.
	EN11	Number of development schemes refused planning permission on the grounds of poor design
<b>Delivery Agencies</b>	Pendle Borough Council, private developers, Town and Parish Councils, voluntary organisations.	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Engagement with landowners, applicants and developers.</li> <li>• Determination of planning applications through the development management process.</li> <li>• Planning Obligations/conditions</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Valued Trees for landscape, historic, amenity or biological reasons are lost (M)</li> </ul>	

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	<ul style="list-style-type: none"> <li>• Suitable mitigation isn't provided (M)</li> </ul> <p>Trees (design, type, location) are not sufficiently considered through the design process (M)</p>
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Tools of control through the use of TPOs, Conservation Areas</li> </ul>
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Design Principles SPD</li> <li>• Conservation Area Appraisals (Various)</li> <li>• Lancashire Landscape Character Assessment</li> <li>• Pendle Open Space Audit</li> <li>• Pendle Biodiversity Audit</li> <li>• Lancashire Green Infrastructure Strategy</li> </ul>



## Our Foundations for a Sustainable Future

### Policy ENV17: Environmental Protection

#### Justification

- 3.104 Planning provides support for sustainable development and growth. As a result it is often seen as being in conflict with the need to protect the environment. But new development need not come at the expense of the environment. Careful and considerate design will address environmental quality, ecological value; health and well-being.
- 3.105 Planning looks to prevent serious conflicts between different land uses. With other forms of regulation, it requires new development to minimise or cut pollution. Specifically the NPPF (paragraph 170) requires planning to contribute to:
- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
  - remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate (see [Policy ENV18](#)).
- 3.106 Where required to do so by [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#), or a subsequent update, development proposals should be accompanied by an Environmental Impact Assessment [“EIA”], to demonstrate that all environmental considerations have been fully evaluated.
- 3.107 The NPPF describes pollution as anything that affects the quality of land, air, water or soils, which might lead to an adverse impact on human health, the natural environment or general amenity. Pollution can arise from a wide range of sources. Water pollution is dealt with in [Policy ENV7](#). This policy focuses on emissions – smoke, fumes, gases, dust, steam, odour – vibration, noise and light.
- 3.108 Action to manage and improve air quality is largely driven by legislation. The NPPF requires planning to sustain, and contribute towards compliance with relevant limit values or national objectives for pollutants. Advice on assessments and potential sources of information is set out in [planning practice guidance](#).
- 3.109 Some developments will not be able to avoid having an adverse effect on the environment. In such cases the Council expects developers to meet the full cost of any mitigation. This could include contributing towards off-site environmental improvements; referred to as offsetting.

#### Construction

- 3.110 Dust, noise, vibration and other nuisances, arising from the construction process, may cause disturbance. This will have a detrimental impact on the amenity of the occupants in neighbouring properties. Site operators should read the Council’s [Code of Practice on Construction and Demolition](#) and apply for consent for their activities.

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- 3.111 Where necessary, the Council will seek to attach planning conditions, assessing each case on its individual merits.

### Air Quality

- 3.112 The planning system plays an important role in improving air quality and reducing exposure to air pollution at a local level. Several policies in the Local Plan provide a framework to help determine individual planning applications in Pendle.
- 3.113 Policies SDP1-5 seek to focus development where it is needed and in the most sustainable locations. This is to reduce the need to travel and minimise journey times. To further reduce the emissions generated by transport, [Policy ENV4](#) encourages walking, cycling and the use of public transport rather than the private car.
- 3.114 The location and design of buildings and green infrastructure can also help mitigate and adapt to climate change. This is reflected in Policies ENV2, LIV5, WRK6 and SUP4. And [Policy ENV3](#) acknowledges that the generation of renewable and low carbon (RLC) energy has an important role to play.
- 3.115 Carbon dioxide (CO<sub>2</sub>) is the principal greenhouse gas believed to be contributing to global warming. It accounted for 81% of UK greenhouse gas emissions in 2015. The vast majority of man-made CO<sub>2</sub> emissions come from the burning of fossil fuels in power generation and the transport, domestic and industrial sectors. The domestic sector makes the greatest contribution to total CO<sub>2</sub> emissions in Pendle. This can be attributed to the fact that a significant proportion of the housing stock achieves poor energy efficiency values. Overall the figure for total CO<sub>2</sub> emissions per resident (4.86 tonnes) is one of the lowest in the county. It is considerably lower than the UK average of 5.94 tonnes per capita (DECC, 2015). In 2019 Pendle Council declared a Climate Emergency to help avoid irreversible environmental damage arising from greenhouse gas emissions.
- 3.116 Nitrogen dioxide levels show where traffic emissions are impacting on air quality. High levels indicate where an Air Quality Management Areas [“AQMA”] may be needed. In Pendle, just one [AQMA](#) has been declared. This is on part of the North Valley in Colne. This route links the end of the M65 motorway with routes into North and West Yorkshire.
- 3.117 Proposals for new development must take account of the presence of any AQMAs that have been declared. Of particular concern is the cumulative impact on air quality that may arise from development on sites that are in close proximity to each other. General guidance on air quality and the development management process is set out in [Land-Use Planning & Development Control: Planning for Air Quality](#) (Institute of Air Quality Management, 2017).
- 3.118 Odour is often associated with:
- the treatment of domestic and industrial waste;
  - wastewater treatment;
  - some industrial processes; and
  - farming activity.

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- 3.119 New residential developments should not be located close to significant sources of odour (e.g. waste water treatment works), nor should significant sources of odour be located close to odour-sensitive uses (e.g. residential areas). Where physical separation is not possible, control and mitigation measures may make development acceptable, from a land-use perspective, by increasing dilution and dispersion of the odour.
- 3.120 [Guidance on the Assessment of Odour for Planning](#) (Institute of Air Quality Management, 2014) sets out an approach for assessing the effects of odour. It considers the position from potential sources and to nearby receptors. The results will help to determine whether a development proposal represents a suitable use of the land in question.

### Noise and Vibration

- 3.121 Noise is an unavoidable part of everyday life. But significant amounts of noise in terms of both volume and duration can be a source of stress and irritation. It can have a detrimental impact on people's health and quality of life.
- 3.122 The [Noise Policy Statement for England](#) (NPSE) was launched in March 2010. It states that the long term vision of Government noise policy is to "*promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development*". This vision is supported by the following aims:
- Avoid significant adverse impacts on health and quality of life;
  - Mitigate and minimise adverse impacts on health and quality of life; and
  - Where possible, contribute to the improvement of health and quality of life.
- 3.123 The intention is that the NPSE should apply to all types of noise apart from noise in the workplace (occupational noise).
- 3.124 The inclusion of references to noise within the NPPF (paragraphs 170, 180, 204 and 205) mean that it is a material planning consideration in planning decisions. But the Government has advised that it does not intend to provide technical guidance on such matters. This makes clear that policy on noise (and vibration) is to be driven by local authorities and the localism agenda.
- 3.125 Many types of development have the potential generate noise and vibration. Others are sensitive to their impact. It is the responsibility of [Environmental Health](#) to manage the noise and vibration coming from existing establishments. The role of planning is to make sure that any new development, with the potential to generate or be susceptible to significant levels of noise or vibration, is suitably located and designed. This is to ensure that that local communities do not suffer any adverse effects.
- 3.126 [Approved Document E](#) of the Building Regulations is the main reference for the insulation of buildings against airborne and structure borne noise. It does not address environmental noise. If this is a significant consideration reference must also be made to the [Environmental Noise Directive](#) (2002/49/EC) and other technical documents.

### Lighting

- 3.127 Artificial lighting is an important part of everyday life. Lighting our highways and public realm helps to create a safe environment. On buildings it's used as a security feature, or to

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help improve their appearance and character. But artificial lighting can also have negative impacts. Poor lighting schemes can create issues for health and well-being. They can be detrimental to the character and appearance of an area, particularly in tranquil rural locations. They also have the potential to disrupt natural habitats and species.

- 3.128 Lighting in new development should be energy efficient and have regard to [Guidance Notes for the Reduction of Obtrusive Light GN01:2011](#) (Institution of Lighting Professionals, 2011) or its successor document.

### Policy ENV17

#### Environmental Protection

##### Construction

1. Appropriate measures should be taken to minimise and mitigate any adverse impacts arising from a development during the construction phase. This includes the potential to contaminate land, air, water, or soil quality. It includes a wide range of emissions including, but not limited to, smoke, fumes, gases, dust, steam, heat, energy, odour, noise, vibration and light.

##### Air Quality

2. Housing, or other environmentally sensitive development, will not normally be permitted in locations where existing levels of pollution from one or more sources are unacceptable and there is no reasonable prospect that adequate mitigation measures can be put in place by the developer.
3. Development proposals should support improvements to air quality and seek to promote the use of sustainable transport.
4. Major development within 0.5km of an AQMA will require an Air Quality Assessment to be submitted. The assessment should address:
  - a. Existing background levels of air pollution.
  - b. Existing sources of air pollution and the cumulative effect of planned developments
  - c. The feasibility of any mitigation measures that would reduce any adverse impacts on air quality
5. Where feasible, the provision of charging points for electric and other ultra-low emission vehicles should be incorporated into all new developments. This will also make a positive contribution towards achieving the Government's ambitious Zero Net Carbon targets ([Policy ENV27](#)).

##### Noise and Vibration

6. Potential, or existing, noise and vibration levels within the vicinity of any new development must be at acceptable levels. As appropriate, attenuation against noise and vibration may be required.

##### Lighting

7. Lighting schemes should be appropriate to the type of development and its location. Proposals for outdoor lighting should not have an unacceptable adverse impact by reason of light spillage or glare on neighbouring buildings or uses; the open countryside; highway safety; or biodiversity.

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8. Where appropriate, a light impact assessment should accompany a planning application.

### Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 4 • 10	
<b>Local Plan Part 1 Policies</b>	ENV3 • ENV5 • ENV6	
<b>Local Plan Part 2 Policies</b>	ENV18 • ENV19 • ENV27	
<b>Targets</b>	<ul style="list-style-type: none"> <li>• Ensure that new development does not adversely affect the health, wellbeing and amenity of existing and future users.</li> <li>• Minimise the impact of new development on the environment.</li> <li>• Reduce the level of carbon emissions.</li> </ul>	
<b>Triggers</b>	Percentage of energy from renewable sources by 2025.	
<b>Indicators</b>	EN01	Amount of energy generated by renewable sources for completed developments and those with planning permission by type.
	EN02	Amount of CO2 emissions in Pendle by source (including trends over time).
<b>Delivery Agencies</b>	Pendle Borough Council, Lancashire County Council, private developers, businesses, construction firms	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Determination of planning applications through the Development Management process.</li> <li>• Planning conditions re: construction methods.</li> <li>• Third party funding.</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Construction measures are not implemented/adhered to (M)</li> <li>• Development standards not considered through the design process (M)</li> <li>• Low viability limits adoption of high environmental standards and renewable energy (M)</li> <li>• Absence of grant funding (M-H)</li> <li>• The use/development takes place without planning approval (L)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Working with developers to secure best outcome and monitor project delivery</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> </ul>	

## Our Foundations for a Sustainable Future

- [Code of Practice on Construction and Demolition](#)
- [Land-Use Planning & Development Control: Planning for Air Quality](#)
- [Guidance Notes for the Reduction of Obtrusive Light GN01:2011](#)
- [Guidance on the Assessment of Odour for Planning](#)

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## Our Foundations for a Sustainable Future

### Policy ENV18: Contaminated and Unstable Land

#### Justification

- 3.129 The NPPF promotes sustainable development and encourages the reuse of previously developed (Brownfield) land. It makes clear that one of the ways in which planning can help to enhance the natural and local environment is by *“remediating (overcoming) and mitigating (reducing) despoiled, degraded, derelict, contaminated and unstable land, where appropriate”* (paragraph 170, sub paragraph f).
- 3.130 The NPPF also requires the (cumulative) effects of pollution on health, the natural environment or general amenity to be taken into account (paragraph 180).
- 3.131 A key role of the planning system is to ensure that any land that is to be developed is suitable for its proposed use. Remediation is the term used to describe the various measures employed to secure the reclamation of land for future use. After all remediation work has been carried out, as a minimum land should not be capable of being classed as contaminated land under Part 2A of the Environmental Protection Act 1990.
- 3.132 A review of [Part 2A of the Environmental Protection Act 1990](#) was completed in April 2012. It sets out how to identify land that poses a significant risk to health or the environment. It also imposes a duty on local authorities to identify and record the location of contaminated land within their area. Subject to survey, development may provide an opportunity to remediate and bring these sites back into beneficial use.
- 3.133 The purpose of this policy is to unlock the development potential of contaminated and unstable land. It does so by requiring any physical constraints on the land to be fully considered at all stages of the planning process.
- 3.134 Many sites are contaminated to some extent by their previous use or landfill. Few are so badly damaged that they cannot be re-used. But the use of the land and the form of any development may be restricted by ground conditions and the measures required to secure its reclamation.
- 3.135 Contaminants can include heavy metals, oils and tars, chemicals, gases, asbestos and radioactive substances. If undisturbed or suitably treated their effects are often benign. But where disturbance cannot be avoided and unacceptable risks cannot be controlled by other means, full remediation will be required to avoid potential harm to people or wildlife.
- 3.136 The responsibility for remediation lies with those who caused the contamination – the so called “polluter pays” principle. Where this is not known, it is the responsibility of the landowner or developer.
- 3.137 It is for the developer to determine the suitability of land for a particular purpose. In particular, the responsibility and subsequent liability for safe development and secure occupancy rests with the developer and/or landowner.

## Our Foundations for a Sustainable Future

- 3.138 Consultation zones have defined around historic coal workings, landfill sites, installations handling hazardous materials and pipelines. Zones are typically found around former mine workings and installations or pipelines carrying notifiable (hazardous) substances. Organisations consulted include, but are not limited to, the Environment Agency, Health and Safety Executive and The Coal Authority.
- 3.139 Land affected by the presence of invasive species such as Japanese Knotweed, Giant Hogweed and Himalayan Balsam are regarded as contaminated land and covered under this policy.

### Policy ENV18

#### Contaminated and Unstable Land

1. For proposals that may affect, or be effected by, contamination or land instability, applicants must submit a report investigating the extent to which these issues may impact on the proposed development; its future users; and the natural and built environment. The report must be prepared by a suitably qualified and experienced specialist. This requirement also applies to any redevelopment of a closed landfill site, or development on land within 250 metres of a landfill site, where there is the potential for the migration of methane or carbon dioxide gases.
2. Development will only be deemed acceptable where it can be demonstrated that any contamination or land instability issues can be appropriately mitigated against and remediated.
3. Where remediation, treatment or mitigation works are considered necessary to make a site safe and stable and/or to protect wider public safety, a planning condition or obligation will be imposed to ensure that these are completed before development commences and maintained thereafter. Any future development on the site in question must not compromise any control measures that are installed.
4. Where development falls within a defined consultation zone, the Council will seek advice from the appropriate regulatory or statutory body.

### Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 4 • 10
<b>Local Plan Part 1 Policies</b>	ENV5 • ENV6
<b>Local Plan Part 2 Policies</b>	ENV17 • ENV19
<b>Targets</b>	<ul style="list-style-type: none"> <li>• Promote the safe, sustainable re-use of brownfield/contaminated land.</li> <li>• Ensure that development minimises harm to the environment.</li> <li>• Ensure that development does not adversely affect health and wellbeing.</li> </ul>
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• Environmental Health complaints received.</li> </ul>



## Our Foundations for a Sustainable Future

<b>Indicators</b>	EN14	Quality of rivers and streams in Pendle by: - levels of organic and nutrient enrichment. – levels of chemical pollution; and cumulative impact of abstractions on local watercourses.
	EN15	Amount of vacant, derelict and contaminated land by location.
<b>Delivery Agencies</b>	Pendle Borough Council, Lancashire County Council, the Environment Agency, PEARL2, private developers, Lancashire Local Enterprise Partnership, Homes England	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Determination of planning application through the development management process</li> <li>• Engagement with partners and delivery</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Development takes place without precautions/pre-assessment (M)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Cross partnership delivery. Third party funding sources.</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Joint Lancashire Minerals and Waste Local Plan: Core Strategy</li> <li>• Joint Lancashire Minerals and Waste Local Plan: Site Allocations and Development Management Policies</li> <li>• Strategic Housing Land Availability Assessment</li> <li>• Brownfield Land Register</li> <li>• Employment Land Survey</li> </ul>	

## Our Foundations for a Sustainable Future

### Policy ENV19: Design and Placemaking

#### Justification

- 3.140 Our lives are connected through the built environment; the buildings where we live, learn and work; and the spaces where we relax or play. Planning promotes good design to help create better places.
- 3.141 Placemaking harnesses these assets. It combines them with the inspiration and potential within a community, to strengthen the connection between people and the places they share.
- 3.142 The NPPF acknowledges that creating high quality buildings and places is fundamental to what the planning and development process should achieve.
- 3.143 Planning guidance states that good design is an integral part of sustainable development and is indivisible from good planning. The [National Design Guide](#) (2020) forms part of this guidance. It illustrates how well-designed places can be beautiful, enduring and successful.
- 3.144 But whilst good design is easy to recognise, it is difficult to define. Understanding local context is the key to weaving new development into the existing fabric of an area. Engagement with the local community helps to identify the features and characteristics that they value the most.
- 3.145 As a starting point good design should consider the size of a site, its topography and location. Taking account of key features in the surrounding area will help to create places and spaces that generate a sense of belonging and civic pride.
- 3.146 Good design provides added value to the community. It promotes local distinctiveness; enhances the sense of place; and attracts new investment. In short good design improves quality of life by increasing people's health, happiness and well-being.

#### Building Design and Appearance

- 3.147 In November 2018, the government launched the Building Better Building Beautiful commission with the aim of addressing the UK's housing crisis by improving the quality of developments in the planning pipeline. Its final report [Living with beauty; promoting health, well-being and sustainable growth](#) was published in January 2020. A key finding was that beauty is not simply a matter of how buildings look, it also includes settlement patterns and their interaction with nature. The Commission refers to this as the 'spirit of the place'.
- 3.148 Similarly good design is not just about appearance; a wide range of other factors must be considered if new development is to be successful:
- **Context** – New development should not be looked at in isolation from its surroundings. Even sites that are relatively self-contained will impact the wider environment. The scale of new development will normally reflect its immediate surroundings. The design and materials used should make a positive contribution to the overall quality of the environment.

## Our Foundations for a Sustainable Future

- **Access** – Permeable layouts help to promote walking and cycling. Larger developments should ideally have more than one access from the highway network to ensure that emergency vehicles are able to attend any incidents. The travelling distance from points of access should be as short as possible to reduce the potential for conflict between road users, pedestrians and cyclists.
- **Highway safety** – Almost all new development will have access from existing roads. It will generate traffic impacts beyond the confines of the development site. These impacts must be considered, as well as those of potential occupiers.
- **Crime prevention** – Poor design can influence criminal behaviour and create opportunities for crime. The design process should consider security measures at an early stage. Defining well-overlooked public areas and secure private zones will help to minimise risk to personal safety and property; and is particularly relevant to the design of roads, cycleways, footpaths and landscaping. All new commercial development should have regard to the principles and practices of secured by design.
- **Waste Minimisation** – improvements in efficiency are possible, without increasing costs. The waste generated during the construction process can be reduced by the avoidance of over-ordering. Effective waste management and recycling will reduce the quantity of material sent to landfill. Well-designed buildings will be energy and water efficient. They should also use recycled materials, or mainstream products with higher recycled content.
- **Energy efficient** buildings are cheaper to run and maintain. Design and layout will maximise passive solar gain and provide shelter from prevailing winds, whilst the inclusion of renewable technologies will also make a positive response to climate change by minimising carbon emissions. Proposals should seek to incorporate eco-friendly materials and construction techniques, economical heating systems, and good thermal insulation.

3.149 Developers are encouraged to use one of the optional rating systems, such as BREEAM or the Passivhaus Standard, to benchmark and help demonstrate the sustainability of their development.

3.150 Good design represents a positive response to the Council's declaration of a Climate Change Emergency. The best schemes will seek to incorporate solar shading; use heat and energy from renewable sources; and minimise the generation of waste.

### Open Space and Landscaping

3.151 The form, surface treatment and detailing of open spaces should be an integral part of the design process. The layout, levels, surfacing and planting should carefully consider the relationships with other buildings and the footpath network. An appropriate management plan will be required for areas of public open space, as these will not be adopted by the Council.

3.152 Good design is often distinctive. At its best it reflects the characteristics of the site and its context. In doing so it helps to create a sense of place. Good design can help to re-imagine everyday spaces and realise their full potential.

## Our Foundations for a Sustainable Future

3.153 New spaces, streets and buildings should be welcoming, safe and accessible. To encourage activity and promote social interaction, communal spaces should be:

- an appropriate scale;
- allow for ease of movement;
- strike a balance between the natural and man-made environment; and
- where possible, be overlooked by surrounding buildings to provide natural surveillance.

### Policy ENV19

#### Design and Placemaking

##### Design

1. Good design will be sought in all new developments. Proposals should demonstrate how this will be achieved through the submission of a design statement, which should address the following general principles:
2. To promote local character and distinctiveness development proposals should:
  - a. Respond to the context of the site. They should show a thorough understanding and appreciation of both the natural and built environment in the area. This will include elements such as landscape, townscape, heritage, topography, vegetation, open space, microclimate, tranquillity, light and darkness.
  - b. Respect the form of existing buildings. This includes density, scale, height and massing. High quality materials should be used and sourced locally wherever possible.
  - c. Maintain positive aspects of the local environment and improve poorer ones. The opportunity to create new focal points such as views, vistas, enclosures, backdrops and landmarks should be considered.
3. To promote sustainability development proposals should:
  - a. Take all reasonable opportunities to ensure future resilience to a changing climate. Reduce energy and water use; minimise waste and carbon emissions; and, wherever possible and feasible, generate power from renewable and low carbon sources by:
    - i. Using eco-friendly materials and construction techniques
    - ii. Incorporating recycled materials, or mainstream products with higher recycled content
    - iii. Installing economical heating systems, and good thermal insulation
  - b. Demonstrate that they will secure a good standard of amenity for all existing and future occupants of land and buildings.
  - c. Ensure that buildings and spaces are accessible and usable. Individuals regardless of their age, gender or disability should be able to gain access to buildings and use their facilities. This applies to both visitors and those who live and work in them.

## Our Foundations for a Sustainable Future

- d. Have regard to the principles and practises of 'Secured by Design'.
- 4. To improve external appearance and amenity:
  - a. Householder developments ([Policy LIV12](#)), shopfronts and external advertisements should accord with the detailed requirements set out in the [Design Principles SPD](#); and the [Conservation Area Design and Development Guidance SPD](#), where applicable.
  - b. External air conditioning condenser units should be sited appropriately and not have impact on the amenity of people in adjacent properties.
  - c. Developers must plan for waste storage requirements within each individual property, giving occupiers responsibility for their own waste. Waste bins should be stored:
    - i. Within the site boundary
    - ii. Located no further than 10 metres from nearest point of access for the waste collection vehicle
    - iii. Should not be prominent from the street scene and screened from public view wherever practicable
  - d. Communal bin stores require pathways between the bin store and highway should be free from kerbs, steps or inclines with a gradient in excess of 1:12 and be a minimum of 1.8 metres wide.

### Landscaping

- 5. Landscaping schemes will be required to mitigate against the impact of any new development and should have a positive impact on the landscape.
- 6. Development should enhance or protect local habitats and landscape character. The criteria set out below should be addressed, where relevant:
  - a. Safeguard natural features of importance for biodiversity and/or amenity from damage, destruction or deterioration in quality. This includes ensuring that wildlife corridors are maintained.
  - b. Maintain the attractiveness and visual amenity of green open spaces.
  - c. Sympathetically incorporate existing features into the overall design of the scheme, such as trees, walls and hedgerows. This includes measures to ensure their continued survival.
  - d. Provide new landscaping that integrates with the local environment and existing natural features. Native plant species should be used and, where practicable, locally distinctive building materials, such as stone flags and setts. Provision must also be made for future maintenance.
- 7. Conditions and/or planning obligations will be used where necessary to secure:
  - a. Landscaping schemes
  - b. Maintenance payments for new landscaping
  - c. The protection of trees, hedgerows or other natural features, during the course of development
  - d. The replacement of trees, hedgerows or other natural features, where their loss cannot be avoided

## Our Foundations for a Sustainable Future

### Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 3 • 4 • 5 • 6 • 7 • 8 • 9 • 10	
<b>Local Plan Part 1 Policies</b>	ENV2 • LIV5 • WRK6 • SUP4	
<b>Local Plan Part 2 Policies</b>	ENV9 • ENV12 • ENV15 • ENV16 • ENV17 • ENV18 • ENV23 ENV27	
<b>Targets</b>	<ul style="list-style-type: none"> <li>To achieve the highest possible standards of design and conservation in new developments.</li> <li>To deliver developments which have a minimal impact on the environment and are resilient to climate change.</li> <li>Increase access to areas of high quality open space for all.</li> <li>Protect and enhance</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>Percentage of energy generated by renewable means in Pendle by 2025.</li> </ul>	
<b>Indicators</b>	EN01	Amount of energy generated by renewable sources for completed developments and those with planning permission by type.
	EN06	Number of new development completed which incorporate beneficial biodiversity features.
	EN08	Provision of open space by type and location (including trends over time)
	EN11	Number of development schemes refused planning permission on the grounds of poor design.
<b>Delivery Agencies</b>	Pendle Borough Council, PEARL2, Lancashire County Council, private developers, Natural England, Town and Parish Councils, Lancashire Wildlife Trust, Historic England, Homes England, Registered Providers	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>Determination of planning applications through the Development Management process.</li> <li>Engagement with developers and delivery partners.</li> <li>Development briefs/Site policy requirements.</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>High quality design not given due consideration proposals. (M)</li> <li>Poor site viability may compromise use of materials, leading to poor design (M-H)</li> <li>Poor site viability may compromise ability to meet low carbon building requirements (M-H).</li> </ul>	

## Our Foundations for a Sustainable Future

	<ul style="list-style-type: none"><li>• Changes in national policy requirements (M)</li></ul>
<b>Contingencies</b>	<ul style="list-style-type: none"><li>• Further guidance through an updated Design SPD</li></ul>
<b>Key Linkages</b>	<ul style="list-style-type: none"><li>• National Planning Policy Framework (2019)</li><li>• Planning Practice Guidance</li><li>• Design Principles SPD</li><li>• Conservation Area Design and Development Guidance SPD</li></ul>

## Our Foundations for a Sustainable Future

### Policy ENV20: Advertisements and Commercial Signage

#### Justification

- 3.154 Advertisements are an integral part of our street scene. They play a key role in attracting customers and promoting business growth.
- 3.155 Well-designed signage enhances the character and appearance of the built environment. In contrast the poor design, illumination or location of advertisements can substantially detract from the character and appearance of an area or jeopardise public safety.
- 3.156 The statutory definition of an advertisement for planning purposes is set out in [Section 336\(1\) of the Town and Country Planning Act 1990](#), as amended by [Section 24 of the Planning and Compensation Act 1991](#):
- “any word, letter, model, sign, placard, board, notice, awning, blind, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and (without prejudice to the previous provisions of this definition) includes any hoarding or similar structure used or designed, or adapted for use and anything else principally used, or designed or adapted principally for use, for the display of advertisements.”*
- 3.157 Signs and advertisements are controlled by [The Town and Country Planning \(Control of Advertisements\) \(England\) Regulations, 2007](#) (as amended). The regulations permit the display of certain signs, but most advertisements require specific consent. [Paragraph 132 of the NPPF](#) notes that advertisements should only be subject to control in the interests of public safety and amenity and that their cumulative impact is a consideration.
- 3.158 There are three categories of advertisement consent:
1. Those advertisements permitted without requiring either deemed or express consent. Subject to meeting certain criteria and conditions, such advertisements can be displayed without requiring approval from the local planning authority.
  2. Those advertisements which have deemed consent. Again, subject to meeting certain criteria and conditions, such advertisements can be displayed without requiring approval from the local planning authority. It should be noted that Local Authorities may restrict the use of deemed consent.
  3. Those advertisements which require express consent from the local planning authority. This covers advertisements which do not fall into one of the above categories.
- 3.159 Further guidance on advertisements and commercial signage is provided in:
- [Planning practice guidance on advertisements](#)
  - [Outdoor Advertisements and signs: a guide for advertisers](#) (MHCLG, 2007)
  - [Design Principles SPD](#) (Pendle Council, 2009)



## Our Foundations for a Sustainable Future

### Policy ENV20

#### Advertisements and Commercial Signage

1. Advertisements should not harm the environment and, where possible, should seek to make a positive contribution to a safe and attractive environment.
2. Proposals which would result in a proliferation of advertisements will be refused, particularly in sensitive locations where amenity will be impaired. Such locations include, but are not limited to, historic and rural locations; areas with high visual amenity; business parks and town centres.
3. Any advertisement requiring planning consent must meet the following criteria:
  - a. Be appropriate and relevant to the business or premises for which it has been created.
  - b. Be appropriate to its setting and location and have due regard to local distinctiveness.
  - c. Be appropriately sited and sensitive to the visual appearance of:
    - i. the premises on which it is to be installed; particularly if this is a listed building; and
    - ii. the local street scene; particularly within a conservation area.
  - d. Not cause a hazard to pedestrians or road users.
  - e. Avoid undue visual intrusion by virtue of light pollution.
4. Development should conform to the Design Principles SPD, which provides detailed guidance on the design of shop fronts.

### Monitoring and Delivery

<b>Strategic Objectives</b>	3 • 4 • 7 • 8 • 9 • 10	
<b>Local Plan Part 1 Policies</b>	ENV2 • SUP4	
<b>Local Plan Part 2 Policies</b>	ENV19	
<b>Targets</b>	<ul style="list-style-type: none"> <li>• Increase the quality of the public realm and built environment.</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• Advertisement applications refused for poor design</li> <li>• Increased enforcement activity.</li> </ul>	
<b>Indicators</b>	SD05	Number of time the Design Principles SPD has been used as a reason for refusal of a development.
	EN11	Number of development schemes refused planning permission the grounds of poor design.
<b>Delivery Agencies</b>	Pendle Borough Council, private developers, Town and Parish Councils and community groups.	

## Our Foundations for a Sustainable Future

<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Determination of planning applications through the Development Management process.</li> <li>• Detailed design guidance in Supplementary Planning Documents, Area Action Plans, Neighbourhood Plans and Masterplan documents.</li> </ul>
<b>Risks</b>	<ul style="list-style-type: none"> <li>• High quality design not given due consideration in development process (M)</li> <li>• Works taking place without planning consent or application (M)</li> <li>• Clutter in the streetscene adversely affecting the visual quality of the environment, public safety, space functionality, and other businesses (L)</li> </ul>
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Pre-application engagement.</li> <li>• Community forums</li> <li>• Enforcement action.</li> </ul>
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Pendle Conservation Area Design and Development Guidance SPD</li> <li>• Outdoor Advertisements and Signs: A Guide for Developers MHCLG (2007)</li> </ul>

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## Our Foundations for a Sustainable Future

### Policy ENV21: Historic Environment

#### Justification

- 3.160 The NPPF notes that achieving sustainable development requires the planning system to address three overarching, but interdependent, objectives (paragraph 8). At the heart of the environmental objective is the need to protect and enhance our built and historic environment.
- 3.161 The NPPF establishes a number of requirements that Local Plans must address in respect of the historic environment. These include:
- Setting out both strategic and non-strategic policies to deliver the conservation and enhancement of the historic environment (paragraph 20 );
  - Identifying areas of special architectural or historic significance (paragraph 186);
  - Using up-to-date evidence to assess the significance of heritage assets and the contribution they make to the environment (paragraphs 187 and 192);
  - Taking account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation (paragraph 192); and
  - Considering the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality (paragraph 192).
- 3.162 Human settlement and endeavour has shaped our local environment since before the Roman occupation. Our historic environment, represented in its built form, historic landscapes and archaeology, is irreplaceable and provides a unique sense of place.
- 3.163 Knowledge and information about the historic environment is critical to our understanding of the past, present and future. Pendle Council together with Historic England, Lancashire County Council and a host of other organisations, has developed an evidence base that demonstrates a clear understanding of the borough's rich historic legacy
- 3.164 Pendle Council attaches great importance to the Borough's local character and distinctiveness. This is derived from a wide range of diverse elements such as the borough's agricultural and industrial built heritage; and the local stone and slates of the traditional vernacular building styles
- 3.165 Designated heritage assets represent the most important elements of our historic environment. In Pendle they comprise:
- Listed Buildings
  - Conservation Areas
  - Scheduled Monuments

## Our Foundations for a Sustainable Future

- 3.166 Non-designated heritage assets comprise buildings and places of local architectural or historic interest. Although they do not meet the criteria for designated heritage assets, they are often highly valued by local communities. They are being formally identified in neighbourhood plans and recorded on the Pendle Local List. These assets have a degree of heritage significance, which merits consideration in planning. Their value has been more closely defined in the current NPPF (2019) and accompanying planning practice guidance on Conserving and Enhancing the Historic Environment (paragraph 039).
- 3.167 The significance of any heritage asset can be architectural, artistic, archaeological or historic; or a variation of some or all of these dimensions. Physically, it can be represented by a combination of its form, scale, materials, architectural detail, and, where relevant, its relationship with other heritage assets. But to fully appreciate the importance of heritage assets requires an understanding of their value to society. Without this the subtle qualities of the local distinctiveness and character of the local area can be easily overlooked.
- 3.168 Applicants will be expected to demonstrate a full understanding of the impact that their proposed development will have on the heritage asset and its setting. New development should protect, and wherever possible, enhance the historic environment.

### Policy ENV21

#### Historic Environment

1. Development proposals affecting any part of the historic environment should be informed by an understanding of the site's context and heritage significance.
2. Proposals which impact, either directly or indirectly, on a heritage asset or its setting, must be accompanied by a heritage statement. The information provided in this statement should be proportionate to the significance of the heritage asset and the nature of the works proposed, but as a minimum must:
  - a. Explain how the proposal has taken into account the significance of any designated or non-designated heritage assets, including any contribution made by their setting.
  - b. Evaluate any effect that the proposal would have on the significance of a heritage asset, and support the proposal by:
    - i. Providing clear justification for any harm that would be caused
    - ii. Explaining how possible mitigation of any harm has been fully considered
    - iii. Identifying any public benefits that would arise.
  - c. Demonstrate that the proposal has been informed by all available evidence, including the [Historic Environment Record](#) (HER) for the site. Where relevant, the Council's published [Conservation Area Character Appraisals](#), should be referenced as should the [Historic Town Survey Reports and Historic Landscape Character Reports](#) and the [Lancashire Landscape Character Assessment](#). Where the HER identifies the potential for the site to include assets of archaeological interest, the heritage statement should include a desk based archaeological assessment of the site and, where necessary, the results of an on-site survey.

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3. Any development affecting a heritage asset, or its setting, should be designed so that it protects the historic environment, by seeking to:
  - a. Conserve, sustain and enhance the significance of the heritage asset
  - b. Be sympathetic to the form, scale, materials and architectural detail
  - c. Make a positive contribution to local character and distinctiveness
4. Recognising the positive contribution that the heritage assets and the historic environment can make to supporting sustainable communities and promoting economic vitality, viable uses that are consistent with the conservation of a heritage asset will be supported.
5. When assessing proposals the weight given to any harm, or loss of significance, will be assessed against the public benefits of the proposal (NPPF paragraphs 195-196).
6. Where it is accepted that the preservation of a heritage asset is not feasible, appropriate provision must be made for the investigation, understanding and recording of the asset by a suitably-qualified individual or organisation; and for the dissemination and archiving of the record.
7. Where there is evidence of deliberate neglect of and/or damage to a heritage asset, to help justify a development proposal, the deteriorated state of that asset will be disregarded when determining the planning application.

### Monitoring and Delivery

<b>Strategic Objectives</b>	1 • 2 • 4 • 9 • 10	
<b>Local Plan Part 1 Policies</b>	ENV1 • ENV2	
<b>Local Plan Part 2 Policies</b>	ENV19	
<b>Targets</b>	<ul style="list-style-type: none"> <li>Resist loss or damage to heritage assets.</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>Increase in the number of designated heritage assets at risk by 2020.</li> </ul>	
<b>Indicators</b>	EN12	Number of development schemes refused planning permission on the grounds of impact to a heritage asset.
<b>Delivery Agencies</b>	Pendle Borough Council, private developers, voluntary groups, Historic England	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>Determination of planning applications through the development management process.</li> <li>Policy requirements for sites allocated in the statutory development plan.</li> <li>Use of Conservation Area Appraisal in planning decision making.</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>Viability issues affecting design</li> <li>Development pressures close to/at heritage assets.</li> </ul>	

## Our Foundations for a Sustainable Future

<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Heritage funding to restore historic buildings/assets.</li> </ul>
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Historic England Guidance Notes</li> <li>• Conservation Area Appraisals (various)</li> <li>• Neighbourhood Plans (various)</li> <li>• Lancashire Historic Landscape Assessment</li> </ul>

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## Our Foundations for a Sustainable Future

### Policy ENV22: Leeds and Liverpool Canal Corridor

#### Justification

- 3.169 The opening of the Leeds and Liverpool Canal in 1796 made it possible to transport bulky goods to and from the port of Liverpool. This was the catalyst for the development of the cotton weaving industry. It transformed the fortunes and appearance of east Lancashire in the 19th Century.
- 3.170 Today the canal and its associated infrastructure are some of the borough's most significant heritage assets. The canal side environment provides a unique glimpse of the impact that the industrial revolution had in the area.
- 3.171 The setting and character of the canal changes from urban to rural and back again as it flows through the borough. It makes a significant contribution to the character of the communities through which it passes.
- 3.172 The high biodiversity value of the canal side environment has been formally recognised. The entire length of the canal within Pendle has been designated as either a Biological Heritage Site (BHS) or Site of Local Natural Importance (LNI) ([Policy ENV1](#)). Its value as a wildlife corridor makes it a key component in the local ecological network ([Policy ENV13](#)).
- 3.173 The canal is also an important green infrastructure resource ([Policy ENV12](#)) and tourism asset ([Policy WRK5](#)). The towpath, although not a public right of way (PROW), is a permissive path for walking and cycling. Some sections form part of the Sustrans National Cycle Network. The towpath is a valuable addition to the local network of footpaths and cycle ways. It provides an important link between local communities in Lancashire and North Yorkshire.
- 3.174 The re-use and conversion of historic canal side buildings has helped to enhance the waterside setting. Further development opportunities exist and these should contribute to the distinct identity of the canal side environment.
- 3.175 New canal side development could place extra liabilities and burdens on waterway infrastructure. But it also provides an opportunity to improve the existing infrastructure. The Council will work with the Canal and River Trust and other key stakeholders when considering proposals for development alongside the Leeds and Liverpool Canal. This will help to identify potential impacts and opportunities at an early stage.
- 3.176 In particular local plan policy will seek to:
- Protect the heritage, environmental and recreational value of the canal and to safeguard the canal and its setting from inappropriate development;
  - Support the ability of the canal to deliver economic, social and environmental benefits to local communities and the nation as a whole; and
  - Secure the long-term sustainability of the inland waterway network, their corridors and adjoining communities.

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- 3.177 In addition to any new development, site allocations in the Local Plan or a Neighbourhood Plan, which are adjacent to the Leeds and Liverpool Canal, must also have regard to this policy.
- 3.178 Recognising that canal side locations are unique, in line with paragraph 43 of the NPPF, applicants are encouraged to take advantage of the pre-application advice service offered by the Canal and River Trust. They should also contact Pendle Council and other expert bodies at the earliest opportunity.
- 3.179 Creating an exclusive long-term mooring against private residential land (often called end of garden moorings) requires permission from the Canal and River Trust as they are the owner of the canal bed.
- 3.180 Information on the provision of temporary and permanent moorings houseboats and leisure craft is addressed in [Policy LIV14](#).

### Policy ENV22

#### Leeds and Liverpool Canal Corridor

1. Development proposals which affect the setting of the Canal should be of a high quality design. They should fully reflect their setting in terms of heritage, environmental and infrastructure impacts by:
  - a. integrating the waterway, towpath and canal environment into the public realm in terms of the design and management of the development;
  - b. improving access to, along and from the waterway;
  - c. optimising views and natural surveillance of the canal; and
  - d. avoiding any adverse impact on the amenity of the canal by virtue of noise, odour or visual impact.
2. As a priority new development proposals should protect, enhance, promote and, where appropriate, reinstate heritage assets that contribute to the historic character of the Leeds and Liverpool Canal. This includes canal-related infrastructure such as bridges, locks, wharfs and warehouses.
3. Any improvements necessary for a development to proceed, which arise from its canal side location, will be met by developers and secured through planning contributions ([Policy SDP8](#)).

### Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 4 • 6 • 7 • 9 • 10
<b>Local Plan Part 1 Policies</b>	ENV1 • WRK5
<b>Local Plan Part 2 Policies</b>	ENV12 • ENV13 • ENV21
<b>Targets</b>	<ul style="list-style-type: none"> <li>Development maintains and enhances the historic and environmental character of the Leeds and Liverpool Canal Corridor</li> </ul>



## Our Foundations for a Sustainable Future

	<ul style="list-style-type: none"> <li>• Maintain and enhance the Green Infrastructure network in Pendle</li> </ul>
<b>Triggers</b>	None identified
<b>Indicators</b>	None identified
<b>Delivery Agencies</b>	Pendle Borough Council, private developers, Canal and River Trust
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Determination of planning applications through the development management process.</li> </ul>
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Development occurs with poor regard for the historic and environmental character of the Canal Corridor adversely affecting its key qualities (L)</li> <li>• Development hinders, prevents, endangers the use of the corridor by residents, wildlife and visitors (L)</li> </ul>
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Partnership working with delivery partners.</li> <li>• Grant Funding.</li> <li>• Volunteering</li> </ul>
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> </ul>

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## Our Foundations for a Sustainable Future

### Policy ENV23: Equestrian Development

#### Justification

- 3.181 The NPPF requires planning policies to “promote the development and diversification of agricultural and other land based industries ... and support leisure developments which respect the character of the Countryside” (paragraph 83).
- 3.182 Equestrian activities, such as horse riding, are popular forms of recreation in the countryside. Stabling, studs and livery yards complement traditional farming activities. They also help to strengthen and diversify the rural economy by supporting saddlers, farriers, veterinary services and producers of feed and bedding.
- 3.183 To support sustainable tourism and rural diversification new equestrian development will be supported, particularly where it is close to the Pennine Bridleway (National Trail).
- 3.184 An increasing number of equestrian concerns are not associated with existing agricultural activities. The cumulative impact of the infrastructure required to support such activities (e.g. stables, manèges, lighting, fencing and access roads) can have a detrimental impact on the character of the countryside. This is often worse where fields are divided into paddocks, each with their own accumulation of jumps and horse boxes. This level of visual intrusion may have a detrimental impact on the openness of the Green Belt. In addition, greater equestrian usage can also lead to the overgrazing of pasture and the overuse of bridleways.
- 3.185 Planning must balance the need for equestrian development with other plan objectives. Attention to siting, design, layout, construction materials, lighting schemes and landscaping will help to reduce the impact of equestrian development by:
- avoiding any adverse impact on the character and appearance of the countryside;
  - preserving the openness of the Green Belt; and
  - protecting the amenity of neighbouring properties; by reducing noise, smell, light or other general disturbances.
- 3.186 The re-use of existing buildings is preferred to the erection of new structures, particularly if the proposal is for a large-scale commercial use. Where this is not possible the development should be appropriate in scale to the land on which it is situated, and the landscape that it is situated within. This also applies to the erection of stables or loose boxes within the curtilage of a dwelling (i.e. within a garden not an adjoining paddock), where this is not permitted development.
- 3.187 The increased sub-division of fields, fenced with a variety of materials detracts from the character of an area. This type of development should be avoided as it gives an impression of clutter and over intensive use of the land. Controls will be put in place to avoid unsightly paraphernalia in fields.

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- 3.188 Boundaries and field sub divisions should be in sympathy with the surrounding landscape. A well-managed hedge provides natural shelter from the weather. It is one of the best boundaries for horses and wildlife. Where manufactured fencing is required the materials used should be both effective and blend in to the surrounding countryside.
- 3.189 To demonstrate that the proposed development will not adversely impact upon the character of the landscape or the ecological value of the land, by reason of overgrazing or otherwise, applicants will be expected to submit a pasture management plan. The plan should include an assessment of possible erosion on the land; on-site storage of manure, feed and machinery; damage to trees and hedgerows; and any measures that will be taken to reduce these impacts. The Council's Environmental Health team and the Environment Agency can provide further advice if concerns about runoff area a potential issue.

### Policy ENV23

#### Equestrian Development

1. Development should take account of ecology, historical and agricultural interests before works commence and as a design consideration.
2. The development of equestrian facilities including private stables, tack rooms and hay stores will be permitted where the proposal:
  - a. Is in close proximity to the established highway and bridleway networks
  - b. Is well related to buildings of a permanent nature
  - c. Is of an appropriate size and scale, relative to its intended use and the fields concerned
  - d. Minimises visual impact and does not adversely affect the landscape by means of location, siting, scale, appearance and design (including external materials, landscaping and boundary treatments)
  - e. Makes best use of existing infrastructure by using existing vehicular and field access tracks, bridleways, utilities and buildings;
  - f. Includes a pasture management plan and keeps ancillary development (manèges, storage facilities, hard standing, access tracks, exercise pens etc.) to the minimum necessary
  - g. Would not result in an intensification of use that could:
    - i. Harm the character of the open countryside by reason of cumulative impact; or
    - ii. Create a hazard for highway users; or
    - iii. Lead to the deterioration of the bridleway network; or
    - iv. Impact on the openness of the Green Belt, or conflict with the purposes of including land within it; or
    - v. Adversely affect the amenity of neighbouring properties and the wider area by reason of noise, smell, overlooking, or other general disturbance.
3. In accordance with [Policy ENV17](#), applications to install floodlighting will not be approved where light pollution is likely to cause unacceptable:
  - a. Levels of glare for neighbouring properties, or local ecology; or

## Our Foundations for a Sustainable Future

b. Visual, highway safety or landscape impacts.

### Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 4 • 6 • 7 • 9 • 10
<b>Local Plan Part 1 Policies</b>	ENV1 • WRK5
<b>Local Plan Part 2 Policies</b>	ENV8 • ENV10 • ENV11 • ENV21
<b>Targets</b>	<ul style="list-style-type: none"> <li>To deliver developments which have a minimal impact on the environment</li> <li>Development maintains the openness and tranquillity of the open countryside.</li> <li>Sustainable development which supports the resilience and diversification of the rural economy.</li> </ul>
<b>Triggers</b>	None Identified
<b>Indicators</b>	None Identified
<b>Delivery Agencies</b>	Pendle Borough Council, landowners, local businesses
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>Determination of planning applications through the development management process.</li> </ul>
<b>Risks</b>	<ul style="list-style-type: none"> <li>Development takes place in unsuitable locations (L)</li> <li>Development is of a scale and layout inappropriate to the open countryside location (L)</li> <li>Ménage use leads to intensive use of the Site (L)</li> </ul>
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>Detailed guidance through the open countryside and AONB SPD.</li> </ul>
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>National Planning Policy Framework (2019)</li> <li>Planning Practice Guidance</li> <li>Open Countryside SPD</li> </ul>

## Our Foundations for a Sustainable Future

### Policy ENV24: Walking and Cycling

#### Justification

- 3.190 Walking and cycling are beneficial for personal health and the environment. They can also bring economic benefits to an area by helping to promote tourism.
- 3.191 The local topography can be challenging in some areas. But Pendle's towns and larger villages are relatively compact. To take advantage of this we want to encourage people to walk or cycle to the places they visit on a regular basis. To become a viable alternative to the car, taxi or bus; we need to maintain, improve and extend a network of safe and attractive routes. These will connect places of origin with common destinations. Our journeys for work, education, shopping, recreation and leisure tend to start from home, or the nearest bus or railway station.
- 3.192 All developments should seek to provide safe and attractive linkages with existing footpaths, bridleways and cycle ways. To ensure future maintenance and to help protect routes from obstruction and interference new footpath and cycleway links should ideally be included in a Section 38 agreement.<sup>20</sup>
- 3.193 The design of major developments should also promote walking and cycling through the layout and orientation of buildings on the site. They should seek to create safe routes for walkers and cyclists by:
- Reducing the potential for conflict with other road users
  - Helping to slow the flow of traffic
  - Provide physical segregation, wherever possible, by providing wider pavements and well located crossing points
  - Provide appropriate levels of natural surveillance; artificial lighting; CTV and maintenance to increase security.
- 3.194 They should also provide facilities for the safe parking and storage of cycles (see [Policy ENV24](#)).
- 3.195 New (estate) roads should avoid following the route of an existing footpath, bridleway or cycle way, wherever possible. Where this is unavoidable a new route of equivalent benefit should be established for walkers and cyclists.
- 3.196 Where practicable proposals should address the needs identified in the Council's current Cycling Strategy, but in particular the opportunity to address missing links in the cycle network.
- 3.197 Pendle Council will seek to improve the environment for pedestrians and cyclists. To do this it will work with Lancashire County Council, in its capacity and the local highways authority, and other key stakeholders.

<sup>20</sup> Section 38 of the Highways Act 1980 is used to secure adoption as a public highway by the Highway Authority (Lancashire County Council).

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- 3.198 Footpaths and cycle ways are also an important part of our green infrastructure network. We will seek to protect their integrity and the benefits they provide for the natural environment (see [Policy ENV13](#)).

### Policy ENV24

#### Walking and Cycling

1. Development proposals which will affect an existing public right of way should, in the first instance, seek to incorporate this into the development as an exclusive route for walkers and cyclists. Where this is not possible, the proposals should provide an alternative route that is safe and attractive for all users.
2. To help promote the use of sustainable modes of transport, the Council will require development proposals to:
  - a. Maintain and where possible improve existing pedestrian and cycling infrastructure, including the Public Right of Way (PROW) network.
  - b. Avoid adverse impacts on the safety of the pedestrian and cycling environment; including the PROW network.
  - c. Provide appropriate access for all sections of the community.
  - d. Use good design and, where appropriate, lighting to improve the safety and security of pedestrians and cyclists both within, and adjacent to, the development site.
  - e. Encourage greater opportunities for walking and cycling by:
    - i. Linking to the existing footpath, bridleway and cycle way networks
    - ii. Providing secure cycle parking and storage facilities (see [Policy ENV25](#)).
3. To ensure future maintenance, where appropriate new links should be the subject of a Section 38 agreement with the local highway authority.
4. Non-residential development that is likely to generate a significant level of footfall, should be located in highly accessible locations such as a town or local shopping centre, which provide good access for pedestrians and cyclists. These developments should also seek to incorporate showers and changing facilities for their staff.

### Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 4 • 6 • 7 • 9 • 10
<b>Local Plan Part 1 Policies</b>	ENV1 • ENV4 • LIV5 • WRK6 • SUP4
<b>Local Plan Part 2 Policies</b>	ENV13 • ENV14 • ENV15 • ENV27
<b>Targets</b>	<ul style="list-style-type: none"> <li>• Increase the amount of development built in accessible locations</li> <li>• Promote access to and within developments by foot and bicycle.</li> <li>• Increase cycle storage in new development.</li> </ul>
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• Travel Plan monitoring</li> </ul>

## Our Foundations for a Sustainable Future

<b>Indicators</b>	EC11	Number of employment developments completed in accessible locations: Town Centre, Transport Hub, Accessibility Corridor.
	EN28	Number and total length of cycle tracks (including trends over time)
<b>Delivery Agencies</b>	Pendle Borough Council, private developers, Sustrans, Canal and Rivers Trust, Town and Parish Council	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Determination of planning applications through the Development Management process.</li> <li>• Development Briefs</li> <li>• Designation of cycle routes.</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Funding for cycle routes not identified/viable (M)</li> <li>• Design process does not give sufficient consideration of pedestrian and cycle movement at the application stage (M)</li> <li>• Viable sites less accessible via foot and/or cycle (L)</li> <li>• Non-planning barriers to proposals (landownership, diversion process etc) L-M</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Design Principles SPD</li> <li>• Work with developers to ensure that proposals are accessible and navigable by walking and cycling.</li> <li>• Negotiate with developers to provide the funds/transport accessibility improvements required.</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• <a href="#">Pendle's Cycling Legacy Strategy 2016-2021</a></li> <li>• <a href="#">Lancashire Cycling and Walking Strategy 2016-2026</a></li> <li>• Lancashire Local Cycling and Walking Infrastructure Plans</li> </ul>	

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## Our Foundations for a Sustainable Future

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### Policy ENV25: Parking

#### Justification

- 3.199 Statistics from the UK National Travel Survey (2016) show that the average car is parked for 96.5% of the time. As a consequence the availability of parking has a significant influence on the mode of transport people use for their journey.
- 3.200 In 2019 Pendle Council declared a Climate Emergency. It is committed to reducing the number of individual journeys made by car ([Policy ENV4](#)). Where the journey is appropriate and a real choice is available, we will encourage people to car share or use sustainable modes of transport.
- 3.201 Car ownership levels in Pendle are comparatively low, but the Census reveals that the number of households without a vehicle fell from 29.6% to 26.8% between 2001 and 2011. A large proportion of homes in the borough's towns and villages, where a large proportion of the housing stock is terraced houses or former weavers cottages, do not benefit from off-street parking.
- 3.202 In 2011 the government announced that maximum car parking standards "*lead to blocked and congested streets and pavement blocking*". A Written Ministerial Statement issued in March 2015 made clear that local planning authorities "*should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that they are necessary to manage their local road network*". This position is reflected in paragraph 106 of the NPPF.
- 3.203 Development should not be detrimental to the safe and efficient operation of the public highway. To avoid an increase in on-street parking or congestion this policy introduces new standards to ensure:
- The provision of sufficient usable parking to serve new development;
  - Promote the efficient use of land;
  - Support good design; and
  - Encourage the use of sustainable forms of transport.
- 3.204 Specifying a minimum level of car parking provision for different types of property helps to minimise on-street parking and improve the appearance of residential areas. In the first instance, spaces should be made within the curtilage of individual properties.
- 3.205 Domestic garages are normally excluded from the residential car parking standards. This is because they are used extensively for personal storage or converted into habitable rooms without the need to apply for planning permission. An exception is where their retention for car parking is required by a planning condition.
- 3.206 Benchmark figures are used for commercial, recreation and leisure facilities. These figures are more restrictive in areas with high development densities and good levels of accessibility by public transport. In these locations walking, cycling and the use of buses and/or trains provide a practical alternative to journeys by private car or taxi.



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- 3.207 A three-tier parking standard is employed to:
- Reflect the different levels of accessibility throughout the borough; and
  - Encourage the use of sustainable modes of travel, including public transport.
- 3.208 Developers are expected to achieve the parking standards set out Appendix 4. These are not expressed as a minimum or maximum figure. This is to allow developers to submit supporting evidence on a case-by-case basis, to demonstrate why the benchmark figure is not be considered appropriate; why it cannot be achieved; or should be exceeded.
- 3.209 Any specific parking requirements should be discussed with Pendle Council and the Highways Authority. These discussions will be on a case-by-case basis and take account of land-use class, local circumstances and operational needs.
- 3.210 Modern cars and sport utility vehicles are up to 25% wider than when the recommended minimum size for a car parking space (2.4m x 4.8m) was first introduced. To reflect this, the minimum size for car parking spaces and residential garages in all new developments has been increased (Appendix 4, Table 4). In residential areas this increase will also allow for the secure internal storage of bicycles.
- 3.211 The standards for disabled persons parking have been derived from the national standards, and should be included as part of the overall provision for a development. As part of the planning application process the Council will assess whether there are any locally specific circumstances where higher levels of provision may be appropriate.
- 3.212 Existing long and short-stay public car parks are protected where evidence shows that they are well-used. Those that are under-used or poorly located are not protected. These may be suitable for redevelopment.
- 3.213 Manual for Streets (2007) acknowledges the importance of providing cycle parking within developments:
- “Providing enough convenient and secure cycle parking at people’s homes and other locations for both residents and visitors is critical to increasing the use of cycles. In residential developments, designers should aim to make access to cycle storage at least as convenient as access to car parking”.*
- 3.214 The provision of convenient secure cycle parking helps to make cycling a viable alternative, particularly for single occupancy car journeys made over short distances on a regular basis.
- 3.215 External parking should contribute to sustainable water management. Intercepting rainfall at source provides significant benefits. It can help with flow attenuation, pollution control and storage. Where parking is part of a wider sustainable drainage scheme, appropriate design and construction can provide an environmentally sustainable way for reducing the potential for surface water runoff or flooding.
- 3.216 The use of permeable surfaces can offer an opportunity to introduce green infrastructure. In urban areas they can also help to moderate the ambient temperature. On warm days they provide evaporative cooling. In periods of cold weather the air within them acts as a 'night storage heater'. This slowly releases heat to the surface and melts frost.

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- 3.217 The government has established a 2050 decarbonisation target. In February 2020 the Transport Secretary announced the intention to ban the sale of cars with purely petrol or diesel engines by 2032, subject to consultation. Electric and ultra-low emission vehicles (EVs) will account for an increased share of the UK car market. Going forward we will need to make provision for the charging of EVs.
- 3.218 In 2017, National Grid estimated that that 43% of British homes did not have access to off-street parking. In Pendle, where terraced housing accounts for 56% of the housing stock, this figure is likely to be much higher. As such the owners of EVs will not be able to charge their vehicles at home. They will require the provision of alternative charging facilities.
- 3.219 In 2014 the EU introduced the Alternative Fuels Infrastructure Directive (2014/94/EU). It was brought into UK law by the Alternative Fuels Infrastructure Regulations 2017. One of their objectives is to install standard technical specifications for charging infrastructure.

### Policy ENV25

#### Parking

1. Car parking provision should be adequate to serve the needs of all new development, as indicated by the standards set out in Appendix 4. The following exceptions may apply:
  - a. Where the development is within the boundary of a town or local shopping centre designated in [Policy SDP5](#), and it can be demonstrated that sufficient public car parking is available nearby (excludes taxi booking offices); or
  - b. Where on-street parking is available and the development would not contribute to congestion or cause an issue for highway safety.
2. Where practical, all parking areas will be expected to include permeable surfaces and/or soft landscaping to help attenuate surface water runoff following a rainfall event. Proposals must demonstrate how these areas will be maintained.

#### Residential Parking and Garages

3. Parking should be provided on-plot. Parking courts, well-observed from surrounding properties, may offer an acceptable design solution where:
  - a. Individual circumstances make on-plot provision impractical (e.g. flatted development); or
  - b. On-plot provision would unduly compromise other material considerations (e.g. design).
4. As a minimum integral and external garages should be:
  - a. Constructed in accordance with the dimensions shown Appendix 4 (Table 4), to allow passengers to exit their vehicle whilst under cover and to provide space for the storage of bicycles.
  - b. Set back a minimum of 5.5m from the highway boundary, to allow vehicles to be parked in front of the garage door(s) whilst they are opened and closed without causing any obstruction to the highway (including any pavements).

## Our Foundations for a Sustainable Future

5. Except where retained for car parking by condition, garages which do not conform to the dimensions set out in Appendix 4 (Table 4) will not be included within the residential car parking standards.
6. A connection to the power supply capable of being upgraded for the charging of electric, ultra-low emission and hybrid vehicles should be provided:
  - a. At an appropriate point within an integral or external garage;
  - b. On an external wall of the property and facing onto the driveway;
7. For major flatted development with dedicated off-street parking, a minimum of one parking bay should be equipped with a Fast (32 amp) EV Charging Unit, subject to meeting to the latest national (or local) standards as applicable.

### Public and Commercial Car Parks

8. Public car parks which are frequently used and conveniently located are designated as Protected Car Parks and defined on the Policies Map. These car parks should not form part of a development proposal; unless alternative car parking can be provided to the satisfaction of the Council.
9. The number, size and layout of parking spaces reserved for people with disabilities should be in accordance with the requirements set out in Appendix 4.
10. Reserved parking spaces, for parents with young children and the mobility impaired, should be next to the main pedestrian exit, including lifts. The route from these spaces to the exit should be accessible, clearly defined and well lit. Where this distance exceeds 50m a segregated (and covered) pathway should be provided.
11. Operational space for commercial and service vehicles should not conflict with any on-site car parking. It should also provide enough manoeuvring space to enable vehicles to exit the site in forward gear.
12. Where developments have more than one land-use operating simultaneously, the combined car parking figures for the individual uses will apply.
13. At supermarkets and other large scale developments open to the public (e.g. multiplex cinemas):
  - a. A drop-off zone should be provided. This should be as close as possible to the main building entrance and include under cover seating. The minimum dimensions of the setting down/picking up area should be 2.5m x 8m.
  - b. At least one parking bay should be equipped with a Fast (32 amp) EV Charging Unit.
14. Charging points for electric, ultra-low emission and hybrid vehicles should not harm the significance of a heritage asset (including its setting).

### Cycles, Scooters and Motorcycles

15. All new developments will be expected to provide safe and secure, long stay parking for cycles, motorcycles and scooters where:
  - a. A total of 20 or more car parking spaces are provided on-site; or
  - b. A total of 30 or more full or part-time staff are accommodated on-site
16. Long stay cycle parking provision should be covered to help protect parked cycles from the weather. Where horizontal bike lockers are provided, these should be large enough to allow for their use by larger “commuter cycles” (see Appendix 4,

## Our Foundations for a Sustainable Future

Table 4). The installation of vertical bike lockers is not supported as these require cycles to be lifted into place. They are also unsuitable for cycles with mudguards.

17. In town and local shopping centres cycle parking should be provided close to the entrance of key destinations, such as public buildings, leisure facilities, schools and colleges.

18. Cycle parking in residential properties should not involve having to pass through the dwelling to access it.

### Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 3 • 11	
<b>Local Plan Part 1 Policies</b>	ENV4	
<b>Local Plan Part 2 Policies</b>	ENV27 • LIV7 • LIV8 • WRK7	
<b>Targets</b>	<ul style="list-style-type: none"> <li>• All developments to comply with parking standards</li> <li>• Electric car charging infrastructure enhanced.</li> <li>• Promotion of cycle usage through new developments.</li> <li>• Increase in travel to work by non-car modes of transport.</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• 90% or less of new developments do not comply with the parking standards.</li> </ul>	
<b>Indicators</b>	EN23	Number of developments that fail to comply with parking standards
	EN02	Amount of CO <sub>2</sub> in Pendle by source
<b>Delivery Agencies</b>	Pendle Borough Council, Sustrans, utility providers, private developers.	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Determination of planning applications through the development management process.</li> <li>• Neighbourhood Plans</li> <li>• Planning Conditions/Obligations</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Implementation of Parking Standards not feasible owing to site specific constraints/type of development (M)</li> <li>• Parking (cars and bicycles) not sufficiently considered through the design process (L-M)</li> <li>• Provision of electric charging points not viable (M-H)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Further guidance in the revised Design Principles SPD</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> </ul>	

## Our Foundations for a Sustainable Future

- Car Parking: What Works Where
- Guidance Note: Residential Parking
- Planning for Cycling
- Design Principles SPD
- Neighbourhood Plans (Various)

## Our Foundations for a Sustainable Future

### Policy ENV26: Taxis

#### Justification

- 3.220 Legislation, regulation and common language refer to hackney carriages, black cabs and cabs. In contrast the collective term used to describe minicabs, executive cars, limousines and chauffeur services is private hire vehicles. In this policy the term taxi is used to describe all such vehicles.
- 3.221 Taxis are a major source of employment and play an important role within our community. They are frequently used by people who do not have access to a car. They are also used by car owners most notably when journeying from home to/from premises licensed for the sale of alcohol; for trips to/from the local airport, bus or railway station, to start or complete a longer journey; and to take children to/from school.
- 3.222 Journeys made by a private hire vehicle must be pre-booked in advance through a licensed operator. [The Town and Country Planning \(Use Classes\) Order 1987](#) (as amended) defines taxi booking offices as a 'sui generis' use. They have traditionally relied on passing trade and night-time custom continue and operate from town centres and other busy locations. For this type of facility the level of traffic, noise and general disturbance should not adversely affect the occupiers of neighbouring properties, or the surrounding area. This is particularly important where there are adjoining residential properties.
- 3.223 But legislation has not kept pace with advances in technology. Traditional taxi booking offices are in decline. The increased use of mobile phone apps has seen an increasing number of taxis booked through call centres, which fall within the B1a use class. These facilities often operate on a 24 hour basis, seven days per week, but are rarely visited by operational vehicles. Planning decisions need to reflect these changes.
- 3.224 Whilst call centres falling within the B1a use class are an appropriate use within a protected employment area ([Policy WRK8](#)), booking offices falling within the definition of a sui generis use, will not be permitted in these locations.
- 3.225 Whilst satellite antennae and radio masts can be regarded as permitted development under [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#), the large scale equipment often erected by taxi operators will almost always require the submission of a separate planning application (see [Policy ENV26](#)).

#### Policy ENV26

##### Taxis

1. Proposals to use premises for the control or administration of taxis and private hire vehicles will normally be permitted where they are within:
  - a. A town centre ([Policy SDP5](#));
  - b. A local shopping centre ([Policy SDP5](#)).
2. Taxi booking offices in a predominantly residential area will not be permitted.

## Our Foundations for a Sustainable Future

3. Elsewhere, applications for a booking office must provide a supporting statement to show:
  - a. Why the chosen site is considered to be suitable
  - b. How the proposed development meets the requirements of this policy and other relevant policies in the Development Plan for the borough

### Amenity

4. Booking offices should not have an adverse impact on the character and amenity of adjacent uses, particularly residential uses, by reason of increased traffic movement, noise, vehicle fumes or other nuisance.

### Clustering

5. To help maintain the vitality and viability of our town and local shopping centres proposals for a booking office should not contribute to the creation of an extensive non-shopping frontage, or the concentration of similar uses (see [Policy WRK12](#)).

### Parking

6. Applications for a taxi booking office (Sui Generis) must comply with the relevant car parking standards set out in [Policy ENV24](#) and [Appendix 4](#).

## Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 3 • 11	
<b>Local Plan Part 1 Policies</b>	ENV4 • ENV27	
<b>Local Plan Part 2 Policies</b>	ENV17 • ENV19	
<b>Targets</b>	<ul style="list-style-type: none"> <li>To protect the amenity of existing residents and functionality of existing businesses, commercial operations and services.</li> <li>To ensure that there are no adverse impacts on the local highway network by means of obstruction/parking.</li> <li>To ensure that development respects, responds to and contributes to the wider environment.</li> <li>To ensure primary retail space is not lost to taxi development.</li> </ul>	
<b>Triggers</b>	None identified	
<b>Indicators</b>	EN11	Number of schemes refused planning permission on grounds of poor design
	EC13	Town Centre occupancy levels by type and location.
<b>Delivery Agencies</b>	Pendle Borough Council, Taxi operators, Town and Parish Councils	

## Our Foundations for a Sustainable Future

<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Determination of planning applications through the development management process.</li> <li>• Planning obligations</li> </ul>
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Development takes place which conflicts with existing uses and patterns of use (M)</li> <li>• Development takes place which adversely affects existing character, health and wellbeing (M)</li> </ul>
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Further guidance through a review Design Principles SPD</li> </ul>
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Neighbourhood Plans (various)</li> <li>• Design Principles SPD</li> </ul>

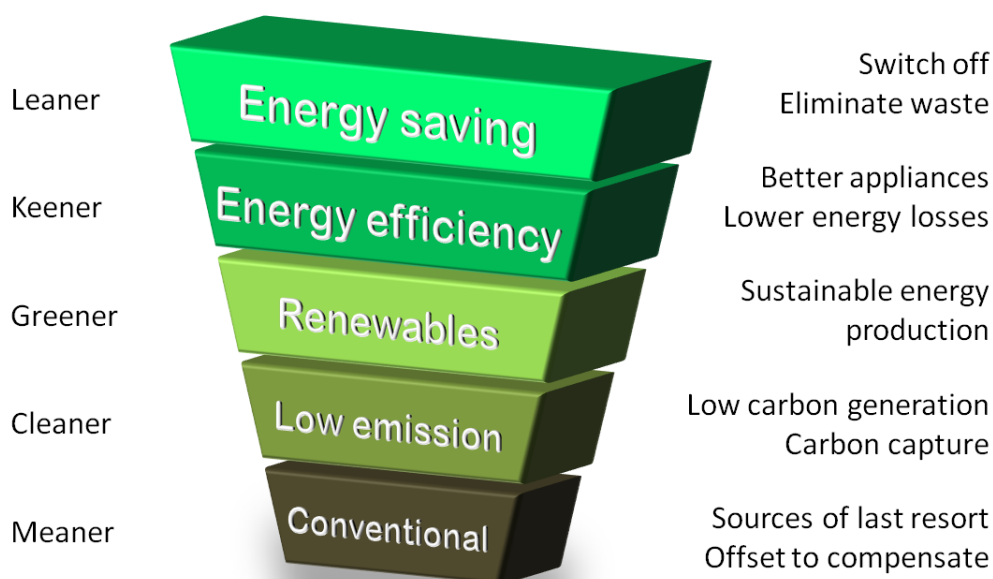


## Our Foundations for a Sustainable Future

### Policy ENV27: Towards Zero Net Carbon

#### Justification

- 3.226 In 2019 Pendle Council declared a Climate Emergency. We are committed to securing a reduction in the use of fossil fuels and support the generation of energy from renewable sources.
- 3.227 The UK pledged to cut greenhouse gas emissions, to help limit the extent of climate change, when it signed the [Kyoto Protocol](#) in 1992. In 2016, the government agreed to introduce more ambitious reductions targets by signing the [Paris Agreement](#). This commits UN member states to pursue measures that will limit the increase in global average temperature to no more than 1.5°C above pre-industrial levels; recognizing that this would substantially reduce the risks and impacts of climate change.
- 3.228 The [Climate Change Act 2008](#) establishes the legal framework to deliver an 80% reduction in greenhouse gas emissions below 1990 levels by 2050. In June 2019, the UK became the first major economy in the world to sign [legislation committing to a legally binding target of net zero emissions by 2050](#).
- 3.229 The UK has reduced greenhouse gas emissions by 42% since 1990, whilst continuing to grow the economy. Clean growth is at the heart of the government's [Industrial Strategy](#).
- 3.230 [Policy ENV2](#) requires new development to make a positive contribution to meeting UK climate change targets by being designed to reduce carbon dioxide (CO<sub>2</sub>) emissions. As such use of the energy hierarchy is encouraged. This provides a classification of energy options, listed in order of priority to assist progress towards a more sustainable use of energy and a zero net carbon future.



The Energy Hierarchy (Source: Philip R Wolfe, Creative Commons Licence [CC BY-SA 3.0](#))

## Our Foundations for a Sustainable Future

- 3.231 Approximately two thirds of Pendle's CO<sub>2</sub> emissions are associated with domestic and industrial energy use. The priority is for new development to include energy conservation measures. These will help to prevent the unnecessary use of energy and ensure that it is consumed efficiently. Energy from renewable and low carbon sources should be used in preference to fossil fuels.
- 3.232 In 2014 the coalition government's [housing standards review](#) sought to rationalise the large number of codes, standards and regulations that existed, whilst still delivering on quality, sustainability, safety and accessibility. [Written Ministerial Statement \[HCWS488\]](#) issued in March 2015 announced a new approach to the setting of housing standards, with energy and carbon emission performance integrated into building regulations. The 2015 report [Fixing the Foundations](#) announced that the government would keep energy efficiency standards under review.
- 3.233 [Policy ENV3](#) provides the context for the generation of energy from renewable and low carbon sources and sets out the overall approach to be taken.
- 3.234 We recognise the important contribution that renewable and low carbon energy will play in meeting commitments to reduce CO<sub>2</sub> emissions and mitigate climate change. This policy supports, in principle, schemes that will generate energy from renewable and low carbon sources where any adverse impacts, including cumulative impacts, can be satisfactorily addressed. In addition to reducing carbon emissions and offsetting climate change effects, the range of technological solutions now widely available also help to increase security in energy supply.
- 3.235 During the plan period it is possible that some renewable and low carbon energy sources will become more viable due to increased efficiencies or increased levels of funding and that new technologies could emerge. These will also be supported subject to the provisos in this policy.
- 3.236 Consideration will be given to the wider social, economic and environmental benefits of providing energy from renewable sources. The South Pennines Renewable and Low carbon Energy Study (2010) identifies areas of potential for wind energy. Depending on the scale and location of the proposal some, or all, of the following surveys may be required in support of a planning application, to assess the nature and severity of any adverse impacts and identify appropriate mitigation. Pendle Council can advise on those that are appropriate.
- Landscape and Visual impact study
  - Zone of Theoretical Visibility
  - Noise Impact Assessment
  - Tree Survey
  - Ecology Assessment
  - Shadow flicker study
  - Aviation impacts study
  - Electronic communications study
  - Archaeology and Heritage study

## Our Foundations for a Sustainable Future

- Transport Assessment
  - Hydrology study, including flood risk assessment
  - Contaminated land study
- 3.237 The installation of solar panels; ground and water source heat pumps; and any associated equipment on residential land and buildings may be regarded as permitted development, with no need to apply for planning permission. However, there are important limits and conditions which must be met to benefit from these rights.
- 3.238 For hydro-electric schemes the Environment Agency must be consulted about water extraction licences because the water is not owned by the landowner.

### Policy ENV27

#### Towards Zero Net Carbon

1. All developments should be designed to reduce the extent and impacts of climate change. To help promote zero carbon development, premises should meet the highest technically feasible and financially viable standards, both during and after construction.
2. Small-scale renewable and low carbon energy generation should be incorporated into the design of new developments where appropriate, feasible and viable.
3. Developments that include the following design measures will be supported:
  - a. Passive design, to reduce the need for heating, cooling and ventilation systems.
  - b. Measures to minimise the reliance on artificial lighting. This can be achieved through siting, design, layout and building orientation to maximise sunlight and daylight and avoid overshadowing.
  - c. Greater energy efficiency, including sensitive energy efficiency improvements to existing buildings.

#### Domestic development

4. The Council encourages developers to meet independently accredited energy and sustainability standards, such as the Passive House Standard and the BRE Home Quality Mark.
5. Residential and mixed-use developments incorporating ten dwellings or more, or in excess of 1,000m<sup>2</sup> gross floorspace, will be required to submit an energy statement. This should show how, subject to viability, the energy hierarchy has been used to make the fullest contribution to reducing greenhouse gas emissions.

#### Non-domestic development

6. Non-domestic developments, excluding conversions and extensions of less than 500m<sup>2</sup>, should achieve a minimum standard of BREEAM 'Excellent' (or any future national equivalent), where viability evidence indicates that this is feasible.

#### Generation of Renewable and Low Carbon Energy

## Our Foundations for a Sustainable Future

7. Proposals for renewable and low carbon energy generation will be supported in principle, where they accord with the requirements of [Policy ENV3](#) and do not, either individually or cumulatively:
  - a. Have an unacceptable adverse impact on the landscape; the natural, historic or cultural environment, biodiversity, adjoining land uses and residential amenity.
  - b. Create conditions that have an adverse impact on highway safety, or are detrimental to the efficient operation of the highway network.
8. All proposals for renewable and low carbon energy should be supported by an assessment of their impact on the local environment. This report should be proportionate to the scale of the proposal, and the potential for any adverse or cumulative impacts.
9. Appropriate measures must be taken to eliminate any adverse impacts, or reduce them to an acceptable level, prior to starting the construction and/or operational phases.
10. Where appropriate, the planning application should be accompanied by details of a satisfactory scheme to restore a site to at least its original condition when the scheme has reached the end of its operational life.

### Wind Turbines

11. Small scale turbines in the open countryside should be directly related to, and generate power principally for, the operation of a farmstead, other rural business or a local settlement.
12. Proposals for commercial wind turbine developments must:
  - a. Show evidence of consultation with local communities affected by the proposal.
  - b. Demonstrate that any planning impacts identified during the consultation process have been fully addressed, and that the proposal has the backing of the local communities that have been consulted.
  - c. Be in a location where the physical, environmental, technical and policy constraints do not make the site unsuitable.

### Solar Photovoltaic Arrays and Solar Assisted Heat Pumps

13. Where planning permission is required proposals will be supported where they:
  - a. Do not result in glare or dazzle to sensitive receptors in the surrounding area that cannot be adequately mitigated.
  - b. Do not have an adverse impact on landscape character.

### Hydro power

14. Proposals for hydro-electric power generation will be supported where they:
  - a. Do not result in increased flood risk
  - b. Are not detrimental to public amenity or safety.
  - c. Do not adversely affect biodiversity and landscape character.

### Ground and Water Source Heat Pumps

15. Where planning permission is required, proposals will be supported where they:

## Our Foundations for a Sustainable Future

- a. Will not cause unacceptable harm to a designated heritage asset.
- b. Do not compromise the use of an area of Local Green Space ([Policy ENV14](#)) or open space ([Policy ENV15](#)).

### Biomass Energy Generation

16. Proposals for the use of biomass boilers in energy generation will be supported where the proposals adequately address:
  - a. The height and positioning of the exhaust flue relative to sensitive receptors in the surrounding area.
  - b. Any anticipated odour effects arising from direct combustion or anaerobic digestion (e.g. gasification) ([Policy ENV17](#)).
17. On domestic properties flues up to a maximum of one metre above the highest part of the roof will be permitted where they:
  - a. Do not impact on the amenity of people in adjacent properties.
  - b. Can be made inconspicuous through appropriate siting, or the use of appropriate materials and/or colours. Within conservation areas the flue should not be fixed to a principal or side elevation that is visible from the highway.

## Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 4 • 10	
<b>Local Plan Part 1 Policies</b>	ENV1 • ENV3	
<b>Local Plan Part 2 Policies</b>	ENV17 • ENV19	
<b>Targets</b>	<ul style="list-style-type: none"> <li>To reduce the carbon footprint of new development and associated uses.</li> <li>Promote energy efficiency and sustainable construction standards.</li> <li>To increase the amount of energy produced in the Borough via renewable energy sources.</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>Percentage of energy generated in the Borough from renewable energy sources by 2025.</li> </ul>	
<b>Indicators</b>	EN01	Amount of energy generated by renewable sources for completed developments and those with planning permission by type.
	EN02	Amount of CO <sub>2</sub> emissions in Pendle by source (including trends over time)
<b>Delivery Agencies</b>	Pendle Borough Council, private developers, Town and Parish Council, energy companies.	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>Developer engagement and pre-application advice/exhibition events (developer)</li> </ul>	

## Our Foundations for a Sustainable Future

	<ul style="list-style-type: none"> <li>• Determination of planning applications through the development management process</li> <li>• Planning conditions</li> </ul>
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Renewable energy infrastructure proposals have unacceptable impacts on wider environment and/or local amenity (M)</li> <li>• Renewable energy and carbon neutral standards are not viable (M-H)</li> <li>• Third party funding supporting the delivery of renewable energy and energy efficiency is withdrawn (M-H)</li> <li>• Energy efficiency standards are changed (M)</li> </ul>
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Third party funding/delivery</li> <li>• Updates to building regulations</li> <li>• Guidance through the Open Countryside and AONB SPD and Design Principles SPD</li> </ul>
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• <a href="#">Home Quality Mark</a></li> <li>• <a href="#">BREEAM UK New Construction – Non-domestic Buildings</a> (2018)</li> </ul>

## 4. Living: Creating a Vibrant Housing Market

### Introduction

- 4.1 The global economic downturn, which began in December 2007, had a significant impact on the housing market, both nationally and locally. With little demand and access to finance difficult, house building saw a significant decline. This restricted the supply of new homes for a steadily growing population. With more people chasing fewer homes, house prices started to increase. Interest rates were slashed to help stimulate investment and the supply and demand for housing began to stabilise in parts of the country.
- 4.2 The pace of recovery in Pendle, like many former industrial areas in northern England, has been slower than that experienced in areas of high housing demand. Challenging economic conditions and the housing aspirations of those with money to spend, have made development on previously developed (Brownfield) land unviable and unattractive. This has been to the detriment of urban regeneration outside the major cities.
- 4.3 Greenfield sites in single ownership have proven particularly attractive to volume house builders looking to minimise risk following the economic recession. Easier to acquire and cheaper to develop than Brownfield sites, those in attractive semi-rural locations, offer the best prospect for a quick return on investment.
- 4.4 The importance placed on the delivery of new homes by successive governments has seen a number of planning requirements either relaxed or removed. In areas such as Pendle, where viability is an issue, the ability of the Council to require design features that make homes adaptable and energy efficient has been compromised by the imposition of a “one-size fits all” approach. As a consequence, delivering homes designed to meet the needs of an aging population; combat the effects of climate change and reduce fuel poverty has proved difficult at a time when they are arguably most needed.
- 4.5 In Pendle, 61.5% of dwellings are in the lowest council tax band 'A'. This compares with a figure of 24.3% in England. The amount and the age of terraced property in the lowest council tax band is a significant concern. It impacts on overall house prices, vacant dwellings and the quality of the housing stock. It is difficult and often unviable to adapt terraced properties to meet new accessibility and energy efficiency requirements.
- 4.6 The high number of relatively inexpensive terraced properties contributes to the high levels of owner occupation. In Pendle 88.3% of the total dwelling stock is owner occupied or privately rented. This is significantly higher than the 82.7% figure for England. In contrast social and affordable rented dwellings account for 11.7%, which is lower than the national figure of 17.1%.
- 4.7 Vacant dwelling numbers have been in decline both nationally and locally since 2010. In 2019 they account for just 2.7% of the available stock nationally and 4.2% in Pendle. Targeted intervention has seen the number of long term vacant dwellings in the borough fall below both national and regional averages.
- 4.8 Planning plays a limited, but important role, in helping to shape market outcomes and achieve social and economic goals.

- 4.9 Improving the energy efficiency of the local housing stock offers the potential to address both climate change and fuel poverty, but there are key considerations around how upgrades are implemented.
- 4.10 The need to diversity the local housing stock and provide good quality affordable homes are key priorities in Pendle. But both objectives have been compromised by poor economic viability in the borough.
- 4.11 Our housing strategy also considers the wider context within which our local housing market and economy operate. The Lancashire Local Enterprise Partnership (LEP), established in April 2011, leads the drive for economic growth in the county. It published the [Lancashire Strategic Economic Plan](#) in 2014, which provides the framework to our Growth Deal with the Government. It also sets out the area's ambitions for growth, including plans to build 40,000 new houses across the county by 2024.
- 4.12 The policies in this section supplement or provide additional detail to those on housing in [Pendle Local Plan Part 1: Core Strategy \(2015\)](#), which are listed below.
- Policy LIV 2** Strategic Housing Site: Trough Laithe
  - Policy LIV 3** Housing Needs
  - Policy LIV 4** Affordable Housing
  - Policy LIV 5** Designing Better Places to Live
- 4.13 Material changes to national planning policy and evidence of needs have resulted in the need to update the housing requirement for Pendle. As a result Policy LIV6 of the Local Plan Part 2 supersedes and replaces Policy LIV1 of the Core Strategy.



## Policy LIV6: A Revised Housing Requirement for Pendle

### Justification

- 4.14 The NPPF sets the direction for planning in England and a key priority is to significantly boost the supply of housing.
- 4.15 The NPPF, first published in 2012, was revised in July 2018 and updated in February 2019 to reflect reforms previously announced by the Government in the Housing White Paper 'Fixing Our Broken Housing Market' (2017) and in its consultation on 'Planning for the right homes in the right places' (2017).
- 4.16 Amongst these reforms was the introduction of a new standard method for calculating Local Housing Need ["LHN"]. This establishes a minimum figure for housing delivery within a local authority. The Standard Method has been adopted by the Government to simplify the process of assessing housing need, secure the delivery of housing in the places in most need, and to enhance the efficiency of plan making and the Local Plan examination process. It replaces the objective assessment of housing need as the approach for determining housing need.
- 4.17 At the heart of the calculation are the 2014-based household projections published by the Office for National Statistics ["ONS"]. These are based on the Sub-National Population Projections ["SNPP"], which project the population 25 years ahead. The SNPP is published every two years to take account of recent components of change data (births, deaths and migration). Changes to the methodology have sought to improve the accuracy of the migration calculation.
- 4.18 In September 2018, the ONS released the 2016-based household projections, which had been revised downwards. The Government, concerned that lower household projections did not mean that fewer homes were needed, recommended changes to the standard method "to ensure consistency with the objective of building more homes". These changes to the standard method have still to be announced by the Government, but as an interim measure the continued use of the 2014-based household projections was mandated to provide "stability and certainty to the planning system in the short-term."
- 4.19 Recent changes made by the Government to the Standard Methodology as set out in PPG, enshrine the use of the 2014-based household projections in defining the starting point for the standard method. Further amendments made to the methodology do not affect Pendle.
- 4.20 Paragraph 60 of the NPPF makes clear that it is the Government's expectation for the standard methodology to be used by local planning authorities in plan making when assessing housing need. Paragraph 73 further infers that existing housing requirements which are more than five years old must be considered out-of-date with LHN derived through the standard method prevailing for both the assessment of five year land supply and the Housing Delivery Test.

- 4.21 It is clear to the Council therefore that the LHN baseline figure, generated by the standard method, represents the minimum number of new homes that should be built in Pendle. It underpins the calculation of the housing requirement and replaces the approach set out in Policy LIV1 of the Core Strategy (2015) which will shortly become out-of-date. Policy LIV6 will therefore at adoption replace Policy LIV1 which will be deleted from the Core Strategy.
- 4.22 In response, in 2019 the Council commissioned Lichfields to assess the housing needs of the Borough using the standard method as the basis for this calculation<sup>21</sup>. The assessment found a starting figure of 146 dwellings per annum based on the 2014-based household projections over the period 2019 to 2029, with no uplift applied in response to affordability (the affordability ratio being below 4.0). The Housing Needs Assessment recommends an uplift to the housing requirement to 240 dwellings per annum to ensure a sufficient economically-active workforce to meet projected economic growth (as set out in Experian projections), and ensure alignment with the economic objectives and targets of the Core Strategy.
- 4.23 The starting point provided through the Standard Method is not favoured as this fails to support objectives to strengthen the local economy, create a balanced housing market, and reduce inequality. Consistent with advice from MHCLG<sup>22</sup> and Planning Practice Guidance<sup>23</sup>, the figure of 240 dwellings per annum has been taken forward as the preferred option for the housing requirement from the starting point of 2019 for the remainder of the plan period to 2030.
- 4.24 An updated position for evidence of affordable housing need in Pendle is also provided through the Pendle Housing Needs Assessment. The Assessment reports a significant need ranging from between 187 to 257 affordable dwellings per year representing 78% to 107% of assessed needs (at 240 dwellings per year).
- 4.25 Planning Practice Guidance sets out the need for plan makers to consider the case for further adjustments to be made to the housing requirement where it could help deliver the required number of affordable homes<sup>24</sup>. Whilst there can be no doubt that the affordable housing needs of the borough are significant, low viability experienced widely across the plan area means there is little scope for affordable housing provision to come forward as part of market-led development. As such, the adoption of a higher housing requirement is unlikely to have any real benefit in enabling the delivery of more affordable homes, or outweigh the likely significant adverse impacts on the environment. On balance no further adjustment to the proposed figure of 240 dwellings per year is made.

<sup>21</sup> Pendle Housing Needs Assessment 2019

<sup>22</sup> Page 13 of the Technical Consultation on updated to national planning and guidance, MHCLG October 2018.

<sup>23</sup> PPG Reference ID: 2a-010-20190220

<sup>24</sup> PPG Reference ID: 2a-024-20190220

## Living

- 4.26 The preferred housing requirement of 240 dwellings per year provides a boost in housing land supply in contrast to that delivered since the start of the plan period in 2011/12 (at an average of 132 dwellings per annum) and since adoption in 2015 (at an average of 190 dwellings per annum). As such the proposed housing requirement of 240 dwellings per annum is considered to be positively prepared, and would not constrain or lead to a reduction in the amount of housing delivered in the Borough.

### Policy LIV6

#### Revised Housing Requirement

1. This policy supersedes Policy LIV1 of the Core Strategy.
2. Over the remainder of the plan period (2019-2030), provision will be made to deliver a minimum of 2,640 net dwellings, equating to an average of 240 dwellings per annum.
3. The housing requirement should be delivered in accordance with the distribution set out in Policy SDP3.
4. The housing requirement is to be met by:
  - Sites under construction or with extant planning permission.
  - Trough Laithe Strategic Housing Site (see Policy LIV2).
  - Specific sites identified through Policies LIV7 and WRK9.
  - Allocated sites in any made Neighbourhood Plan.
  - Non-allocated sites at suitable locations within the Settlement Boundary.
  - Where circumstances require, specific reserve sites identified through Policy LIV8.
5. The delivery of housing will be monitored through the Council's annual monitoring and the application of the Housing Delivery Test. If the Housing Delivery Test is failed, the Council will, in the following order:
  - a. Work with developers to identify, address, and overcome any barriers to the delivery of housing.
  - b. Where required, prepare an Action Plan setting out measures to increase housing delivery.
  - c. Review housing density, site capacity, and product delivery at sites not yet commenced/yet to be approved.
  - d. Release Reserve Sites to address any likely arising shortfall in provision.
  - e. Where required, apply the presumption in favour of sustainable development.

## Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 5	
<b>Local Plan Part 1 Policies</b>	LIV1 • LIV2	
<b>Local Plan Part 2 Policies</b>	LIV7 • LIV8 • WRK9	
<b>Targets</b>	<ul style="list-style-type: none"> <li>• Deliver a minimum of 2,640 dwellings by 2030.</li> <li>• Deliver housing in accordance with the housing trajectory</li> <li>• Maintain the proportion of long-term empty homes below the national targets.</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• Less than half of the housing requirement delivered by 2025.</li> <li>• The long term vacancy rate is higher than the national average in 2025.</li> </ul>	
<b>Indicators</b>	HS01	Number of new homes completed (including trends over time) by: Location
	HS02	Future predicted housing completions (based on the SHLAA update) and revised delivery target.
	HS03	Number of new dwellings granted planning permission and total of dwellings with an extant planning consent by: Location
		Monitoring of allocated site status
<b>Delivery Agencies</b>	Pendle Borough Council, private developers, Town and Parish Councils, the community and community forums, Pendle Enterprise and Regeneration Ltd, Lancashire County Council, Registered Providers, Homes England, Lancashire Local Enterprise Partnership.	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Pre-application advice/discussions</li> <li>• Determination of planning applications through the Development Management process</li> <li>• Sites allocated through Policy LIV7 and where required LIV8</li> <li>• Sites allocated through Neighbourhood Plans</li> <li>• Continued engagement through the development process.</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• There is no appetite to build-out allocated sites (L)</li> <li>• Unanticipated constraints render all or part of the sites unsuitable for housing (L)</li> </ul>	

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	<ul style="list-style-type: none"> <li>• Sites do not come forward as anticipated in scale and/or timeframe, including stalling and/or lower annual completion rates (M)</li> <li>• Submitted/built proposals do not conform with policy requirements (L)</li> <li>• Market change affects the viability of development and the deliverability of key infrastructure/planning obligations (M)</li> <li>• Objectives/Targets for the provision and support of infrastructure and services, open space, affordable housing, and the environment are not achieved (L-M)</li> </ul>
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Engagement through the planning process.</li> <li>• Work with developers/partners to remove barriers to development.</li> <li>• Investment by delivery agencies/Grant funding.</li> <li>• Windfall development/alternative suitable sites within the SHLAA.</li> <li>• Reserve Sites.</li> </ul>
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Pendle Core Strategy</li> <li>• Pendle Housing Needs Assessment 2020</li> <li>• Pendle Strategic Housing Land Availability Assessment</li> <li>• Pendle Infrastructure Strategy</li> <li>• Neighbourhood Plans</li> </ul>

## Policy LIV7: Housing Site Allocations

### Justification

- 4.27 Policy LIV7 allocates sufficient land to meet the residual housing needs of the Borough for the remaining plan period to 2030. The Policy is responsive to Policy LIV6 of the Local Plan Part 2 which revises the housing requirement for Pendle in response to changes to national planning policy and supporting evidence which have both materially altered since adoption of the Core Strategy in December 2015.
- 4.28 The Policy also seeks to address the backlog in housing delivery which has accumulated over the period 2014/15 to 2018/19 against the housing requirement set by the Core Strategy. This approach ensures that housing needs which are not addressed by evidence underpinning the revised housing requirement are met in full, limiting the potential for increases in the number of concealed or overcrowded households in the Borough.
- 4.29 The housing land supply position of the authority as of 31<sup>st</sup> March 2020 is summarised in Table 4.1 below. The residual housing need (row E) to be met through the Local Plan Part 2 is derived by adding the housing requirement and shortfall together (rows A and B), and deducting the number of net housing completions in 2019/20 and the number of existing commitments (rows C and D).

**Table 4.1: Residual Housing Requirement at 31<sup>st</sup> March 2020**

<b>A</b>	Housing requirement 2019-2030 (240 dpa)	2,640
<b>B</b>	Shortfall in housing delivery 2014-2019 (298 dpa)	663
<b>C</b>	Net completions 2019/20	204
<b>D</b>	Existing commitments (extant planning permissions as of 31 March 2020)	2,316
<b>E</b>	Residual requirement to be allocated through Policy LIV7 and Policy WRK9 <sup>25</sup>	783

- 4.30 Paragraph 67 of the NPPF requires local authorities to have a clear understanding of their housing land supply. The annual Strategic Housing Land Availability Assessment (SHLAA) fulfils this role. It considers the availability, suitability and likely economic viability of potential housing sites.
- 4.31 The identification of a site within the SHLAA does not mean that a site will be allocated for housing. Nor does it imply that the site will receive planning permission for housing. The role of the SHLAA is to consider whether a site could be developed; not whether a site should be developed.

<sup>25</sup> Policy WRK9 identifies a mixed use allocation at Ouzledale Foundry, Barnoldswick which contributes to meeting the housing needs of the Local Plan.

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- 4.32 A robust and rigorous site assessment process must also be carried out. This considers all potential allocations. The sites in the SHLAA and those submitted in response to a Call for Sites are also subject to Sustainability Appraisal. This process helps to identify any cumulative impacts that may arise from their development.
- 4.33 This comprehensive evidence base is used to ensure that the housing sites allocated in this policy:
- Provide a sufficient supply and mix of new homes to meet the borough's housing needs;
  - Ensure a supply that is capable of delivering housing throughout the plan period; and
  - Represent an appropriate strategy to meet those needs.
- 4.34 A Housing Trajectory will be prepared to show how sites allocated within the Local Plan Part 2 and committed development are anticipated to come forward over the remainder of the plan period (this will be inserted once the figures for the 2021 SHLAA are available and ahead of publication of the Local Plan Part 2).
- 4.35 Through the allocation process, special regard has been given to the distribution of housing completed, committed, and still required to ensure accordance with Policy SDP3 of the Core Strategy. This is to ensure that sites allocated through the Local Plan Part 2 aligns with the spatial approach of the Core Strategy, providing a sustainable pattern of development, supporting key infrastructure investments, and provides development which consistent with the vision and objectives of the Core Strategy.
- 4.36 To ensure that residual housing needs are met proportionately amongst the Borough's sustainable settlements, regard has also been given to the Scoping Report and Methodology Report as consulted on in 2017. This document assessed how housing needs could be delivered accounting for the capacity, constraints and opportunities provided at each settlement. The residual housing needs of each settlement applying this approach is set out in Appendix 1. Unlike the spatial requirements of Policy SDP3, this document does not form part of the Development Plan and as such has been applied as a guide for informing the pattern of development provided by the sites allocated through Policy LIV7.
- 4.37 In addition, and in order to respond to the requirements of Paragraph 68 of the NPPF, effort has been made to ensure that at least 10% of future allocated growth is identified at sites of one hectare or less. This is to ensure support to small and medium sized enterprises, to promote quicker build rates, and to encourage a broader range of house types and products to respond to a wider range of housing need.
- 4.38 The Council also has a duty to grant permission for sufficient land to match the cumulative level of demand on its self-build and custom-build register, within three years. Requirements for Self-build, applicable to allocated sites, are set out in Policy LIV11. A specific site for Self-build homes is also allocated through Policy LIV7.

- 4.39 Evidence of housing land supply shows that the housing requirement will be wholly met from sites within Pendle in line with the sequential approach to new development set out in Policy SDP2 of the Core Strategy, and without requiring the release of land currently designated as Green Belt. There is no requirement therefore for Pendle's housing needs to be accommodated within any neighbouring authority in accordance with the Duty to Cooperate. Similarly, at this stage, ongoing cross-boundary discussions with neighbouring local planning authorities also indicate no requirement for Pendle to accommodate housing needs arising from outside the Borough's administrative boundary.
- 4.40 In addition to allocated growth, there may be occasions when planning permission for residential development is granted on sites which have not been specifically allocated for housing. These additional sites may come forward during the plan period as a result of range of circumstances which cannot be anticipated at adoption. Such sites are referred to as 'windfall development'. Historically, Pendle has experienced high levels of windfall development, but the allocation of sufficient sites to meet the housing requirement in the Local Plan significantly reduces the likelihood of windfall development occurring. Accordingly no specific allowance is made for windfall development to meet the residual housing needs of the Local Plan, however the development of these sites will nevertheless contribute to the delivery of the housing requirement providing extra capacity to meet needs. Should they come forward, windfall sites will be assessed on their merits in accordance with the policies of the development plan.

### Policy LIV7

#### Housing Site Allocations

1. The boundary of each housing site allocation is defined on the Policies Map.
2. To meet the housing requirement set out in [Policy LIV6](#), the following sites are allocated for housing development.

Ref	Site Name and Location	PDL <sup>1</sup>	Site Area (ha)	Dwellings
P026	Riverside Mill, Nelson	Yes	2.56	80
P244	Former James Nelson Sports Ground, Nelson	No	2.74	114
P238	Gib Hill (Site B), Nelson	No	12.32	150
P267	Former LCC Depot, Halifax Road, Brierfield	Yes	0.25	9
P011	Richard Street Nurseries, Brierfield	Yes	0.98	35
P060	Former Mansfield High School, Taylor Street, Brierfield	Yes	1.54	43
P045	Aspen Grove, Earby	No	1.46	44
P064	Brook Shed, Earby	Yes	1.32	65
P081	New Road Garage Site, Earby	Yes	0.63	35
P282	Church Lane, Kelbrook	No	2.78	83



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Ref	Site Name and Location	PDL <sup>1</sup>	Site Area (ha)	Dwellings
P019	Sheridan Road, Laneshaw Bridge	No	1.73	30
P110	Hollin Hall, Gisburn Road, Blacko	No	0.51	12
<sup>1</sup> Previously Developed Land		<b>Totals:</b>	<b>29.18</b>	<b>700</b>

## 3. Development proposals will be required to:

- a. Meet the site specific policy requirements set out below.
- b. Address the design principles set out in [Policy ENV19](#) and any other relevant policies in the Pendle Local Plan, or a 'Made' Neighbourhood Plan.
- c. The indicative distribution of housing development within each spatial area ([Policy SDP3](#)) and individual settlements ([Appendix 1](#)).
  - a. Support for the re-use of previously developed land that is of low environmental value and well-served by public transport
  - b. Contributions towards improved infrastructure provision ([Policy SDP6](#)), including affordable housing ([Policy LIV9](#))

P026	Riverside Mill, Nelson	Dwellings	80
<b>Site Specific Requirements:</b> <ol style="list-style-type: none"> <li>The site has capacity for around 80 dwellings. A broad mix of dwelling types, sizes and tenures should be provided at the site. The provision of at least 10% of new dwellings as affordable homes is encouraged and will be treated favourably.</li> <li>Vehicular access is to be taken from either Charles Street or Crawford Street. A separate dry emergency access will also be required.</li> <li>North-South and East-West pedestrian/cycle links should be provided through the site to enhance local connectivity and encourage travel by foot and bicycle.</li> <li>Subject to investigation, the Mill Chimney should be retained and incorporated into the design and layout of the development.</li> <li>The course of Walverden Water should form the focus of Open Space and ecological enhancements provided as part of the development.</li> <li>New dwellings should avoid being located in close proximity of Walverden Water, and within parts of the site confirmed as being at risk of flooding in accordance with the findings of the Council's Strategic Flood Risk Assessment.</li> <li>Assessment is required of the potential effects of neighbouring commercial uses located adjacent to the site on the amenity of future residents (i.e. due to noise, vibration, air pollution, odour etc), with sufficient mitigation measures incorporated into the design of the development to ensure there are no unacceptable effects on health or wellbeing.</li> <li>Prior to the construction of any new dwellings, comprehensive and safe remediation of the site is required. A Construction Method Statement will be required confirming how contaminated materials will be stored and removed from the site.</li> </ol>			

**Justification:**

Riverside Mill is a cleared former employment site which sits within the settlement boundary of Nelson. The site is currently allocated for housing within the Bradley Area Action Plan. Its identification for housing through Policy LIV7 of the Local Plan Part 2 carries this allocation forward for the remainder of this plan period. The site is considered in principle to form a suitable location for housing, sitting in an area of Nelson which is primarily in residential use. The site is within a short walk of existing local services and facilities available both on Leeds Road and in Nelson Town Centre. The site's redevelopment for housing will make effective use of derelict land and will assist the regeneration of a deprived ward of the town.

The former use of the site, means there is expected to be a level of contamination which needs to be carefully and sufficiently addressed before new homes can be built. The site also sits on the course of Walverden Water, and is known to experience some risk of flooding. As a result, development will need to avoid being located in close proximity to the Brook and parts of the site confirmed to be at risk of flooding. Sufficient water storage and effective means of drainage will be necessary in order to ensure that new and existing residents are not an unacceptable risk from flooding.

The North Western part of the site is located in close proximity to existing employment uses. These uses are likely to remain in the longer term and may adversely impact the health and wellbeing of future residents of the site if their effects are not adequately assessed and accounted for through the design and layout of the development.

The Mill Chimney forms a distinctive landmark in the local townscape and forms an important historical reference to the site's former use. The Chimney should be incorporated into the redevelopment of the site provided that it remains structurally sound.

The redevelopment of the site provides opportunity to enhance local pedestrian and cycle connections between existing residential areas, and to sources of employment and education, and as such pedestrian links through the site should be provided. A single vehicular access point should be created to enter the site. This is to avoid the site being used as a cut through for broader traffic. A separate emergency access which is outside any zone of high flood risk will also be required.

Viability evidence shows that the site has limited to no viability for redevelopment. As a result national requirements for affordable housing provision at the site will not apply. The redevelopment of the site would however make an important contribution to housing needs locally, and as such the delivery of a mix of sizes and types of dwellings and affordable housing at the site is both welcomed and encouraged.

<b>P244</b>	<b>Former James Nelson Sports Ground, Nelson</b>	<b>Dwellings</b>	<b>114</b>
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**Site Specific Requirements:**

1. The site has a capacity for around 114 dwellings. A broad mix of dwelling types, sizes and tenures should be provided at the Site. The development of affordable homes is supported at this Site.
2. New dwellings should be consistent in scale, density, and form to surrounding development.
3. Vehicular access is to be taken from Priory Chase or Wickworth Street.

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4. Footpath and cycling connections should be provided across the Site linking Priory Chase with Wickworth Street.
5. Development should respect the setting, and not result in significant demonstrable harm to nearby listed buildings.

### Justification:

The site occupies an area of redundant private open space which is situated within the settlement boundary of Nelson. The site is located within a primarily residential area with existing residential dwellings bordering the site to the east and west and allotments located to the north and south. The development of this site for housing could make a major contribution to the housing needs of the town, providing for a range of house types and sizes which is responsive to local housing needs, without adverse effects on the open countryside or areas of landscape quality.

The site is largely unaffected by constraints which would significantly limit its suitability and capacity for housing. Some heritage sensitivity exists owing to the proximity of the site to existing heritage assets, however the effects of developing the site for housing on these assets is considered limited owing to location of these assets within an urban area and bordered by modern housing. The overgrown nature of the site means it could fulfil a limited role for local wildlife which would need to be assessed and mitigated for through any scheme to develop the site.

The site sits at an infill location. Whilst this represents a logical place for new homes, its development must not result in the creation of a local rat run which would create pressure on the local road network and endanger highway safety. As such the site should be served by a single access point vehicles from either the east or the west of the site. At the same however, development of the site provides the opportunity to enhance pedestrian and cycling connectivity within the area. As a result, proposals should include means for east-west pedestrian and cycling connection to remove the necessity for prolonged trips around the site using existing roads and footpaths.

P238	Gib Hill (Site B), Nelson	Dwellings	150
<b>Site Specific Requirements:</b> <ol style="list-style-type: none"> <li>1. The site has capacity for around 150 dwellings. A broad mix of dwelling types, sizes and tenures should be provided on site. At least 10% of new homes should be affordable housing.</li> <li>2. A proportion of plots provided at the site will be sought as self-build in accordance with Policy LIV11.</li> <li>3. A Design Code will be required as part of the first planning application relating to the site's development, which will establish design parameters for land-use, layout and development parcels, scale, form and appearance of the development.</li> <li>4. Vehicular access is to be taken from Liddlesdale Road and/or Marsden Hall Road North. Marsden Community Centre is to be retained, with associated infrastructure and facilities replaced if lost for access.</li> <li>5. The broad routes of existing Public Rights of Way which cross through and run within the boundaries of the site should be retained and enhanced, promoting their use for all sections of the community.</li> </ol>			

6. No residential development or formal open space should take place within 15m of pylons which cross the site. New dwellings should not directly front or rear onto any transmission tower.
7. A Landscape and Visual Impact Assessment will be required to inform the Design Code in particular to influence the location of development parcels within the site and the need for open corridors to maintain key views.
8. New homes should be focussed towards lower elevations of the Site, with lower density development on higher ground.
9. A network of greenspace should feature throughout the site, making use of existing natural features and constraints. This should include formal open space provision, delivered in accordance with Open Space standards, include the creation of new habitats, and should form the focus of drainage infrastructure provided on site.
10. The Biological Heritage Site located partially within the allocation boundary must remain free from development. A sufficient buffer between any new dwellings and road infrastructure and the Biological Heritage Site will be required, with boundary works to discourage public access.
11. A Tree Survey, confirming the quality and health of existing trees and vegetation on the Site will be required. As far as possible existing trees Categorised as A and B should be retained and incorporated into the layout and design of the Development. The existing tree belt which features close to the south western boundary of the site should be retained as far as possible.

**Justification:**

The site is well related to the existing settlement, with existing residential dwellings located to the south, school uses to the west, a residence to the north, and Marsden Golf Course to the east. The site benefits from excellent accessibility to existing school provision, as well as generally good accessibility by foot and/or public transport services to Nelson Town Centre and sources of employment. The site provides an opportunity to accommodate a large sustainable expansion to Nelson making an important contribution to addressing the town's housing need for the plan period.

The site is understood to have some ecological sensitivity and has extensive tree coverage. For this reason the capacity of the site for housing has been reduce given the need to avoid areas most sensitive to development and provide additional scope for enhancement areas. Notwithstanding these policy measures, a detailed understanding of the ecological value of the site will be needed and addressed before planning permission is granted for housing development at this site. Particular attention should be given Biodiversity Heritage Site located within the site boundary, which is to be kept from development. A survey of existing trees within the site will be required, with the highest value trees in terms of quality and interest to be retained with replacement provision sought to contribute to the objective to increase tree coverage in the Borough.

The site sits on sloping land with varying degree of visibility from wider areas. Efforts should be made through the design process to account for views into and out of the site, making use of natural features to break up development and retain key views through the site, with layout and density of new development responding accordingly. The Council considers that it is justified, given the sensitives of the Site to new development to require the submission of a Design Code as part of the first planning application which will set out in broad terms how the site as a whole is to be

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development, including matters of layout, form and materials used to minimise the potential for adverse effects in developing the Site.

A 132kv power line runs across the site and represents a constraint to its development. A suitable offset will be required within the layout of the development between pylons and powerlines and any new dwellings, to account for swaying, sagging and in case of collapse. For amenity reasons, dwellings should also avoid being directly related to any transmission tower. For safety reasons formal open space provision must not feature under or within offset distances of pylons and wires.

P267	Former LCC Depot, Halifax Road, Brierfield	Dwellings	9
<p><b>Site Specific Requirements:</b></p> <ol style="list-style-type: none"> <li>1. The site has capacity for around 9 dwellings. A broad mix of dwelling types, sizes and tenures is encouraged at the site. The development of affordable homes is supported.</li> <li>2. New dwellings constructed at the site should be consistent with the scale and density of adjacent development.</li> <li>3. Access is to be taken from Halifax Road.</li> <li>4. The Pedestrian link between Halifax Road and Chapel Street is to be retained and where possible enhanced in terms of its safety and accessibility.</li> <li>5. A Tree Survey confirming the quality and health of existing trees on site is required. As far as possible existing trees Categorised as A and B should be retained and incorporated into the layout and design of the Development.</li> <li>6. Prior to the construction of any new dwelling, comprehensive and safe remediation of the site is required to sufficiently address any ground contamination resulting from the site's former use. A Construction Method Statement will be required confirming how contaminated materials will be stored and removed from the site.</li> </ol>			
<p><b>Justification:</b></p> <p>The site forms a vacant previously developed location within the settlement boundary of Brierfield. It benefits from excellent accessibility to Brierfield Town Centre, public transport connections, recreation opportunities, and education provision. The redevelopment of the site for housing would be consistent and compatible with surrounding uses, it would make effective use of previously developed land, and assist with continuing efforts to regenerate Brierfield. At under 1 hectare, the allocation of this site provides an opportunity to broaden the supply of housing land in a sustainable location, providing for greater market choice and support for SME housebuilders.</p> <p>The overgrown condition of the site, with existing trees may mean that it holds some importance for wildlife which will need to be understood and accounted for before the site is redeveloped for housing. Existing trees of higher quality should be retained to promote tree coverage in the Borough. The previously developed nature of the site means that there is a requirement to safely remove and treat any contaminated land which may exist from its previous use before the site is suitable for the construction of new dwellings. The pedestrian link between Halifax Road and Chapel Road enhances local connectivity by foot encouraging sustainable forms of travel. This footpath should be retained by any proposal to develop the site, with opportunities taken to provide for</p>			

a safer and more accessible link within the layout and design of the site such as enhanced lighting, surveillance and widening of the route.

Viability evidence shows that the site has limited to no viability for development. As a result national requirements for affordable housing provision at the site will not apply. The redevelopment of the site would however make an important contribution to housing needs locally, and as such the delivery of a mix of sizes and types of dwellings and affordable housing at the site is both welcomed and encouraged.

<b>P011</b>	<b>Richard Street Nurseries, Brierfield</b>	<b>Dwellings</b>	<b>35</b>
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**Site Specific Requirements:**

1. The site has capacity for around 35 dwellings. A broad mix of dwelling types, sizes and tenures should be provided on Site. The provision of at least 10% of new dwellings as affordable homes is encouraged and will be treated favourably.
2. Vehicular access is to be taken from Richard Street.
3. A pedestrian link should be provided from the development to the Reedley Hallows Greenway to the north east of the Site.
4. Open Space and ecological enhancements provided as part of the development should be focussed towards the Reedley Hallows Greenway to supplement and enhance this green corridor.
5. A Tree Survey confirming the quality and health of existing trees on site is required. As far as possible existing trees Categorised as A and B should be retained and incorporated into the layout and design of the Development.
6. Prior to the construction of any new dwelling, comprehensive and safe remediation of the site is required to sufficiently address any ground contamination. A Construction Method Statement will be required confirming how contaminated materials will be stored and removed from the site.

**Justification:**

The site is located within the settlement boundary. It is vacant and largely overgrown. The site sits within a predominantly residential area border to the north, south and west by existing dwellings, and the east by open space and a wooded area. It has excellent accessibility to the town centre of Brierfield, existing public transport routes (inclusive of Brierfield Railway Station) and local services, facilities and amenity space. The effective use of the site for housing will support continuing efforts to regenerate Brierfield. At just under 1 hectare, its allocation provides an opportunity to broaden the supply of housing land in a sustainable location, providing for greater market choice and support for SME housebuilders.

The overgrown condition of the site, and proximity to existing trees and wider green infrastructure, means the site may hold some importance for wildlife which will need to be understood and account for before the site is redeveloped for housing. Existing trees of higher quality will should also be retained to promote tree coverage in the Borough and the prevailing character of the wider area. The previously developed nature of the Site means that there is a requirement to safely remove and treat any contaminated land which may exist from its previous use before the site is suitable for the construction of new dwellings.

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The redevelopment of the site provides an opportunity to enhance connectivity of existing residential areas to greenspace provision which is located adjacent to the east of the site. This will also enhance accessibility to Heyhead Park which is located north east of the site.

Viability evidence shows that the site has limited to no viability for development. As a result national requirements for affordable housing provision at the site will not apply. The redevelopment of the site would however make an important contribution to housing needs locally, and as such the delivery of a mix of sizes and types of dwellings and affordable housing at the site is both welcomed and encouraged.

P060	Former Mansfield High School, Taylor Street, Brierfield	Dwellings	43
<p><b>Site Specific Requirements:</b></p> <ol style="list-style-type: none"> <li>1. The site has capacity for around 43 dwellings. A broad mix of dwelling types, sizes and tenures should be provided on Site. The provision of at least 10% of new dwellings as affordable homes is encouraged and will be treated favourably.</li> <li>2. New dwellings should positively address existing road frontages as far as possible. The scale and density of the development should be in broad accordance with the surrounding built character.</li> <li>3. Existing trees located along the boundaries of the Site should be retained and incorporated into the layout of the Site.</li> <li>4. The development must be designed to adopt the SUDs Hierarchy providing sufficient drainage capacity to accommodate periodic surface water flooding events accounting for Climate Change. Open Space could be included within this drainage infrastructure.</li> </ol>			
<p><b>Justification:</b></p> <p>The site sits within the settlement boundary of Brierfield and is a short walk to the town centre and public transport services operating along Colne Road. The Site is highly accessible to local services and facilities helping to reduce the reliance of future residents on travel by car.</p> <p>The site is located within an established residential area. This area is not of notable built quality, and the development of new homes in the area will assist with continuing efforts to regenerate Brierfield, which has seen some success in recent years with the development of Brierfield Mills. Whilst the site currently provided for an area of openness within the dense settlement, the Site is not publically accessible and as such does not have a formal role in providing recreational facility for local residents. The delivery of new open space at the Borough is encouraged and will be implemented in accordance with the requirements of Policy ENV15.</p> <p>The site is cleared and are there are limited constraints to be addressed in order to enable the site to be suitable for redevelopment. One such constraint is the potential for flood risk identified within the southern part of the Site. The Council's SFRA will confirm the extent of this and recommendations to be taken forward through the layout and design of the development. The Council however will expect that the Site is developed with sufficient drainage capacity provided within the site to account for any flood risk on site (including taking into account the effects of Climate Change) to ensure</p>			



that new and existing dwellings do not flood in extreme weather events as a result of the redevelopment of the Site.

To ensure that the Site does not adversely affect local character or local biodiversity, the development should integrate with the existing community and retain existing site features such as existing trees. To secure this new dwellings should reflect the scale and form of existing dwellings, and positively address existing roads with panel fencing or high brick/stone walls on this roads minimised as far as possible.

<b>P045</b>	<b>Aspen Grove, Earby</b>	<b>Dwellings</b>	<b>44</b>
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**Site Specific Requirements:**

5. The site has capacity for around 44 dwellings. A broad mix of dwelling types, sizes and tenures should be provided on Site. At least 10% of new homes should be affordable housing.
6. A proportion of plots provided at the site will be sought as self-build in accordance with Policy LIV11.
7. Vehicular access is to be taken from Aspen Grove.
8. The Public Right of Way running along the western boundary of the site is to be retained and enhanced where possible. Connection to the Public Right of Way should be made within the site to enhance access from the site by foot.
9. Development should be consistent with the scale and density of existing built form in proximity to the site and its settlement edge location.
10. A new natural boundary, details of which will need to be agreed with the local planning authority, will be required along the eastern side of the site to mitigate effects on viewpoints from higher ground to the east, and to integrate the development into the setting of Earby.

**Justification:**

The site adjoins the south east of Earby and provides an opportunity for a logical “rounding off” the settlement pattern which relates well and is compatible with existing development to the west and north. The site is accessible to a broad range of existing shops and services which are available within the settlement. Earby has to date seen limited development within the plan period, and has a significant residual need to be met. The site is considered to provide the opportunity for a deliverable and proportionate expansion to the settlement, which is capable of meeting local housing need. The site provides the opportunity for increased market choice and provides a suitable location at which to secure a variety of house types and sizes, including affordable housing.

The site is however exposed to higher elevations to the east, and could adversely affect the setting of the settlement if not developed sensitively. A new soft vegetated edge to the development will be required to reduce and limit this effect as far as possible. New dwellings provided within the site should also be consistent with the scale of existing neighbouring dwellings, and be delivered at a density which reflects the site’s edge of settlement location.



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P064	Brook Shed, New Road, Earby	Dwellings	65
<p><b>Site Specific Requirements:</b></p> <ol style="list-style-type: none"> <li>1. The site has capacity for around 65 dwellings. A broad mix of dwelling types, sizes and tenures should be provided on site. At least 10% of new homes should be affordable housing. The development of apartments may be suitable as a proportion of dwellings provided at this site.</li> <li>2. Vehicular access is to be taken from New Road, and should not prejudice access into P081.</li> <li>3. Subject to confirmation of structural integrity, the existing Chimney at New Road should be retained and incorporated into the design and layout of the development.</li> <li>4. Regard must be given in the layout and design of the development to the built character and qualities of the Earby Conservation Area which borders the site to the North.</li> <li>5. New Cut should form the focus of open space and ecological enhancement measures provided as part of the development.</li> <li>6. New dwellings should avoid being located in close proximity of New Cut which flows along the western boundary of the site, and within parts of the site confirmed as being at most risk of flooding in accordance with the findings of the Council's Strategic Flood Risk Assessment.</li> <li>7. Prior to the construction of any new dwelling, comprehensive and safe remediation of the site is required to sufficiently address any ground contamination resulting from the site's former use. A Construction Method Statement will be required confirming how contaminated materials will be stored and removed from the site.</li> <li>8. Assessment is required of the potential effects of neighbouring commercial uses located the north of the site on the amenity of future residents (i.e. due to noise, vibration, air pollution, odour etc), with sufficient mitigation measures incorporated into the design of the development to ensure there are no unacceptable effects on health or wellbeing.</li> </ol>			
<p><b>Justification:</b></p> <p>The site is centrally located within Earby. It is a previously developed site which is now largely cleared and derelict. In its current form the site detracts from the quality of the wider built environment. Its allocation through the Local Plan Part 2 provides the opportunity to make effective use of redundant land by meeting the housing needs of Earby in a highly accessible location. Its development alongside but independent from P081 gives rise to the opportunity to significantly enhance the built quality of the local area, with potential benefits for regeneration objectives and the local economy, and also to enhance the Earby Conservation Area. The site offers the opportunity for higher density development, providing a different product in the local housing market, enabling greater diversity of housing stock and increasing consumer choice, benefiting the delivery of new homes, and also enabling the allocated supply to respond to broader housing need.</p> <p>The Chimney at New Road is a distinctive local landmark, and should be retained and integrated into the layout of any redevelopment of the site. Special regard will also be required to the built qualities and character of the wider Earby Conservation Area</p>			

particularly for the development and treatment of the frontage to the Site. An architectural cue should be taken from the existing high wall which fronts the Site onto New Road and will require some level of demolition to redevelop the Site.

New Cut flows along the western boundary of the site and has associated flood risk. This flood risk as confirmed through the Strategic Flood Risk Assessment will need to be responded through the design and layout of the development with residential development generally sited away from the watercourse and parts of the Site at most risk of flooding. Sufficient drainage and water storage capacity will be required on site to protect future users from flooding as well as adjacent residential dwellings. Whilst forming a constraint to the development of the site, the presence of this watercourse provides opportunity at which to focus the provision on new open space and ecological enhancements which is likely to be of most benefit for existing and new residents and wildlife.

The site is previously developed and was formerly used for industrial activity. The site is therefore likely to experience some level of contamination which will need to be effectively treated before the redevelopment of the Site for housing. Safe removal and storage of existing materials on site will also be required. Commercial uses north of the site will continue to function during construction and beyond. It is therefore necessary for an assessment of the potential effects of these uses on the health and wellbeing of future residents of the site, with sufficient responses made accordingly through the layout and design of the development.

<b>P081</b>	<b>New Road Garage Site, Earby</b>	<b>Dwellings</b>	<b>35</b>
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**Site Specific Requirements:**

1. The site has capacity for around 35 dwellings. A broad mix of dwelling types, sizes and tenures should be provided on Site. At least 10% of new homes should be affordable housing.
2. Vehicular access is to be taken from New Road, and should not prejudice access into P064.
3. New dwellings should be of a high quality design and materials reflecting the built character and qualities of the wider Earby Conservation Area. The development should be of a similar form and density to neighbouring development.
4. The effects of neighbouring commercial uses on future residents of the Site will need to be assessed with appropriate mitigation measures implemented through the design and layout of the development.
5. Additional parking provision should be provided on site to mitigate the loss of existing garages and prevent an increase in on-street parking in the local area as a direct result of the development.

**Justification:**

The site is currently occupied by existing lock up garages located between residential and commercial uses. The site is available and situated at a highly accessible and central location within Earby. Its redevelopment, alongside but independent of P064, gives rise to the opportunity to regenerate and make efficient use of developed land within Earby to meet local housing need, whilst also securing improvements to the local built environment beneficial to the wider Conservation Area. Its allocation

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provides an opportunity to broaden the supply of housing land in a sustainable location, providing for greater market choice and support for SME housebuilders.

The site should be developed to a high standard noting its location within the Earby Conservation Area with sufficient regard had to the built qualities and character of this area which should be incorporated and reflect in new dwellings constructed at the site.

The site is closely related to existing commercial uses which are likely to continue to operate over the long term. In order to ensure that operations of these active uses do not harm the health or wellbeing of future residents of the site, the effects will need to be assessed and accounted for through the detailed design of the scheme.

Existing garages are likely to fulfil a role in alleviating on-street parking pressures for surrounding terraced streets. To ensure that the development of the site does not increase parking pressures locally, a number of parking spaces for existing residents should be created within the site and incorporated into the design and layout of the development.

P282	Church Lane, Kelbrook	Dwellings	83
<p><b>Site Specific Requirements:</b></p> <ol style="list-style-type: none"> <li>1. The site has capacity for around 83 dwellings. A broad mix of dwelling types, sizes and tenures should be provided on site. In particular the development of smaller sized houses of 2-3 bedrooms is supported at the Site. At least 20% of new homes should be affordable housing.</li> <li>2. A proportion of plots provided at the site will be sought as self-build in accordance with Policy LIV11.</li> <li>3. New dwellings should be consistent with the scale, form, and appearance of the remaining residential areas of the village, and have regard to the site's edge of settlement location.</li> <li>4. Vehicular access is to be taken from Church Lane.</li> <li>5. The existing Public Right of Way running within the western boundary of the Site is to be retained and enhanced in order to provide safe pedestrian and cycling accessibility towards the Village. Outward views into the open countryside should be created from the Public Right of Way.</li> <li>6. The effects of neighbouring commercial and industrial uses on land to the north west of the site on future residents will need to be assessed with appropriate mitigation measures implemented through the design and layout of the development. As a minimum a landscape buffer should be provided between the existing industrial estate and new dwellings.</li> <li>7. Existing trees and hedgerows along site boundaries should be retained as far as possible. Any loss should be replaced in accordance with Policy ENV16.</li> <li>8. The northern and eastern boundaries of the site should provide for a soft landscaped edge to the development to reduce effects on the local landscape and views of the development from the east.</li> </ol>			
<p><b>Justification:</b></p> <p>The site is located adjacent to the settlement boundary of Kelbrook, made up of undeveloped land between existing residential areas of the village and the Industrial Estate. The site is considered suitably related and scaled to the village, and is in</p>			

accordance with the settlement pattern with existing development in part or full on three sides of the site. The scale of the site, and its location within the northern part of the village, means that it is capable of also meeting the residual housing needs of Sough reducing the need for the development of further sites. The site is accessible to existing services and facilities in the village, as well as sources of employment and public transport routes. The site is capable of meeting a diverse range of housing needs, providing a mix of types and size of dwelling, and will make an important contribution to the supply of affordable housing.

The site is exposed to higher elevations to the east, and could adversely affect the setting of the settlement if not developed sensitively. A new soft vegetated edge to the development will be required to reduce and limit this effect as far as possible. New dwellings provided within the site should also be consistent with the scale of existing neighbouring dwellings, and be delivered at a density which reflects the site's edge of settlement location.

A Public Right of Way runs along the western boundary of the site, providing an alternative walking route into the village from the site. The Public Right of Way should be retained and enhanced as part of the development of the site, with this route incorporated into the design and layout of the development. Undisrupted views of the open countryside beyond the site should be created through the development from the Public Right of Way to maintain some essence of the existing character and experience when walking down this route.

The proximity of the site to the existing industrial estate to the north has the potential to result in adverse effects for future residents of the site if not sufficiently addressed through the design and layout of the development. An assessment of the effects of neighbouring uses on future residents will be required as part of any planning application submitted on the site, with sufficient responses made to the design of the scheme to adequately mitigate these effects. In order to maintain some level of separation and break up the urban form, development should be set back from the northern edge of the site, with the existing vegetated boundary strengthened with further planting.

P019	Sheridan Road, Laneshaw Bridge	Dwellings	30
<b>Site Specific Requirements:</b>			
<ol style="list-style-type: none"> <li>1. The site has capacity for around 30 dwellings. A broad mix of dwelling types, sizes and tenures should be provided on site. In particular the development of smaller sized houses of 2-3 bedrooms is supported at the site. At least 20% of new homes should be affordable housing.</li> <li>2. A proportion of plots provided at the site will be sought as self-build in accordance with Policy LIV11.</li> <li>3. New dwellings should be consistent with the scale, form, and appearance of the remaining residential areas of the village, and have regard to the site's edge of settlement location.</li> <li>4. Development of any form should not extend beyond the existing northern extent of the settlement formed by dwellings located on Sheridan Road. A new soft boundary should be created along the northern edge of the development to reduce the development's effect on the open countryside.</li> </ol>			

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5. Vehicular access should be taken from Alma Road at the south western corner of the Site. A
6. A pedestrian link should be provided to Sheridan Road to the east. The existing Public Right of Way should be retained and enhanced, and incorporated into the layout of the development.

### Justification:

The site forms a logical and proportionate extension to the existing settlement of Laneshaw Bridge, infilling part of an existing field which is located between two residential streets, and dwellings to the south. The development of the site would be in accordance with the settlement pattern which has seen linear growth along and closely related to Keighley Road. The site is considered to be accessible to existing services and facilities available in Laneshaw Bridge. It is accessible to public transport services which operate between Colne and Keighley along Keighley Road. The scale of the Site would enable the housing needs of the village to be met in full over the plan period. Its allocation provides an opportunity to broaden the supply of housing enabling greater market choice and ensuring support for SME housebuilders.

The site is exposed to elevated views from the north and will require the creation of a new boundary to the Site and the settlement. This boundary should be soft in its appearance to limit the effects and visibility of the development. The design and layout of the development should also work with the contours of the site, to avoid significant physical changes to landform and ensure that the Site integrates successfully with its built surrounds. New dwellings should be consistent in scale and form to the existing built character of the village, and the edge of settlement location of the Site.

Sheridan Road is not considered to form a suitable access to the site owing to the narrow connection to the site and prevalence of on-street parking providing for conflict for passing vehicles. As a result Alma Road to the south west is considered to form the preferred access point for vehicles.

P110	Hollins House, Gisburn Road, Blacko	Dwellings	12
<b>Site Specific Requirements:</b> <ol style="list-style-type: none"> <li>1. The site has capacity for around 12 dwellings. A suitable mix of dwelling types, sizes and tenures should be provided on site. In particular the development of smaller sized houses of 2-3 bedrooms is supported at the site. At least 20% of new homes should be affordable housing.</li> <li>2. New dwellings should be consistent in scale, form, and appearance to existing residential dwellings in the village, and have regard to the site's edge of settlement location.</li> <li>3. Development of any form should not extend beyond the southern extent of the settlement formed by existing dwellings located on Hollin Fold. A new soft boundary should be created along the southern edge of the development to reduce the development's effect on the open countryside, views from nearby Public Rights of Way.</li> <li>4. Vehicular access should be taken from Gisburn Road, but not result in the loss of existing dwelling(s) at Hollin House Farm.</li> </ol>			

**Justification:**

The site forms a logical and proportionate extension to the existing settlement of Blacko, developing a small field which is located rear of existing properties south of Gisburn Road. The development would not extend the built pattern of the settlement any further south than current dwellings accessed from Hollin Fold to the immediate west of the site. Its development would respect the linear form of the settlement, and would not disrupt key views between the village and Blacko Tower which sits prominently to the north of Gisburn Road. The site is considered broadly accessible to existing services and facilities. It is also serve public transport services which operate along Gisburn Road. The scale of the site would enable the housing needs of the village to be met in full over the plan period, which is especially significant given the absence of development in the village thus far in the plan period. Its allocation provides an opportunity to broaden the range of sites making up the housing land supply, providing for greater market choice and support for SME housebuilders.

The site is somewhat exposed to views from the south, albeit these are largely confined to long distant views where the development would be seen in the context of existing residential development to the west and east. The effects of the development should be reduced with the adoption of a soft southern boundary to the Site. New dwellings built on the site should be similar in scale and character to existing dwellings with the wider village, with these concentrated towards Gisburn Road, rather than lower, rural and more exposed parts of the site.

## Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 5	
<b>Local Plan Part 1 Policies</b>	LIV1	
<b>Local Plan Part 2 Policies</b>	LIV6	
<b>Targets</b>	<ul style="list-style-type: none"> <li>• Deliver a minimum of 2,640 dwellings by 2030.</li> <li>• Address the cumulative shortfall in housing delivery of 663 dwellings by 2030.</li> <li>• Deliver housing (plan wide and site basis) in accordance with the housing trajectory</li> <li>• Secure the delivery of the housing target in accordance with the Spatial Strategy</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• Less half the housing requirement is delivered by 2025.</li> <li>• Housing Delivery Test falls to 90% or less.</li> <li>• There is no planning activity on allocated sites by 2025.</li> </ul>	
<b>Indicators</b>	HS01	Number of new homes completed (including trends over time) by: Location
	HS02	Future predicted housing completions (based on the SHLAA update) and revised delivery target.

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	HS03	Number of new dwellings granted planning permission and total of dwellings with an extant planning consent by: Location
		Monitoring of allocated site status
<b>Delivery Agencies</b>	Pendle Borough Council, private developers, Town and Parish Councils, the community and community forums, Pendle Enterprise and Regeneration Ltd, Lancashire County Council, Registered Providers, Homes England, Lancashire Local Enterprise Partnership.	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Pre-application advice/discussions</li> <li>• Determination of planning applications through the Development Management process.</li> <li>• Continued engagement through the development process.</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• There is no appetite to build-out the allocated site (L)</li> <li>• Unanticipated constraints render all or part of the site unsuitable for housing (L)</li> <li>• Sites do not come forward as anticipated in scale and/or timeframe, including stalling and/or lower annual completion rates (M)</li> <li>• Submitted/built proposals do not conform with policy requirements (L)</li> <li>• Market change affects the viability of development and the deliverability of key infrastructure/planning obligations (M)</li> <li>• Objectives/Targets for the provision and support of infrastructure and services, open space, affordable housing, and the environment are not achieved (L-M)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Engagement through the planning process.</li> <li>• Work with developers/partners to remove barriers to development.</li> <li>• Investment by delivery agencies/Grant funding.</li> <li>• Windfall development/alternative suitable sites within the SHLAA.</li> <li>• Reserve Sites.</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019) &amp; PPG</li> <li>• Pendle Core Strategy</li> <li>• Pendle Housing Needs Assessment 2020</li> <li>• Pendle Strategic Housing Land Availability Assessment</li> <li>• Pendle Infrastructure Strategy</li> </ul>	



## Policy LIV8: Reserve Sites for Housing

### Justification

- 4.41 Evidence currently indicates that housing can be delivered on the sites allocated in [Policy LIV7](#) and Policy WRK9 before the end of the plan period (2030). However, a number of factors outside the Council's control will influence whether sites granted planning permission will come forward for development
- 4.42 The Local Plan must show a degree of flexibility to ensure that housing delivery will meet the local housing requirement ([Policy LIV6](#)). This is important in ensuring that the Local Plan is adaptive to rapid change without needing an early review<sup>26</sup>.
- 4.43 Reserve Sites represent land that can be brought forward to respond to changes in circumstances. They provide extra flexibility to respond to unmet needs and/or to help to address any actions required as a result of the Government's proposed housing delivery test.
- 4.44 The requirement for Reserve Sites to be identified through the Local Plan Part 2 has long been established within the Pendle development plan. The Inspector examining the Pendle Core Strategy found the allocation of Reserve Sites necessary to secure the required flexibility within the housing land supply<sup>27</sup>. This conclusion led to modification of Policy LIV1 of the Core Strategy, which sets out the need for Reserve Sites to be allocated through the Local Plan Part 2. Whilst Policy LIV1 is to be replaced by policies of the Local Plan Part 1, the rationale and requirement for Reserve Sites nevertheless remains important in securing an effective and deliverable planning strategy.
- 4.45 The purposes for identifying reserve housing sites are:
- a. To maintain a 5 year supply of housing land in Pendle; and/or
  - b. To rectify an identified shortfall in housing delivery.
- 4.46 Therefore, and in response to Paragraph 76 of the NPPF, there is an expectation and requirement for reserve sites to be developed quickly where brought forward. As a result, proposals brought forward at Reserve Sites will be subject to a planning condition reducing the usual period for implementation.
- 4.47 Reserve Sites are located on greenfield land on the edge of settlements. They have the potential to cater for future growth in situations where there is evidence allocated sites are not coming forward as required.
- 4.48 Reserve sites also provide certainty to communities as to where alternative or additional development will take place rather than having to react to speculative applications or appeals. This will allow for infrastructure needs to be known and planned for upfront rather than being responded to on an ad hoc basis.

<sup>26</sup> Consistent with Paragraph 11 of the 2019 NPPF.

<sup>27</sup> See Paragraph 66, Inspectors Report on the Pendle Core Strategy 26 October 2015



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- 4.49 The selection of Reserved Sites has followed the strategic approach in [Policy SDP2](#). This focuses new development and growth in our key and local service centres. The sites also reflect the scale and role of the settlements they are intended to serve.
- 4.50 Sites identified in the SHLAA, with the potential to be Reserve Sites have not been designated where they are:
- Situated within the Green Belt (See Policy ENV11).
  - Designated in a Neighbourhood Plan
  - Allocated for Custom or Self-build Housing in the Local Plan
- 4.51 Reserve Sites will only be released where there is substantive evidence that there is a need to do so in accordance with policy and where the approach in Part 5 of Policy LIV6 has been followed. Applications for the development of reserve sites for reasons which depart from Policies LIV6 and LIV8 will normally be refused unless material considerations indicate otherwise.
- 4.52 Reserve sites are distributed proportionately across the Borough broadly in line with the spatial distribution set out through Policy SDP3.
- 4.53 Further flexibility for additional housing is provided on allocated sites (Policy LIV7), which may be developed to a higher capacity than indicated in the Policy subject to justification and consideration of wider impacts. Windfall developments which are not included within supply figures, but may come forward at any time over the remaining plan period, will also contribute to meeting the housing requirement. It is considered that collectively, these sources of supply provide sufficient flexibility to ensure that the both housing requirement and accumulated shortfall is met in full by the end of the plan period.

### Policy LIV8

#### Reserve Sites for Housing

- The boundary of each Reserve Site is defined on the Policies Map.
- The following Reserve Sites may be developed for housing should they be needed to address under-delivery, or to meet future development needs (i.e. beyond the end of the plan period 2030).

Ref	Site Name and Location	PDL <sup>1</sup>	Site Area (ha)	Dwellings
P055	Foster Road, Barnoldswick	No	3.11	93
P005	Castle Road, Colne	No	3.00	85
P105	Halifax Road, Nelson	No	6.56	125
P104	Oaklands, Barrowford	No	3.20	60
P263/P265	Stoney Bank Road, Earby	No	6.83	100
<sup>1</sup> Previously Developed Land			<b>Totals:</b>	<b>c.23.86</b>
				<b>463</b>

3. Reserve Sites for housing will only be released following adoption of the Local Plan Part 2 during the plan period (2011-2030) where annual monitoring confirms:
  - a. There is a shortfall in the five-year housing land supply.  
In these circumstances Reserve Sites throughout the borough will be considered for release where they are capable of being implemented within two years of the date on which planning permission is approved.
  - b. The Housing Delivery Test is failed, and interventions 5a to c in Policy LIV6 are unlikely to resolve the shortage in housing delivery.
4. Development proposals on Reserve Sites will be required to:
  - a. Meet the site specific policy requirements set out below.
  - b. Address the design principles set out in [Policy ENV19](#) and any other relevant policies in the Pendle Local Plan, or a 'Made' Neighbourhood Plan.

P055	Foster Road, Barnoldswick	Dwellings	93
<b>Site Specific Requirements:</b> <ol style="list-style-type: none"> <li>1. The site has capacity for around 93 dwellings. A broad mix of dwelling types, sizes and tenures should be provided on Site. At least 10% of new homes should be affordable housing.</li> <li>2. The scale, form and character of new dwellings should be consistent with the character of the wider built up area and reflect the site's edge of settlement location.</li> <li>3. New development should positively address the countryside edge of the site to enhance the setting of the settlement.</li> <li>4. A proportion of plots provided at the site will be sought as self-build in accordance with Policy LIV11.</li> <li>5. Vehicular access should be taken from Foster Road.</li> <li>6. The broad route of the existing Public Right of Way which crosses through the Site should be retained and incorporated into the layout and design of the development. Enhancements to the Public Right of Way will be sought to improve access for all by foot.</li> <li>7. Existing trees and hedgerows forming the boundaries to the site should be retained and enhanced through management (where required) and with supplemental planting (to be agreed with the local authority) to create a soft edge to the development and reduce any urbanising effect caused on the wider open countryside. The felling of existing trees or removal of hedgerow within the site to accommodate its development should be minimised, with replacement planting to be sought in accordance with Policy ENV16.</li> </ol>			
<b>Justification:</b> <p>The site is formed of greenfield land is currently used for grazing which is located to the north west of Barnoldswick adjoining the settlement boundary of the town. The site benefits from good accessibility to existing facilities and services. The site is well related to the settlement pattern with existing residential development located to the east and south and its development would represent a logical "rounding off" of the settlement. The site has strong vegetated boundaries to the north and west which limit the</p>			

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potential for long range visibility, reducing the potential for adverse effects on the character of the local landscape.

The housing needs of Barnoldswick for the remaining plan period to 2030 are fulfilled by committed developments and additionally supplemented by the allocation of site P309 (See Policy WKR9). As such, the development of this site for housing is not currently required. The site however is recognised to form a suitable and deliverable location for housing, and as a result, is identified as a reserve site for housing to be made available in accordance with Policies LIV6 and LIV8. The site, if required, will provide for additional flexibility within the scope of the plan, providing additional housing land supply without the need for a Local Plan review. Any application to develop the site other than in accordance with Policies LIV6 and LIV8 will normally be refused unless material circumstances indicate otherwise.

It is important in order to limit the impact of the development on the open countryside, and to maintain the setting of Barnoldswick, that the existing northern and western boundaries of the site are retained through any proposal for the Site. Enhancements should be made to these boundaries, with development suitably offset to allow for growth and maintenance. Careful treatment of the Public Right of Way which passes North-South through the site will also be necessary. This Public Right of Way should be maintained and incorporated within the layout of the development ensuring that it remains available for use following the site's completion.

<b>P005</b>	<b>Castle Road, Colne</b>	<b>Dwellings</b>	<b>85</b>
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### Site Specific Requirements:

1. The site has capacity for around 85 dwellings. A broad mix of dwelling types, sizes and tenures should be provided on site. At least 10% of new homes should be affordable housing.
2. A proportion of plots provided at the site will be sought as self-build in accordance with Policy LIV11.
3. Vehicular access should be taken from Castle Road.
4. A pedestrian link should be created from within the development to Windermere Avenue to the south to enhance accessibility by foot to local services and facilities.
5. Existing Public Right of Ways, which run through the Site should be retained and enhanced as part of the development to promote its use by all sections of the community. A new route running along the eastern boundary connecting with existing footpath provision should be provided to provide an alternative route around the Site.
6. New dwellings should be of a general scale and size which reflects the built character of the local area and reflects the development's edge of settlement location. The development will also need to take into account its relationship to and potential effects on the Lidgett and Bents Conservation Area, and respect local topographical features to minimise effects caused on the local landscape.
7. The planting of new trees and hedgerow will be required to provide a soft edge to the development. This is particularly important along the eastern boundary of the site.
8. Land between the Site and Park High School as identified on the Policies Map is safeguarded for Education Use.

9. Open space and ecological enhancements should be provided along the eastern and southern boundaries of the Site to further soften the effect of the development.

**Justification:**

The site is formed of greenfield land forming part of land known locally as the “rough” located at the north eastern edge of Colne adjoining the settlement boundary. The site benefits from good accessibility to facilities and services available within the town, including the Town Centre and North Valley which are accessible via a relatively flat walking route. The site is well related to the settlement pattern of Colne with existing residential development located to the west and south, and Colne Park High School to the west. The development of this site would represent a logical “rounding off” of the settlement, together with the recent development off Windermere Avenue located to the south (Boulsworth View).

The housing needs of Colne for the remaining plan period to 2030 are fulfilled by committed developments. As such, the development of this Site for housing is not currently required. The site is however recognised to form a suitable and deliverable location for housing, and as a result, is identified as a reserve site for housing to be made available in accordance with Policies LIV6 and LIV8. The site, if required, will provide for additional flexibility within the scope of the plan, providing additional housing land supply without the need for a Local Plan review. Any application to develop the site other than in accordance with Policies LIV6 and LIV8 will normally be refused unless material circumstances indicate otherwise.

Consistent with observations within the Appeal decision on this site<sup>28</sup> (which applied to a much wider area) the boundaries of the allocation have been defined with particular attention given to the potential impact of development on the local landscape, character of the open countryside, and the historical interest and integrity of the Lidgett and Bents Conservation Area. The site sits in an elevated position above the North Valley just below a local high point. This is beneficial in preventing the spill of urban development into new and currently largely undeveloped rural areas to the north and east, with likely effects of developing the site limited to a more localised area. The boundaries of the Site are defined to retain the rural setting of the Conservation Area with policy requirements set out to minimise visual interactions between the proposed site and this Conservation Area, safeguarding wider areas within the locality from development which fulfil a more important role in local landscape character. Enhancements to existing boundaries and the creation of a new boundary to the Site, including the provision of a new hedgerow and tree planting, as well as the provision of public open space will provide for a soft edge to the development.

Existing Public Right of Ways running through the site should be retained, and enhanced. A new public route should be provided along the eastern boundary of the Site to provide a semi-rural walking route along the eastern boundary of Colne, and helping to provide a consistent and definitive boundary to east of Colne. A pedestrian link should be provided to Windermere Avenue to the south west to promote connectivity, integrate the development into the existing community, and encourage access to local services and facilities by foot and bicycle.

<sup>28</sup> See APP/E2340/W/15/3131974 and APP/E2340/W/15/3131975

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P105	Halifax Road, Nelson	Dwellings	125
<b>Site Specific Requirements:</b> <ol style="list-style-type: none"> <li>1. The site has capacity for around 125 dwellings. A broad mix of dwelling types, sizes and tenures should be provided on site. At least 10% of new homes should be affordable housing.</li> <li>2. A proportion of plots provided at the site will be sought as self-build in accordance with Policy LIV11.</li> <li>3. Vehicular access should be taken from Halifax Road. A separate emergency access will also be required.</li> <li>4. Existing Public Rights of Way which run through the site should be retained and incorporated into the design and layout of the development.</li> <li>5. Development must avoid the wayleave of existing major sewer and water pipes which cross through the site.</li> <li>6. Lower density development should be directed to higher elevations of the site.</li> <li>7. Existing Trees and hedgerows within the site and along the site's boundaries should be retained and incorporated into the design and layout of the development as far as possible. Any trees lost will be required to be replaced in accordance with Policy ENV16.</li> <li>8. Open space and ecological enhancements should be focussed along the southern boundary of the site. In particular, sensitive treatment will be required between the development and Clay Cottage (a Grade II Listed building) to the south west of the site.</li> </ol>			
<b>Justification:</b> <p>The site is formed of greenfield land located within the settlement boundary in the south east of Nelson. The site benefits from good accessibility to facilities and services available within the town and in the local vicinity. The site is well related to the settlement pattern forming part of a wider area of undeveloped land which is surrounded by residential uses limiting the potential for urbanising effects on the open countryside and loss of landscape of intrinsic quality. Its development would represent a logical expansion of the settlement with generally limited adverse effects.</p> <p>The housing needs of Nelson for the remaining plan period to 2030 are fulfilled by committed developments and with the allocation of Sites P026, P238, and P244 which scored more favourably through the site selection process. As such, the development of this site for housing is not currently required. The site however is recognised to form a suitable location for housing, and as a result, is identified as a reserve site for housing to be made available in accordance with Policies LIV6 and LIV8. The site, if required, will provide for additional flexibility within the scope of the plan, providing additional housing land supply without the need for a Local Plan review. Any application to develop the site other than in accordance with Policies LIV6 and LIV8 is likely to be refused unless material circumstances demonstrate otherwise.</p> <p>The site forms part of an area of green space within the built up area which has amenity, recreational, and wildlife value. At its southern extremity, the site also experiences steep changes in topography and is highly prominent from surrounding views. There is a listed building within the south west of the wider open area which would likely be adverse effected by closely situated development. The development of</p>			

the entirety of the triangle of green space found in this area for housing is not therefore suitable or supported.

Development within the lower, northern part of the site, closely related to existing housing to the north and west would be suitable. Such a development would not be prominent within the local landscape and would not result in the loss of significant amounts of informal open space.

Whilst the northern part of the area is considered to be less constrained, it is known to suffer from drainage issues being the source of Edge End Brook. This drainage would need to be sufficiently addressed to ensure that new and existing properties are not at risk of flooding as a result of the development of the site. Major sewer and water infrastructure crosses east west through the site and should be kept free from development. It is likely that this would form a logical southern boundary of the developed area of the site, with land located beyond to the south retained as semi natural open space. The site is well-used for recreational activity (largely dog walking) and so a network of open space should be provided within the site to enabled continued use by local residents. Several Public Right of Ways cross through the site. The broad route of these footpaths should be maintained and enhanced to promote their uses and connectivity to wider residential areas. Public Rights of Way should be generally included within areas of public open space.

P104	Oaklands, Barrowford	Dwellings	60
<p><b>Site Specific Requirements:</b></p> <ol style="list-style-type: none"> <li>1. The site has capacity for around 60 dwellings. A broad mix of dwelling types, sizes and tenures should be provided on Site. At least 10% of new homes should be affordable housing.</li> <li>2. A proportion of plots provided at the Site will be sought for self-build in accordance with Policy LIV11.</li> <li>3. Vehicular access should be taken from Wheatley Lane Road.</li> <li>4. The development should not stifle future potential development opportunities to the north with scope for possible future access allowed for within the design and layout of the approved scheme.</li> <li>5. Existing Trees and hedgerows located along the site's boundaries should be retained and incorporated into the design and layout of the development (save for access). Any trees lost will be required to be replaced in accordance with Policy ENV16.</li> <li>6. The retaining wall along the site frontage on Wheatley Lane Road should be kept as part of the development (save for access). Where removed for access, a replacement wall of the same design and materials will be required at the frontage of the site.</li> <li>7. Any new dwellings fronting or in close proximity to Wheatley Lane Road, will be required to have special regard to and apply the built qualities and character of the Barrowford Conservation Area in their design. This is to be assessed through the submission of a Heritage Statement.</li> </ol>			

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### Justification:

The site is formed of greenfield land located at the western edge of Barrowford and adjoins the settlement boundary. The site benefits from generally good accessibility to facilities and services with the centre of Barrowford within walking distance. The site is very well related to the settlement pattern with existing residential development located to the north, east, and south, and the sites of St Thomas C of E Church and Primary School located to the west. Only land to the north west of the site is undeveloped and in agricultural use, however the inter-visibility between the site and the open countryside the north west is extremely limited. The development of this site would represent a logical “rounding off” of the settlement pattern, with likely urbanising effects limited to a localised area.

The housing needs of Barrowford for the remaining plan period to 2030 are fulfilled by committed developments. As such, there has been no need to identify any land as an allocation for housing within or at the settlement at this point in time. The site however is recognised to form a suitable and deliverable location for housing which could meet the needs of Barrowford if committed development does not come forward as anticipated. As a result the development of the site for housing may be suitable where the criteria outlined in Policies LIV6 and LIV8 are met. Any application to develop the site other than in accordance with Policies LIV6 and LIV8 will normally be refused unless material circumstances indicate otherwise.

The contained nature of the site means that it provides a logical location at which to meet future housing needs. Proposals should seek to ensure that the existing north west boundary of the site is retained to minimise the potential for adverse effects on the wider open countryside. By far and away the most significant sensitivity for developing this site, is the site frontage which is within the Barrowford Conservation Area and protected by a group TPO. Access works for the development of the site will therefore need to be kept to a minimum and limited to only those required for safe and sufficient access to reduce the potential for adverse effect on this frontage. Any part of the wall lost for these works will be required to be replaced, consistent in design and materials of the existing wall. New dwellings sited along this frontage should be set back beyond retained trees, and be of a high quality design which is reflective of the built qualities and character of the wider conservation area.

In the interests of long term planning, the development of the site should not prevent fields to the north west of the site from being developed for housing should they one day be needed beyond the end of the plan period. As a result, and noting wider accessibility constraints in the settlement, the design and layout of the site should ensure that vehicle access to fields located to the north west could be obtained in the future if required.

<b>P263/P265</b>	<b>Stoney Bank Road, Earby</b>	<b>Dwellings</b>	<b>100</b>
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### Site Specific Requirements:

1. The site identified to deliver around 100 dwellings. A broad mix of dwelling types, sizes and tenures should be provided on site. At least 10% of new homes should be affordable housing.
2. A proportion of plots provided at the site will be sought for self-build in accordance with Policy LIV11.



3. Existing dry stone walls along the boundaries and within the site should be retained and incorporated within the design of the Site as far as practical.
4. Special attention is required to the interrelationship between the development, its boundary, and the Earby Conservation Area located to the north of the site. The effects of the development will need to be assessed through a Heritage Statement, and subsequently sufficiently addressed through the design and layout of the development.
5. New dwellings should be of a high quality, and respond to the character, form and scale of existing dwellings located within the Conservation Area, surrounding residential development, and consistent with the edge-of-settlement location of the site.
6. A Design Code will be required as part of the first planning application relating to the site's development, which will establish design parameters for land-use, layout and development parcels, scale, form and appearance of the development.
7. Vehicular access should be taken from Stoney Bank Road. A separate emergency access is also required.
8. A new footpath should be provided along the frontage of the site at Stoney Bank Road within the retained dry stone wall.
9. The existing Public Right of Way which runs along the western boundary of the site should be retained and enhanced, and incorporated into the layout and design of the development.
10. The development will require the creation of a new boundary to Earby. A soft edge of the development should be provided which has regard to the character of the local area. New dwellings should positively address this boundary, but set back from the edge of the site by public open space. This boundary is to be set back from Mill Lane ensuring that the semi-rural outlook currently afforded to the west of this route is retained.
11. Development should avoid being in close proximity to Earby Beck which flows to the north of the Site.

**Justification:**

The site is formed of greenfield land located at the eastern edge of Earby and adjoins the settlement boundary. The site benefits from generally good accessibility to facilities and services available within the centre of the settlement and to West Craven Business Park. The site is relatively well related to the settlement pattern with existing residential development located to south and west, and to the north beyond Earby Beck. The development of this site could provide a logical "rounding off" of the settlement pattern if developed sensitively.

The housing needs of Earby for the remaining plan period to 2030 are fulfilled by committed developments, and by the allocation of sites P045, P064 and P081 identified through Policy LIV7 which scored more positively than this site through the site selection process. As such, the development of this site is not required at this time. The site however is recognised to form a potentially suitable location for housing which is deliverable within the plan period, and could meet the housing needs of Earby if commitments and/or allocated sites do not come forward as anticipated. As a result the development of the site for housing may be suitable where the criteria outlined in Policies LIV6 and LIV8 are met. Any application to develop the site other than in



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accordance with Policies LIV6 and LIV8 will normally be refused unless material circumstances indicate otherwise.

The site in its current form is sensitive to development and would not be appropriate without the implementation of policy requirements. The Site is visible to open views gain from elevated open countryside and public routes to the east. The development is likely to be highly visible if the boundaries of the site are not treated sensitively. New planting, open space and lower density development in these areas will be required to soften the impact of the development from wider views and to better integrate the site into its surroundings. It will be important however that the overall experience and character of the public route along Mill Lane adjoined to the east of the Site is retained and as such development should be off-set from this boundary with rural qualities of this part of the site retained. The successful implementation of these measures is likely to provide for a positive benefit of the development, by enhancing the setting of Earby.

The site is also adjacent to but outside the Earby Conservation Area which is located to the north. The proximity of this designation and the way in which this is treated in the development in this part of the site will need careful consideration through the design process in order for harm to be minimised. The site is bordered by, and features a number of dry-stone walls which contribute to the rural character and heritage of the site and its surrounding area. It will be important that these are retained and integrated into the layout of the development as far as possible.

The ensure that the development provided on the site sufficiently responds to identified environmental sensitivities and provides a positive contribution to quality of the environment in Earby, the Council will require the submission of a Design Code as part of the first application to develop the Site, which will determine how, where and what development will occur on the site and is integrated into the landscape.

## Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 5
<b>Local Plan Part 1 Policies</b>	SDP2
<b>Local Plan Part 2 Policies</b>	LIV6 • LIV7
<b>Targets</b>	<ul style="list-style-type: none"> <li>• Deliver a minimum of 2,640 dwellings by 2030.</li> <li>• Deliver housing (plan wide and site basis) in accordance with the housing trajectory</li> <li>• Secure the delivery of the housing target in accordance with the Spatial Strategy</li> </ul>
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• Less than half of the housing requirement has been delivered by 2025.</li> <li>• Housing Delivery Test falls to 90% or less.</li> <li>• There is no planning activity on allocated sites by 2025.</li> <li>• There is no robust and deliverable five year housing land supply</li> </ul>

<b>Indicators</b>	HS01	Number of new homes completed (including trends over time) by: Location
	HS02	Future predicted housing completions (based on the SHLAA update) and revised delivery target.
	HS03	Number of new dwellings granted planning permission and total of dwellings with an extant planning consent by: Location
		Monitoring of allocated site delivery.
<b>Delivery Agencies</b>	Pendle Borough Council, private developers, Town and Parish Councils, the community and community forums, Pendle Enterprise and Regeneration Ltd, Lancashire County Council, Registered Providers, Homes England, Lancashire Local Enterprise Partnership.	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Pre-application advice/discussions</li> <li>• Determination of planning applications through the Development Management process.</li> <li>• Continued engagement through the development process.</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• The availability of sites changes (L)</li> <li>• Unanticipated constraints render all or part of the site unsuitable for housing (L)</li> <li>• Sites do not come forward as anticipated in scale and/or timeframe, including stalling and/or lower annual completion rates (M)</li> <li>• Submitted/built proposals do not conform with policy requirements (L)</li> <li>• Market change affects the viability of development and the deliverability of key infrastructure/planning obligations (M)</li> <li>• Objectives/Targets for the provision and support of infrastructure and services, open space, affordable housing, and the environment are not achieved (L-M)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Engagement through the planning process.</li> <li>• Work with developers/partners to remove barriers to development.</li> <li>• Investment by delivery agencies/Grant funding.</li> <li>• Windfall development/alternative suitable sites within the SHLAA.</li> <li>• Local Plan Review.</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> </ul>	

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- Planning Practice Guidance
- Pendle Core Strategy
- Pendle Housing Needs Assessment 2020
- Pendle Strategic Housing Land Availability Assessment
- Pendle Infrastructure Strategy

## Policy LIV9: Affordable Housing

### Justification

- 4.54 It is not just the number of homes to be built, but also the balance of tenures and affordability which contribute to an effective housing strategy. At paragraph 62, the NPPF requires Local Plans to specify the type of affordable housing required, where a need is identified.
- 4.55 For the purposes of planning, affordable housing is defined in the glossary of the NPPF (Annex 2). It differs from low cost housing, which may, or may not, be affordable to individual households.
- 4.56 The Housing Needs Assessment (2020) shows that Pendle has a significant requirement for affordable housing of between 187 and 251 dwellings per annum. This is primarily because of a mismatch between local incomes and the cost of renting or buying homes, but it also reflects social factors.
- 4.57 In 2019 the minimum income for entry-level open market renting in Pendle was £23,712. For owner-occupation it was £36,000. This meant that only a small minority of households on the housing register could afford open market rents or prices. More generally, households with single earners could only afford lower quartile rents based on income alone.
- 4.58 Access to social housing is constrained by a lack of supply. Of the total number of new dwellings to be provided in Pendle ([Policy LIV1](#)) the long-term aspiration was for 40% to be affordable for residents on lower incomes ([Policy LIV4](#)). The housing requirement is revised through Policy LIV6.
- 4.59 It is not realistic to expect that this proportion can be achieved on new housing sites. The available evidence suggests that such a high figure will make many development proposals unviable<sup>29</sup>. The private rental sector also meets a significant proportion of the need for affordable housing. For this reason the strategic target is 40% of total supply. Policy LIV4 however establishes a lower requirement as a base position for affordable housing to be sought from new developments within the Borough. This reflects the findings of the Viability Assessment.
- 4.60 There is also a need to deliver balanced communities with a mixture of tenures and dwelling types. The Housing Needs Assessment has reviewed and updated the required affordable tenure mix from that assessed by the SHMA, recommending that the split between affordable tenures is:
- 25% intermediate housing;
  - 75% social/affordable rented accommodation.

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<sup>29</sup> See Local Plan Part 2 Plan Viability Assessment

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- 4.61 For major housing developments the NPPF expects at least 10% of the homes provided to be available for affordable home ownership, unless this exceeds the level of affordable housing required (paragraph 64). In Pendle, where viability is a major influence on delivery, this rigid approach is at odds with efforts to ensure the delivery of sufficient new homes to meet the housing requirement ([Policy LIV6](#)).
- 4.62 The NPPF states that affordable housing should only be sought on major developments (i.e. those including 10 or more residential units). But it makes clear that an exception can be made in rural areas where a lower threshold of 5 units or fewer can be set (paragraph 63).
- 4.63 The NPPF would prefer any affordable housing need to be met on-site (paragraph 62). Where this is feasible it should not be possible to distinguish affordable homes from market housing (i.e. provision should be tenure-blind).
- 4.64 In the M65 corridor many development sites are unviable or, at best, marginally viable. In these circumstances there is a clear preference amongst developers to make a financial contribution towards the off-site delivery of affordable housing. The NPPF acknowledges that off-site provision, or a financial contribution of broadly equivalent value, may be justified. In these circumstances any contributions should be used in the same locality that the new housing is being provided, with the aim of contributing to the plan objective of creating mixed and balanced communities.
- 4.65 In Pendle, the delivery of affordable housing on inner urban Brownfield sites has been particularly difficult to achieve. In the aftermath of the post-2007 economic recession, the private sector has been unable to develop these sites viably. As such affordable housing has generally been provided in partnership with a Registered Provider of social housing and required public sector subsidy.
- 4.66 Registered Providers are also able to acquire existing housing and adapt this to meet the requirements of the local population. Where developments include the re-use or redevelopment of empty buildings, the local authority can apply for vacant building credit. In these circumstances the affordable housing contributions only relate to net increases in floorspace.
- 4.67 The NPPF recognises starter homes as a form of affordable housing. Aimed at people under 40, starter homes are sold at a 20% discount to help tackle the affordable housing crisis capped up to a value of £250,000. Introduced in the [Housing and Planning Act 2016](#), the necessary secondary legislation and guidance has not yet been introduced.
- 4.68 Planning Practice Guidance notes that an increase in the housing requirement may need to be considered where it could help deliver the required number of affordable homes.

### Rural Exception Sites

- 4.69 To help secure an adequate supply of affordable housing in rural areas we will take a proactive approach to affordable housing provision. An exception to policy may be made where a proposed development:
1. Will meet a particular locally generated need; and
  2. Cannot be accommodated within the settlement boundary.

- 4.70 In these circumstances the Council may permit small scale residential development to deliver affordable housing outside but adjoining the settlement boundary of a Rural Service Centre or Rural Village ([Policy SDP2](#)).
- 4.71 Rural Exception Sites [“RES”] are a long standing mechanism supported by national policy to facilitate the provision of affordable housing, in locations where housing would not normally be permitted. RES are intended to provide entry-level homes, under one or more of the affordable tenures identified in the NPPF glossary, on land not already allocated for housing.
- 4.72 RES seek to address the needs of a local community. Priority in the affordable housing allocation process is given to accommodating households which are either current residents or have an existing family or employment connection.
- 4.73 The NPPF also allows for the provision of a small amount of market housing on RES to assist the delivery of such schemes. It must be demonstrated to the satisfaction of the Council that any cross-subsidy from open market sales on the same site is essential to the delivery of the development. A full, open book financial appraisal, which accords with the method and findings set out in the most up to date Pendle Development Viability Study, will be required to accompany such an application. The land values in the detailed financial appraisal should be benchmarked against those for agricultural land in the local area and the historic values of exception sites.
- 4.74 The development and occupancy of each RES will be controlled through a Section 106 obligation under the Town and Country Planning Act 1990. The developer is required to sign this legal agreement with the Council before the decision notice for the planning application is issued. This is to ensure that the houses developed on the RES remain affordable in perpetuity, once the first occupiers have moved out.<sup>30</sup>
- 4.75 This policy sets out the criteria against which such proposals will be evaluated and under what circumstances such schemes may be permitted.
- 4.76 To further boost the supply of rural housing, since 6 April 2018 agricultural buildings in England can be changed to residential use for up to five homes under permitted development rights (see [Policy LIV12](#)).

### Community-led Housing

- 4.77 Community-led housing is developed and/or managed by a self-organised not-for-profit group. The group will typically own, manage or be responsible for the stewardship of the housing that is provided. It is a requirement that the benefits to the local area and/or specified community are clearly defined and legally protected in perpetuity. Community-led housing may include self-build or custom build housing (see [Policy LIV11](#)).
- 4.78 [Policy LIV4](#) provides a guide to the overall mix of dwelling sizes and tenure required across Pendle.

<sup>30</sup> In law the term “in perpetuity” is the formal expression used to refer to an arrangement that will exist for all time, or forever.

## Living

### Policy LIV9

#### Affordable Housing

1. Unless a viability assessment proves otherwise 10% of homes on housing schemes of 10 dwellings or more should be affordable (as per the NPPF definition), with affordable housing provision within the Spatial Areas no less than that sought by Table LIV4a of Policy LIV4.
2. The Tenure mix of affordable housing should reflect the Council's most recently published housing evidence.
3. Only in exceptional circumstances will the Council accept the payment of a commuted sum in lieu of on-site affordable housing provision, or provision on another site. In such circumstances, applicants must provide evidence to demonstrate that it has not been possible to deliver on-site affordable housing provision.
4. Any requirement for affordable housing, will not apply to homes developed for self-build, custom-build or community-led housing ([Policy LIV11](#)).
5. Any affordable housing provision must be retained in perpetuity.
  - a. The realisation of other planning objectives, including the need to support Pendle's wider regeneration agenda.

#### Commutated Sums

6. Where the applicant can demonstrate to the satisfaction of the Council that the provision of affordable housing is not feasible on-site, and provision by the developer on another site is not proposed, the payment of a commuted sum will be required. This will be calculated in accordance with the methodology set out in [Appendix 2](#).

#### Rural Exception Sites

7. The development of affordable housing on a rural exception site will be required to:
  - a. Provide evidence that the housing to be delivered will meet a genuine local need, which is identified in a local study or Neighbourhood Plan.
  - b. Adjoin or relate well to the settlement boundary of a Rural Service Centre or Rural Village ([Policy SDP2](#))
  - c. Consist of 9 dwellings or fewer
  - d. Be no larger than 0.5 hectares
  - e. Respect the character and setting of the settlement both in terms of scale and the types of dwelling to be provided
  - f. Offer access to local employment opportunities and services
8. Development proposals must:
  - a. Meet the identified local housing need in perpetuity (i.e. initial occupation and all subsequent changes of occupant).
  - b. Not adversely affect the landscape, or the historic and natural environment

9. In exceptional circumstances a proportion of market homes may be allowed on a rural exception site. In such circumstances the planning application must be accompanied by a detailed financial appraisal. This should:
- Justify the need to include the proposed amount of market housing.
  - Demonstrate that the proposed amount of market housing is the minimum amount required to deliver an appropriate mix of affordable homes, whilst ensuring the overall viability of the scheme.
10. To avoid undermining the integrity of the policy the total amount of market housing will be limited to no more than 30% of the total number of residential units provided on-site.

### Community-led housing

11. An exception to policy may be permitted for the provision of community-led housing. Such proposals must:
- Address a specific local housing need. This need must be identified in an up-to-date policy or evidence base document adopted by the Council, and
  - Be of a scale that is appropriate to its location.
12. This exception will only be considered for the following designations:
- Redundant community facilities ([Policy SUP1](#)).
  - Open Space ([Policy ENV15](#)) – provided that the development proposal can demonstrate:
    - It does not create a deficiency of provision within that typology and is demonstrated not to be needed or
    - Alternative open space is provided which is of equal or greater value.

## Monitoring and Delivery

<b>Strategic Objectives</b>	5
<b>Local Plan Part 1 Policies</b>	LIV4
<b>Local Plan Part 2 Policies</b>	ENV10 • LIV6 • LIV7 • LIV 8 • LIV11
<b>Targets</b>	<ul style="list-style-type: none"> <li>New homes provided in the Borough meet the needs of the entire population as far as possible.</li> <li>Affordable Housing Delivery is maximised to be as close as possible to the strategy target of 40%.</li> <li>No less Affordable Housing than the minimum requirements of Policy LIV11 are delivered.</li> <li>Opportunity is provided in rural areas for affordable housing.</li> </ul>
<b>Triggers</b>	<ul style="list-style-type: none"> <li>Less than 500 affordable dwellings have been completed by 2025.</li> </ul>



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	<ul style="list-style-type: none"> <li>Allocated sites do not meet affordable housing requirements.</li> </ul>	
<b>Indicators</b>	HS05	Number of affordable homes completed by tenure and location.
	HS08	Number of affordable homes granted planning permission by location.
		Site Allocations progress
<b>Delivery Agencies</b>	Pendle Borough Council, private developers, registered providers, PEARL2, Town and Parish Councils, Homes England	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>Site Allocations in the Local Plan Part 2: Sites and Development Management Policies DPD.</li> <li>Site Allocations in Neighbourhood Plans.</li> <li>The Development Management Process.</li> <li>Section 106 Agreements/CIL.</li> <li>Town Centre renewal programme/funding</li> <li>Direct intervention by public purchasing existing properties to change tenure.</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>Allocated Sites stall or develop at a slower rate (L-M)</li> <li>Site viability may worsen over the plan period compromising the achievability of affordable housing delivery objectives (M)</li> <li>Developers seek to renegotiate affordable housing contributions (M-H)</li> <li>Reduced funding for RSLs/Has restricts the ability to provide additional affordable housing (M-H)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>Negotiate the phasing of delivery of affordable housing on a site-by-site basis with developers.</li> <li>Work with key partners (Homes England, Housing Pendle, PEARL2) to identify alternative funding sources and mechanisms for the delivery of affordable housing.</li> <li>Reassess tenure mix on a site-by-site basis.</li> <li>Windfall development/Review of SHLAA.</li> <li>Consider an early review of the Plan.</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>National Planning Policy Framework (2019)</li> <li>Planning Practice Guidance</li> <li>Pennine Lancashire Housing Strategy</li> <li>Pendle Local Housing Needs Assessment</li> <li>Pendle Development Viability Study</li> </ul>	

## Policy LIV10: Quality Housing

### Justification

- 4.79 Our homes play a significant role in our quality of life.
- 4.80 Pendle has a high proportion of terraced housing, which provide little outdoor space; no off-street parking and poor energy efficiency. The cumulative effect of poor quality homes erodes the quality of place and undermines the sense of local community.
- 4.81 House builders and registered providers of social housing have a unique opportunity to provide well-designed energy efficient homes in sustainable and attractive locations, which will help to improve the prospects of future generations.
- 4.82 The government's Housing Standards Review (2014) recognised that many "*standards are drawn from documents produced by non-Governmental groups who perceive that current national guidance, policy or regulation is deficient in some respect, and needs to be supplemented.*" The review goes on to note that these standards "*are rarely subject to cost benefit analysis when they are developed, unlike government guidance or regulation*". To overcome examples of duplication and contradiction in these standards, the government developed a national space standard for use by local planning authorities "*where there was a need and where this would not stop development*".
- 4.83 The new Technical Housing Standards – including nationally prescribed space standards – were published in March 2015. They can be applied where Local Plan policy is based on evidenced local need and the viability of development is not compromised.
- 4.84 The new national standard addresses internal space within new dwellings. It is suitable for application across all tenures provided that viability is not compromised. The national standard sets out requirements for the gross internal floor area of new dwellings, at a defined level of occupancy. It also addresses floor areas and dimensions for key parts of the home. The standard requires that:
- A dwelling provides at least the Gross Internal Area and built-in storage area, as set out in Appendix 3 of the Local Plan.
  - A dwelling with two or more bed spaces has at least one double (or twin) bedroom.
  - In order to provide one bed space, a single bedroom has a floor area of at least 7.5m<sup>2</sup> and is at least 2.15m wide.
  - In order to provide two bed spaces, a double (or twin bedroom) has a floor area of at least 11.5m<sup>2</sup>.
  - One double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.
  - Any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage (if the area under the stairs is to be used for storage, assume a general floor area of 1m<sup>2</sup> within the Gross Internal Area).

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- Any other area that is used solely for storage and has a headroom of 900-1,500 mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900 mm is not counted at all.
- A built-in wardrobe counts towards the Gross Internal Area and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. The built-in area in excess of 0.72 m<sup>2</sup> s in a double bedroom and 0.36m<sup>2</sup> s in a single bedroom counts towards the built-in storage requirement.
- The minimum floor to ceiling height is 2.3 m for at least 75% of the Gross Internal Area.

- 4.85 In December 2017, new rules setting minimum size requirements for bedrooms in houses of multiple-occupation were introduced by the government (see [Policy LIV13](#) and Appendix 3).
- 4.86 The requirements for integral garages and external parking are addressed in Policy ENV25.
- 4.87 The Housing Needs Assessment confirms that the number of residents aged 60 and over in Pendle is projected to increase. It is the only age group expect to grow over the plan period within the Borough.
- 4.88 The housing stock in Pendle is dominated by high density terraced housing. This can be difficult to adapt to meet the needs of older residents and those with a disability. The Housing Needs Assessment shows significant need for wheelchair adaptable homes over the plan period. The development of new housing provides an opportunity to introduce new adaptable stock into both the market and affordable housing sectors.
- 4.89 Improving the energy efficiency of the housing stock and providing a greener and cheaper source of energy can help to reduce fuel poverty ([Policies ENV2, ENV3 and LIV5](#)).
- 4.90 The Pendle Development Viability Study (2020) acknowledges that viability is an issue for development in many parts of the borough. However, a proportion of homes in developments of 10 or more dwellings should seek to meet the optional technical standards of Part M4(2) of the Building Regulations 2010. This will help to support the changing needs of occupiers over their lifetime, which is increasingly important given an ageing population profile.
- 4.91 Focussing development in sustainable locations, can increase the pressure to develop on private residential gardens. The NPPF defines these as Greenfield land. It recommends that consideration be given to resisting inappropriate development on garden land, as they make an important contribution to a settlement's green infrastructure ([Policy ENV12](#)) and to the character and quality of an area ([Policy ENV19](#)).

## Policy LIV10

### Quality Housing

1. New housing developments should be of the highest viable quality and reflect their context within the wider environment. Developments should take account of the strategic policies in this Local Plan to protect and enhance the natural and built environment. To help promote Pendle as a pleasant place to live they should:
  - a. Enhance the quality of place.
  - b. Take into account physical context; local character (including the density of development, tenure and land use mix) and relationships with public open space.
  - c. Avoid any direct or indirect impacts on biodiversity and sites of European importance for nature conservation, including any increased recreation pressures (Policies ENV1, ENV12 and ENV16).
  - d. Provide safe and attractive linkages with nearby open space ([Policy ENV1](#) and [Policy ENV14](#)) and sustainable transport routes ([Policy ENV4](#) and [Policy ENV23](#)).
  - e. Avoid areas at high risk of flooding ([Policy ENV7](#))
2. Within a designated settlement boundary there will be a presumption against development within residential and other private gardens to help retain natural 'stepping stone' features within the urban environment.
3. New homes should:
  - a. Meet the nationally prescribed space standards, where viability evidence indicates that this is feasible, to ensure that they have adequately sized rooms and convenient and efficient layouts that are functional and fit for purpose. (Appendix 3)
  - b. Take account of the policies in this plan which address general design principles ([Policies ENV2 and LIV5](#)), particularly those factors which influence first impressions on arrival at a property and promote the concept of the home as a place of retreat.
  - c. Address local housing needs ([Policies LIV3 and LIV4](#)) taking particular account of the needs of children, disabled and older people as evidenced within the Housing Needs Assessment or its successor document.
  - d. Be accessible and adaptable.
  - e. Be developed through an effective design process that engages with the local community.
  - f. Employ sustainable design and construction ([Policies ENV3 and ENV5](#))
  - g. Adequately address the need for climate change adaptation and mitigation (Policies ENV2 and ENV3), being both energy efficient ([Policy ENV3](#)) and water efficient ([Policy ENV7](#)).
  - h. Seek to minimise or avoid the use of non-permeable (or non-porous) surfaces within gardens and other external areas, which could contribute to increased surface water runoff and contribute to flooding ([Policy ENV7](#)).

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4. Dwellings that do not meet the minimum space standards may be permitted if the proposal can be demonstrated to be of exemplary design and contributes to achievement of other policy objectives in the Plan.
5. To support the changing needs of occupiers over their lifetime, including people with disabilities, where practical and viable developers are encouraged to include a proportion of homes that meet the optional technical standards of Part M4(3) of the Building Regulations 2010.

## Monitoring and Delivery

<b>Strategic Objectives</b>	3 • 4 • 5 • 9 • 10	
<b>Local Plan Part 1 Policies</b>	ENV2 • ENV3 • ENV4 • ENV 5 • ENV 7 • LIV5	
<b>Local Plan Part 2 Policies</b>	ENV19 • ENV27 • LIV 4 • LIV 5 • LIV7	
<b>Targets</b>	<ul style="list-style-type: none"> <li>• To achieve the highest possible standards of design and conservation, applying Building for Life Standards</li> <li>• Diversification of the housing stock in response to the needs of the community.</li> <li>• Direct development to sites which promote use of sustainable transport modes.</li> <li>• To deliver developments which have a minimal impact on the environment and are resilient to climate change.</li> <li>• Increase renewable and low carbon (RLC) energy generation in the Borough towards the aspirational targets.</li> <li>• Reduce the number of planning permissions granted contrary to the advice of the Environment Agency on the grounds of flood risk or water quality.</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• Increase in planning permissions granted contrary to advice of Environment Agency on grounds of flood risk or water quality</li> </ul>	
<b>Indicators</b>	HS10	Amount of new housing with access to key services.
	HS11	Types, size and tenure by location of: completed dwellings. Dwellings with an extent planning consent.
	EN01	Amount of energy generated (or potential to generate) by renewable sources for completed developments and those with planning permission.
	EN11	Number of development schemes refused on grounds of poor design

	EN18	Number of properties in flood zones 2 and 3 (including trends over time)
	EN19	Number of planning permissions granted contrary to advice from Environment Agency on flooding and water quality grounds
	EN20	Number of developments incorporating flood risk management actions including the use of SUDS
<b>Delivery Agencies</b>	Pendle Borough Council, Pendle Enterprise and Regeneration Limited (PEARL2), Lancashire County Council, Registered Providers, Homes England, Private Developers, Environment Agency, public transport providers, Regenerate Pennine Lancashire, Historic England, Natural England	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Site Allocation Policy Requirements (see LIV6)</li> <li>• Further guidance through Detailed Design Guidance SPDs and/or Development Briefs/Design Codes</li> <li>• Determination of planning applications through the development management process</li> <li>• Investment funding</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• High quality design not given due consideration in development proposals (M)</li> <li>• Viability issues and changes affecting site viability such as market demand, material costs etc (M)</li> <li>• Developers seek to renegotiate planning contributions (M)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Work with developers early on to understand site specific issues affecting deliverability and to set out policy requirements and considerations.</li> <li>• Dialog through the build programme</li> <li>• Updated guidance through the Design Principles SPD</li> <li>• Grant/third party funding.</li> <li>• Reserve Sites.</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Design Principles SPD</li> <li>• Pendle Viability Assessment</li> <li>• Pendle Local Housing Needs Assessment</li> <li>• Pendle Strategic Flood Risk Assessment</li> <li>• Lancashire Landscape Strategy</li> </ul>	

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- Pendle Climate Change Strategy and Action Plan
- Forest of Bowland AONB Management Plan
- Forest of Bowland AONB SPD
- Bradley Area Action Plan

## Policy LIV11: Self and Custom Build Housing

### Justification

- 4.92 Supporting the delivery of self-build and custom-build housing can contribute to greater housing choice and provide lower cost options for households.
- 4.93 Self-build and custom-build are terms used to refer to homes that are built by individuals, or groups of individuals, for their own use.
- Self-build – projects where the design and construction is organised directly by an individual or group. Examples can range from small DIY projects to larger scheme where a builder is employed to construct the home(s).
  - Custom-build – projects where the individual or group employs a specialist developer to find a suitable plot; manage the construction and/or arrange finance. This is a more hands-off approach to securing a home that is tailored to match individual requirements.
- 4.94 Homes built in this way offer an alternative to standard market housing, which may not meet the needs of a particular household. They offer an opportunity to introduce innovative design features to tailor the development so that it meets the needs of the occupier.
- 4.95 Specific provisions for self-build and custom-build housing were introduced by the government in the [Self-build and Custom Housebuilding Act 2015](#). This was subsequently amended by the [Housing and Planning Act 2016](#).
- 4.96 The legislation places a duty on the Council to maintain and have regard to a register of people who are interested in self-build or custom-build projects in their area. The purpose of the register is to:
- Inform the council of the level of demand for self-build and custom-build plots in the borough;
  - To match individuals or groups looking to acquire land on which to build their own home, with the sites where they can do so; and
  - Help the Council to develop a strategy for delivering serviced plots for self-build and custom-build projects.
- 4.97 Further information can be found in the [Planning Practice Guidance on self-build and custom housebuilding](#).
- 4.98 The cumulative number of entries on the self-build and custom-build register for Pendle is reported annually in the Authority Monitoring Report [“AMR”]. The Council has a duty to grant permission for sufficient land to match this level of demand, within three years.
- 4.99 In Pendle expressions of interest in self-build and custom-build development opportunities have increased steadily since 2015.



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- 4.100 Policy LIV7 reflects the NPPF requirement to allocate land to provide a range of housing sizes, types and tenure. In particular the NPPF notes that entry level exception sites (paragraph 71) and rural exception sites (paragraph 77) can help to support increased affordable housing provision in rural areas. This need is acknowledged in [Policy LIV4](#). Land allocated for self-build and custom-build housing could have the potential to help address these requirements.
- 4.101 When preparing LP2, a number of housing sites under 0.25 hectares were identified. Whilst they were too small to be allocated in the Local Plan, where appropriate they have been added to the Strategic Housing Land Availability Assessment ["SHLAA"]. Where a site is suitable, available and achievable it will be promoted, although not exclusively, for self-build and custom-build housing.
- 4.102 To help address an identified housing need within a particular community or neighbourhood, housing development may be considered appropriate on a site that is not used or allocated for housing, and land which is not allocated or safeguarded for another use. Proposals for a community-led housing scheme on these sites may not be subject to certain requirements of the policies indicated
- 4.103 Community-led housing ([Policy LIV9](#)) may include self-build or custom-build housing.

### Policy LIV11

#### Self and Custom Build Housing

1. The boundary of each self-build or custom-build housing site allocation is defined on the Policies Map.
2. The provision of new homes through self-build, custom-build and other community-led approaches (see [Policy LIV9](#)) will be supported where they :
  - a. Meet the definition of an entry level or rural exception site (see [Policy LIV9](#)), and additionally the applicant:
    - i. Is resident within the borough; and
    - ii. Has a local connection within the settlement where development is to take place.<sup>31</sup>
  - b. Comply with the requirements the Council's Design Principles Supplementary Planning Document.
  - c. Are located on a site under 0.25 hectares.
3. Major development on greenfield sites, developers will be expected to promote self-build and custom-build housing. This type of housing should represent a minimum of 5% of all new homes on the site.
4. The following sites are specifically allocated for self-build; custom-build or community-led housing. Full details of each site provided overleaf.
  - a. Bamford Street, Nelson (5 dwellings)

<sup>31</sup> In this context the term 'local connection' is defined as having an immediate family member living in the same settlement as the proposed development.

Bamford Street, Nelson	Dwellings	5
<p><b>Site Specific Requirements:</b></p> <ol style="list-style-type: none"> <li>1. The site has capacity for around 5 dwellings.</li> <li>2. All plots provided on site are reserved for self-build/custom-build homes.</li> <li>3. If plots are developed individually, evidence must be provided to illustrate that the development would not prevent or prejudice the deliverability of remaining plots within the wider allocated site.</li> <li>4. New dwellings should be consistent with the scale and character of existing residential dwellings in the vicinity to the site.</li> <li>5. The development of the Site should result in a vehicle link between Bamford Street and/or Tweed Street with Marsden Hall Road South.</li> <li>6. Existing parking provision to the rear of existing dwellings fronting Barkerhouse Road should be retained.</li> <li>7. The existing tree within the south western part of the Site should be retained and incorporated within the layout of the development.</li> </ol>		
<p><b>Justification:</b></p> <p>Although greenfield, the site provides a logical and sustainable infill location within the settlement boundary of Nelson. The site is accessible to a range of existing services and facilities which are available within the local area, including schooling and recreation provision. The site is also located close to an existing bus routes promoting sustainable travel.</p> <p>The site sits within a residential area of the town and is largely enclosed by existing development. The site offers a suitable location for housing, particularly self-build with the opportunity to enhance the built character of the wider area.</p> <p>The site in its current form is overgrown and offers few features notable for their contribution to the quality of the wider environment, except a single tree located at the south west corner of the site. Existing off street parking is located to the north. It is likely that this parking is used by existing properties and helps to alleviate parking problems on Barkerhouse Road to the north. To ensure that the development does not worsen any existing problems this parking must be retained in situ.</p>		

## Monitoring and Delivery

Strategic Objectives	1 • 3 • 5
Local Plan Part 1 Policies	SDP2 • SDP3
Local Plan Part 2 Policies	LIV6 • LIV7 • ENV19
Targets	<ul style="list-style-type: none"> <li>• Sufficient plots are made available to meet self-build demand which occurs during the plan period.</li> <li>• To deliver developments which have a minimal impact on the environment and are resilient to climate change.</li> <li>• To achieve the highest possible standards of design and conservation, applying Building for Life Standards</li> </ul>

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<b>Triggers</b>	<ul style="list-style-type: none"> <li>There is an unexpected shift in demand for self-build which cannot be accommodated through allocated sites or the implementation of policy.</li> </ul>	
<b>Indicators</b>		Number of self-build plots delivered in the Borough
	HS11	Types, size and tenure by location of: completed dwellings. Dwellings with an extent planning consent.
<b>Delivery Agencies</b>	Pendle Borough Council, communities, individuals, private developers.	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>Allocated sites and site requirements.</li> <li>S.106 Agreements</li> <li>Determination of Planning Applications through the Development Management Process.</li> <li>Working with key development partners, including landowners and local communities.</li> <li>Windfall development.</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>Identified sites are no longer available for self-build (L)</li> <li>Requirements for self-build as part of larger developments are not delivered owing to landowner will, site phasing and/or viability (L-M)</li> <li>Self-build proposals fail to be constructed to a high level of design and/or sustainable methods of construction (L)</li> <li>Demand for self-build changes (M)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>Work with developers, communities, and individuals bringing self-build forwards.</li> <li>Engage with those listed on the Self-build register to better understand needs and timescales.</li> <li>Refer to SHLAA for alternatives/additional sites.</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>National Planning Policy Framework (2019)</li> <li>Planning Practice Guidance</li> <li>Self-Build Register</li> <li>Pendle Design Principles SPD</li> </ul>	

## Policy LIV12: Housing in the Countryside

### Justification

- 4.104 There are a number of circumstances where the development of a residential property in the open countryside is necessary for the functioning of a business.
- 4.105 The NPPF (paragraph 79) acknowledges that in order to promote sustainable development in rural areas new housing should be located where it will enhance or maintain the viability of existing rural communities. Isolated homes in the open countryside should be avoided unless they meet one of the defined exceptions.
- 4.106 Rural exception sites are a long-standing mechanism supported by national policy. They support the provision of affordable housing in locations where housing would not normally be permitted. They are considered under [Policy LIV9](#).

### Conversion of Agricultural Buildings to Residential Use

- 4.107 Since 6 April 2018, agricultural buildings in England can be converted to create up to five homes under PD rights. There are a number of restrictions that developers will need to check beforehand. For example, these PD rights do not apply in areas of outstanding natural beauty, conservation areas or sites of special scientific interest. Nor can they be used on listed buildings or scheduled ancient monuments. Full details are can be found in [The Town and Country Planning \(General Permitted Development\) \(England\) \(Amendment\) Order 2018](#). In these circumstances applicants should seek pre-application advice from the Council.

## Policy LIV12

### Housing in the Countryside

Development proposals for new housing or alterations to housing outside of a defined settlement boundary will be supported where they meet the following criteria.

#### Barn Conversions and Redundant Buildings

1. Proposals for the conversion of redundant buildings for dwellings will be supported where:
  - a. the building is of permanent and substantial construction, structurally sound and can be converted with only minor alterations
  - b. the design of the conversion respects any original or architecturally important features and is sympathetic to any surrounding buildings and/or landscape
  - c. the materials to be used are appropriate to their setting and are of high quality

#### Replacement Buildings

2. Proposals for the replacement of permanent non-agricultural buildings for use as dwellings will be supported where:
  - a. The new building is not materially larger than the one it is replacing;

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- b. The new building makes a significant improvement to the site and its surroundings, and will not adversely affect the rural character of the area; and
- c. There is no change in use.

### Extensions to Existing Dwellings

- 3. Proposals for extensions to existing dwellings in the countryside will be supported where:
  - a. The original building remains the dominant element both in terms of size and overall appearance.
  - b. The proposal would not have a detrimental impact on the original building, adjacent buildings or wider area in terms of its scale, design, materials or visual impact.

### Dwellings of Exceptional and Innovative Design

- 4. Proposals for the construction of new dwellings that are of exceptional and innovative design will be supported where:
  - a. Is carbon neutral.
  - b. Exhibits advancements in sustainable design and construction.
  - c. Is able to integrate effectively into the wider open countryside, enhancing the character and quality of the built and natural environment of the wider area.
  - d. Makes use of recycled and/or sustainable materials.

### Agricultural and Forestry Worker's Dwellings

- 5. Dwellings for agricultural or forestry workers will be supported where evidence is submitted to show that:
  - a. There is a functional need for a permanent dwelling to support the agricultural or forestry activities in that location.
  - b. The need relates to a full-time worker, or a worker who is primarily employed, in agricultural or forestry activities.
  - c. There is no available dwelling on the holding or buildings suitable for conversion, or no suitable accommodation available in nearby settlements;

## Monitoring and Delivery

<b>Strategic Objectives</b>	1 • 2 • 5
<b>Local Plan Part 1 Policies</b>	SDP2
<b>Local Plan Part 2 Policies</b>	LIV6 • ENV8
<b>Targets</b>	<ul style="list-style-type: none"> <li>• Development supports sustainable rural living and the rural economy</li> <li>• To deliver developments which have a minimal impact on the environment and are resilient to climate change.</li> </ul>

	<ul style="list-style-type: none"> <li>To achieve the highest possible standards of design and conservation</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>Monitoring shows that the quantum and scale of development is contrary to the spatial strategy.</li> </ul>	
<b>Indicators</b>	HS03	Number of new dwellings granted planning permission and total of dwellings with an extant planning consent by: Location
	HS13	Number of new dwellings completed that address a specific housing need.
<b>Delivery Agencies</b>	Pendle Borough Council, private developers, farmers, businesses, the community.	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>Determination of Planning Applications</li> <li>Neighbourhood Plans</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>Development permitted is harmful to the character of the open countryside (L-M)</li> <li>Development permitted is not used in accordance with the permission granted (L-M)</li> <li>Evidence supporting the need for development in a countryside location is not genuine (L-M)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>Pre-application advice service</li> <li>Further guidance in the Open Countryside SPD</li> <li>Planning Conditions</li> <li>Enforcement</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>National Planning Policy Framework (2019)</li> <li>Planning Practice Guidance</li> <li>Design Principles SPD</li> <li>Open Countryside SPD</li> </ul>	

## Policy LIV13: Communal Living

### Justification

- 4.108 The government is encouraging home ownership. In recent years there has been a significant increase in one-person households nationally. Since 2017, an additional 292,000 people – a statistically significant increase of 3.8% – aged 16 years and over are estimated to live alone bringing the total number of one-person households in the country to just over 8 million (15% of the UK adult population) in 2018.
- 4.109 Many elderly people, young professionals, stay-at-home parents, and single people routinely spend long stretches of time at home alone. Throughout the country an increasing number of people are starting to see the appeal of communal housing, where purpose built communities recreate the neighbourhoods of the past.
- 4.110 Whilst new models of communal living may be emerging across Britain, three types of communal living dominate the housing market.
1. Older Persons Housing
  2. Homes in Multiple Occupation
  3. Student Accommodation
- 4.111 The needs of single person households (e.g. young professionals) are largely met through flats and apartments delivered by the private sector.

### Older Persons Housing

- 4.112 People are living longer. This means that there are more active older people in good health in the population. There are also more people living with on-going conditions that may affect their mobility. This restricts their ability to get out-and-about. If unable to socialise, this can lead to issues of loneliness and isolation.
- 4.113 According to the 2016-based Sub National Population Projections (ONS, 2019) the number of people in Pendle aged 65 or over is projected to increase by 32% from 16,536 in 2016 to 21,930 by 2041. The provision of adult social care is a major consideration in today's society.
- 4.114 Purpose-built specialist housing to meet the needs of older people is one solution. A number of options are available, but the two most common types are:
- Age restricted community (sheltered) housing – self-contained units built specifically for sale or rent to older people. Communal facilities; an on-site or mobile manager; and alarm call systems are typically provided.
  - Assisted living (or extra-care housing) – offers more support than sheltered housing. Residents occupy their own home, but receive care and assistance from support staff within the complex.
- 4.115 The Council's evidence on viability identifies that both private and public sector housing for older people can make a positive contribution towards the provision of affordable housing. It also has the potential to free-up larger family homes.

- 4.116 The Pendle Housing Needs Assessment [“HNA”] (2020) identifies the likely increase in demand for specialist housing for older people. It suggests that there is a need to double the current level of provision, particularly for enhanced sheltered and extra care provision.
- 4.117 The HNA notes that the majority of older people want to stay in their own homes, with help and support provided when needed. So as well as increased provision overall, it is important that a more diverse range of housing options is provided to meet the housing needs of older people.
- 4.118 This policy sets out the Council’s approach to supporting the provision of purpose-built shared living accommodation and associated facilities for older people. But it is the market that will determine if such development proposals come forward.
- 4.119 Purpose-built shared living developments should seek to create a sense of community. Developments should be designed and managed in a way that lowers barriers to social interaction and encourages engagement. Where appropriate this should include amenities (e.g. restaurants) capable of use by both residents and the surrounding community.
- 4.120 There are currently no minimum space standards for units within such developments. Individual units should be of an appropriate size to be comfortable and functional for the needs of the tenant.

### **Houses in Multiple Occupation**

- 4.121 A House in Multiple Occupation [“HMO”] is defined by the Housing Act 2004 as:
- A house or flat which is let to three or more unrelated tenants who share a kitchen, bathroom, or toilets. For example, properties let to students or bedsits; or
  - A building which is converted into non self-contained flats; or
  - A building which is converted entirely into self-contained flats and the conversion does not meet the standards of the 1991 Building Regulations and more than one-third of the flats are let on short-term tenancies.
- 4.122 Those with shared facilities must be licensed, to ensure that minimum standards of safety, welfare and management are maintained.
- 4.123 Except where an Article 4 Direction is in force a change of use between Use Classes C4 and C3 is covered by permitted development rights, unless external building works are involved or a material change of use takes place. The test of whether the change of use is material, or not, depends on the particular circumstances, including any impact on the amenities of the adjoining area.
- 4.124 An Article 4 direction may be imposed to introduce the requirement for planning permission where it is in the interest of:
- Preventing a high concentration of HMOs, which could erode the character of a particular area; or
  - Supporting an appropriately balanced housing mix across the borough.



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- 4.125 To help preserve residential amenity and a balanced housing mix throughout the borough, a threshold on the number of HMOs in a particular location has been identified.
- 4.126 Where the threshold has already been breached, planning permission may be granted in exceptional circumstances. This recognises that long-term residents of owner occupied properties in these areas may find it difficult to sell their homes for continued C3 use.
- 4.127 Exceptional circumstances are considered to exist where 80% of the existing properties within the defined area of impact (see policy text) are HMO dwellings. Applicants should submit a supporting statement with their planning application to demonstrate that there is no reasonable demand for the existing residential property as a continued C3 use.<sup>32</sup>

### Student Accommodation

- 4.128 In Pendle, the majority of students live outside purpose-built accommodation. They tend to house-share in the private rental market. Given the low number of students in Pendle, this has little impact on the availability of larger houses in the general market.
- 4.129 Should this position change during the lifetime of the plan, increasing the amount of purpose-built student accommodation may be beneficial to the wider housing market.
- 4.130 Any new student accommodation should be designed and managed so that it is attractive to students.

### Policy LIV13

#### Communal Living

1. Proposals for communal living schemes will be supported where they meet an identified housing need.
2. Where appropriate a facility management plan should be submitted with the planning application and will be secured through a S.106 agreement. The management plan, which will be secured through a Section 106 agreement, should demonstrate how the development will:
  - a. Positively integrate into the surrounding community; and
  - b. Be managed and maintained to ensure the continued quality of the accommodation, communal facilities and services.

#### Older Persons Housing

3. The diverse housing needs of older people in the borough will be met by supporting the delivery of specialist forms of residential accommodation to meet the housing needs of older people across all tenures where they:
  - a. Are situated in a location that is well-connected to local services and employment by walking, cycling and public transport.

<sup>32</sup> No reasonable demand will be considered to have been demonstrated where the property has been advertised for a period of at least six months at a price or rental level that is considered to reflect values in the local property market for a property of a similar type and condition. This should be verified in writing by a qualified person in a relevant profession such as an estate agent.

- b. Support proposals to adapt/extend existing residential properties to meet the needs of older people and those with disabilities.
- c. Contribute to a mixed and inclusive locality by meeting an identified local need.

### **Houses in Multiple Occupation (HMOs)**

4. In the interest of maintaining a balanced housing mix and preserving residential amenity, approval will not normally be granted for a new HMO where it would:
  - a. Result in HMOs representing more than 10% of the housing stock within a 75 metre radius of proposed development,<sup>33</sup> except in exceptional circumstances.<sup>34</sup>
  - b. Would result in any residential property (C3 use) being situated between two HMOs. This does not apply where the properties are separated by an intersecting highway (a minimum of two lanes), or where properties have a back-to-back relationship in different streets.
5. Notwithstanding the threshold limit and exceptional circumstances, other material considerations (such as intensification of use, highway safety, residential amenity of future and existing occupiers) arising from the impact of the proposal will be assessed in accordance with relevant Local Plan policies and guidance.
6. Bedrooms in houses of multiple-occupation [“HMO”] granted a licence under Part 2 of the Housing Act 2004 must, as a minimum, meet the space requirements set out in (Appendix 5). When determining the area of the room, any parts where the height of the ceiling is less than 1.5 metres will not be taken into account.

### **Student Accommodation**

7. Purpose built student accommodation will be supported where it can be demonstrated that:
  - a. The proposal responds to an existing identified need.
  - b. The proposed responds to an increase in full-time students, arising from the provision of additional academic and/or administrative floorspace.
  - c. Occupation is restricted to individuals in full-time education on courses of one, or more, academic years.
  - d. There is no unacceptable impact on amenity for local residents.

## **Monitoring and Delivery**

<b>Strategic Objectives</b>	2 • 5
<b>Local Plan Part 1 Policies</b>	LIV3
<b>Local Plan Part 2 Policies</b>	ENV19 • LIV6

<sup>33</sup> All measurements are taken to/from the midpoint of the main external entrance to a property.

<sup>34</sup> Where necessary, this radius will be extended to ensure that a minimum of ten residential properties are included in the calculation.

## Living

<b>Targets</b>	<ul style="list-style-type: none"> <li>• Development responds to the diverse needs of the community.</li> <li>• To deliver developments which have a minimal impact on the environment and are resilient to climate change.</li> <li>• To achieve the highest possible standards of design and conservation</li> <li>• Ensure developments are accessible to public transport</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• Development does not provide the types, sizes and tenures of new housing to meet the needs of the population.</li> <li>• Evidence illustrates significant changes for the housing needs of a specific group in the community which is not already catered for through the Local Plan.</li> <li>• Approved development leads to concentrations of HMO, Student or communal living which is contrary to policy and would have an adverse effect on the wider community.</li> </ul>	
<b>Indicators</b>	HS10	Amount of new housing with access to key services.
	HS11	Types, size and tenure by location of: completed dwellings. Dwellings with an extent planning consent.
	HS13	Number of new dwellings completed that address a specific housing need.
<b>Delivery Agencies</b>	Pendle Borough Council, landlords, developers, Social Care Providers, Lancashire County Council, Education Institutions, community groups.	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Determination through the Planning Application process.</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Specific housing needs of the community are not met (M)</li> <li>• Absence of sufficient funding to support the delivery of specific housing needs (M)</li> <li>• Specific housing needs alter significantly over the plan period (L-M)</li> <li>• Uncontrolled changes in use occur to respond to needs if not sufficiently planned for (L-M)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Pre-application advice.</li> <li>• Working with key delivery partners and members of the community to respond to need.</li> </ul>	

	<ul style="list-style-type: none"> <li>• Review of SHLAA/working with landowners to find specific sites which are available and suitable.</li> </ul>
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Pennine Lancashire Housing Strategy</li> <li>• Pendle Local Housing Needs Assessment</li> </ul>

## Policy LIV14: Accommodation for Travelling Communities

### Justification

- 4.131 Members of the Gypsy, Traveller and Travelling Showpeople communities and permanent boat dwellers form part of the local housing need. They are included in national population and household projections.
- 4.132 The duty for local authorities to produce assessments of the accommodation needs for Gypsies and Travellers was revoked by [Section 124 of the Housing and Planning Act 2016](#). But the requirement to periodically review local housing needs remains and these must consider the needs of people *“residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed or places on inland waterways where houseboats can be moored”*

### Gypsy, Traveller and Travelling Showpeople communities

- 4.133 National planning policy for the Gypsy, Traveller and Travelling Showpeople communities is set out in the NPPF and the accompanying document [Planning Policy for Traveller Sites](#) (2015). In the latter, paragraph 3 makes clear that the traditional and nomadic way of life of these communities should be facilitated while respecting the interests of the settled community.
- 4.134 Members of the Gypsy, Traveller and Travelling Showpeople communities wishing to maintain a nomadic lifestyle may require the provision of space to rent for the temporary pitching of caravans. However, a more settled existence can offer benefits in terms of access to health and education services, and employment, and can contribute to greater integration and social inclusion within local communities. In these circumstances the preference may be to buy a site. Alternatively they may choose to move into “bricks and mortar” accommodation.
- 4.135 Analysis carried out for the [Lancashire Sub-Regional Gypsy and Traveller Accommodation and Related Services Assessment](#) (2007) and the [Burnley and Pendle Gypsy and Traveller Accommodation Assessment](#) (2012), together with the latest evidence presented in the Pendle Housing Needs Assessment (2020) reveal that Pendle is not in an area of high demand for such accommodation. The general absence of unlawful encampments reinforces this conclusion.
- 4.136 The 2007 study determined that 2.4 additional residential pitches could be needed up to 2016. The 2012 study concluded that there was no evidence of any additional need for either transit or permanent pitches up to 2026. Based on the results of the 2007 and 2012 studies and the response to the 2020 study, there is no evidence of need for additional Gypsy and Traveller pitches in Pendle up to 2030.

### Boat Dwellers

- 4.137 The Leeds and Liverpool Canal ([Policy ENV21](#)) passes through the borough and is a major tourist attraction ([Policy WRK16](#)). The waterway well used and in Pendle offline moorings are available at Reedley Marina (100 berths), close to the boundary with neighbouring Burnley, and Lower Park Marina (70 berths) near Barnoldswick. In February 2018, Burnley Council granted planning permission (APP/2017/0357) for the creation of an 80 berth marina at Bank Hall, 2.5 kilometres from the boundary with Pendle.
- 4.138 There are also a number of online moorings provided along the 16 kilometre stretch of the canal passing through Pendle. These are at Barrowford Locks, Foulridge Wharf, Salterforth Wharf and Greenberfield Locks. Online moorings are frequently used by continuous cruisers who move regularly from location to location. Restrictions imposed by the Canal and River Trust mean that stays at these moorings are typically no more than 14 days.
- 4.139 [Draft government guidance](#), published in March 2016 provides limited advice on how to consider the needs of people residing in or resorting to moorings for houseboats. It has yet to be issued as official guidance.
- 4.140 [Section 124 of The Housing and Planning Act 2016](#) defines a houseboat as “*a boat or similar structure designed or adapted for use as a place to live*”. This conflicts with the definition of a houseboat under waterways legislation, which suggests that a houseboat is a static vessel that is not used for navigation. Both definitions have been considered in our assessment of need.
- 4.141 Residential moorings are regarded as residential development and subject to the relevant national and local planning policies, as they are considered to bring about a material change in the use of land.
- 4.142 There are three types of potential need associated with those who live, or may wish to live, permanently on a boat:
1. Need for additional permanent residential moorings
  2. Need for additional temporary moorings for boats with a Continuous Cruiser Licence
  3. Need for additional waterside facilities
- 4.143 The majority of households with leisure moorings are only able to spend part of the year on their boat. Given the large number of moorings in Pendle, it is probable that at any one time a number of houseboats will be occupied, but not as a permanent residence. This is supported by Pendle Council Tax records. In February 2020 these showed that only three houseboats had a live Council Tax account, indicating that it was a main place of residence.
- 4.144 If more moorings were made available on a commercial basis, it is possible that some households may choose to live on houseboats due to wider housing market pressures. But, in Pendle, houseboats do not offer a significantly cheaper option than living in bricks and mortar housing. The evidence indicates that any demand for permanent residential moorings in Pendle is very small. As such it will form part of the existing local housing need rather than be an additional requirement. As a consequence there is no direct need for additional permanent residential moorings in Pendle.

## Living

**Policy LIV14****Accommodation for Travelling Communities****Gypsy, Traveller and Travelling Showpeople communities**

1. Planning permission for residential pitches will be granted for gypsy, traveller and travelling showpeople where the Council is satisfied that the following criteria are met:
  - a. Sites make efficient use of land without overcrowding.
  - b. Sites respect areas of high conservation or ecological value.
  - c. Sites do not compromise the purpose or function of the Green Belt.
  - d. Sites are accessible to local shops, services, schools and healthcare facilities, by walking, cycling and public transport.
  - e. Sites are acceptable in respect of vehicular access, parking and services.
  - f. Sites are not located in Flood Zones 2, 3a or 3b.

**Boat Dwellers**

2. The provision of additional moorings is encouraged where these meet the sustainability and environmental criteria in the Development Plan. In addition:
  - a. Applications for **residential moorings** should:
    - i. Be located offline (i.e. within a marina or boatyard)
    - ii. Demonstrate how they address an identified local housing need
  - b. Applications for **visitor moorings** should demonstrate how they make a positive contribution to:
    - i. Tourism development and local economic growth
    - ii. Management of a safe and attractive waterway

**Monitoring and Delivery**

<b>Strategic Objectives</b>	2 • 5	
<b>Local Plan Part 1 Policies</b>	LIV3	
<b>Local Plan Part 2 Policies</b>		
<b>Targets</b>	<ul style="list-style-type: none"> <li>Meet the diverse housing needs of the people of Pendle</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>Evidence illustrating that the needs of the Gypsy and Traveller, and Travelling Showpeople Community and/or Boat Dwellers has changed.</li> </ul>	
<b>Indicators</b>	HS12	Number of new pitches for the Gypsy and Traveller, and Travelling Showpeople Community completed and with extant planning consent.

	HS13	Homes completed addressing a specific housing need by location
<b>Delivery Agencies</b>	Pendle Borough Council, landowners, the Gypsy and Traveller and Travelling Showpeople Community.	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>Determination of planning applications through the Development Management process.</li> </ul>	
<b>Risks</b>	None identified	
<b>Contingencies</b>	None identified	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>National Planning Policy Framework (2019)</li> <li>Planning Practice Guidance</li> <li>Planning policy for traveller sites</li> <li>Good Practice Guide on Designing Gypsy and Traveller Sites</li> <li>Pendle Local Housing Needs Assessment</li> <li>Lancashire Sub-Regional Gypsy and Traveller Accommodation and Related Services Assessment (GTAA) (2007)</li> <li>Gypsy, Traveller and Travelling Showpeople Accommodation Assessment: Burnley and Pendle (2012)</li> </ul>	



## 5. Working: Creating a Dynamic and Competitive Economy

### Introduction

- 5.1 Creating an environment which attracts businesses and enables them to create new jobs is essential for the borough's long-term economic sustainability and success. Existing strengths in advanced manufacturing and businesses that support the largest aerospace manufacturing cluster in the UK require support if we are to develop those elements of our economy that provide the highest levels of innovation and added value. We also need to provide opportunities for entrepreneurs to capture the value created through the growth of new businesses in other sectors/industries.
- 5.2 In November 2017, the government launched its flagship [Industrial Strategy for the UK](#). Its purpose is to boost the economy, build on the country's strengths and embrace the opportunities of technological change. A key part of this strategy is the [Northern Powerhouse](#) which is backing business growth to give cities across the north of England the power and resources they need to reach their untapped potential.
- 5.3 To help realise this ambition [Transport for the North](#) was formed in 2018. The objectives in the [Strategic Transport Plan](#), build on those highlighted by local transport authorities in their [Local Transport Plans](#) ["LTP"], to make the case for strategic transport improvements that will help to transform the region by:
- Increasing efficiency, reliability, integration, and resilience in the transport system
  - Transforming economic performance
  - Improving inclusivity, health, and access to opportunities for all
  - Promoting and enhancing the built, historic, and natural environment
- 5.4 Pendle Council has worked in partnership with local authorities across the county to help promote economic development and regeneration over many of years. Established in April 2011, the Lancashire Local Enterprise Partnership (LEP) leads the drive for economic growth in the county. Published by the LEP in 2014, the [Lancashire Strategic Economic Plan](#) provides the framework for the Growth Deal with the Government; setting out the county's plans for growth and ambition to create up to 50,000 new jobs by 2024.
- 5.5 The new Local Industrial strategy (2020) for Lancashire sets out a long term vision for the county's economy. It identifies key proposals that will both safeguard and grow its existing economic strengths. It also identifies opportunities to build new strengths and sectors based on emerging opportunities and technologies.
- 5.6 Pendle Council has worked closely with the authorities in Burnley, Hyndburn, Rossendale and Blackburn-with Darwen over many years to deliver projects across the East Lancashire sub-region. The [Pennine Lancashire Growth and Prosperity Plan 2016-2032](#) sets out our ambition to accelerate economic growth and housing development in Pennine Lancashire (excluding Ribbles Valley) closing the productivity gap and ensuring that the area builds on its position as a major contributor to the economy of Lancashire and the Northern Powerhouse.

- 5.7 The Pendle Jobs and Growth Strategy (2013) was prepared in partnership with the private sector led Pendle Vision Board and is currently being updated. The strategy considers the wider context within which our local economy operates.
- 5.8 The key role of planning is to ensure that there is a suitable portfolio of land, premises and supporting infrastructure available to accommodate different types of businesses at each stage in their development – from low rental properties in traditional areas, to modern large scale units on dedicated business parks and high spec offices in town centres and other accessible locations.
- 5.9 The policies in this section supplement or provide additional detail to those on employment in [Pendle Local Plan Part 1: Core Strategy \(2015\)](#), which are listed below.
- Policy WRK 1** Strengthening the Local Economy
  - Policy WRK 2** Employment Land Supply
  - Policy WRK 3** Strategic Employment Site: Lomeshaye
  - Policy WRK 5** Tourism, Leisure and Culture
  - Policy WRK 6** Designing Better Places to Work
- 5.10 Policies WRK10 (Vibrant Town Centres) and WRK11 (Retail and Commercial Uses Outside of Town Centres) collectively act to replace Policy WRK 4 (Retailing and Town Centres) of the Core Strategy following changes made to the Use Class Order in Summer 2020 which made Policy WRK4 out-of-date.

## Policy WRK7: Employment Site Allocations

### Justification

- 5.11 The [Pendle Jobs and Growth Strategy](#) (2013) recognises that the future prosperity of Pendle relies on the ability of new and existing businesses to provide a wide range of well-paid employment opportunities for local residents.
- 5.12 To help lay the foundations for a transformation in the Borough's economy, Local Plan Part 1: Core Strategy (LP1) [Policy WRK1](#) prioritises new opportunities for economic development that help to "strengthen and diversify the local economy"; with an emphasis on supporting priority growth sectors; encouraging entrepreneurial activity and new business formation; and assisting regeneration activity.
- 5.13 The on-going availability of a range of sites and premises in the right locations is a decisive factor in ensuring that our employment land supply can support a targeted growth strategy and act as a driver for economic development. The allocation of sites provides a unique opportunity to direct new employment opportunities to sustainable locations close to the areas of greatest need.
- 5.14 The employment land requirement for the plan period to 2030 was established in the Pendle Employment Land Review ["ELR"] (2014) and is reflected in [Policy WRK2](#). A strategic employment site at Lomeshaye (16.0 hectares net) is allocated in [Policy WRK3](#) to help meet demand, which is focussed on the M65 corridor.
- 5.15 Even allowing for the allocation of a strategic employment site in LP1, there was still a residual requirement to provide 9.02 hectares of employment land.
- 5.16 [Policy WRK9](#), together with several policies in LP1, promote mixed use development, to help make a positive contribution towards sustainable communities and helping to reduce the need to travel. But the ELR acknowledges that sites reserved for employment uses offer the most appropriate solution to the Borough's immediate and projected employment requirements (paragraph 8.11).
- 5.17 An extension to the West Craven Business Park has been allocated to help to meet both quantitative and qualitative needs outside the M65 Corridor. Located immediately north of Earby, the estate has attracted a number of advanced manufacturing businesses because of its proximity to the large the Rolls-Royce facility in nearby Barnoldswick, which is at the eastern end of the largest aerospace cluster in Britain.
- 5.18 To ensure that the focus is placed on larger employment sites, which are those in greatest demand, a minimum site threshold of 1.0 hectare has been set for employment allocations in the Local Plan. Unless stated, a Masterplan will only be required for employment sites with a gross area of 10 hectares or more; with a design brief recommended for sites of between 5 and 10 hectares.

- 5.19 [Policy WRK8](#) identifies and offers protection to the key employment areas in the Borough. These include the strategic employment site at Lomeshaye, allocated in the Core Strategy, and the new site allocations in this policy. Where sites are not specifically allocated or protected for employment, national and local planning policy will be used to guide planning decisions.

### Policy WRK7

#### Employment Site Allocations

1. The boundary of each employment site allocation is defined on the Policies Map.
2. To meet the employment land requirement set out in [Policy WRK2](#), the following sites are allocated for industrial (B2) and warehousing (B8) uses.

Ref	Site Name and Location	Use Classes	Site Area (ha)
P013	West Craven Business Park Extension, Earby	B2 • B8	7.00
Total:			7.00

3. The development of these sites for employment use is acceptable in principle. Proposals for Class E or Sui Generis uses, of a similar nature, will be considered on their own merit.
4. Due to their strategic economic importance these sites are also designated as Protected Employment Areas under [Policy WRK8](#).
5. Development proposals will be required to:
  - a. Meet the site specific policy requirements set out below.
  - b. Address the design principles set out in [Policy ENV19](#) and any other relevant policies in the Pendle Local Plan, or an adopted Neighbourhood Plan.

P013	West Craven Business Park Extension	Site Area	7.00 ha
<b>Site Specific Requirements:</b> <ol style="list-style-type: none"> <li>1. The site is allocated for B2 and B8 uses.</li> <li>2. Proposals for freestanding or ancillary Office, Research and Development, and Light Industry (Use Class E(g)) will be limited to occupy no more than 25% of the total cumulatively created floorspace or site area (whichever is smaller). A condition will be used to prevent the change of use from Use Class E(g) to other Class E uses within the West Craven Business Park Extension.</li> <li>3. Vehicular access is to be provided through West Craven Business Park, enabling unhindered and sufficient access to the Primary Road network and public transport links. This is inclusive of servicing, goods, deliveries, staffing and visitors.</li> <li>4. The site should be accessible to walking and cycling infrastructure, with premises safely and sufficiently accessible by foot and bicycle.</li> <li>5. Early engagement between the applicant and infrastructure providers is carried out to address any capacity issues and ensure the relevant infrastructure (e.g. utilities, broadband etc) is provided.</li> </ol>			

## Working

6. A high quality landscaping scheme is developed, incorporating and enhancing natural environmental features, as appropriate, but particularly where they relate to wider landscape character or ecological considerations. In particular the Council will require the Northern, Eastern, and Western boundaries of the Site to be strengthened with landscaping and planting to minimise the effect of the development on the wider open countryside.
7. A detailed development brief (including a design code) should be prepared to demonstrate that the Site will be developed in an appropriate manner.
8. The development addresses any potential environmental impacts (Policy ENV1) including the preventing the pollution of Earby Beck.

### Justification:

The site is located North of West Craven Business Park which has proven successful in terms of its occupation and helped to support the development of the aerospace industry in West Craven as a knowledge base cluster attracting higher skilled jobs. The extension of the West Craven Business Park gives the opportunity to build on this success, however its future use is not restricted to businesses within the aerospace industry; indeed the site could play an important role in diversifying the local economy to other industries.

The allocation of the site will increase the opportunity to access sources of employment locally. It will provide for a renewed supply of employment land for West Craven and deliver a coordinated spatial strategy with the development of new housing required over the remainder of the Plan period. The site is located adjoined to Earby and is accessible to existing services and facilities by foot, as well as being served (from Skipton Road) by public transport. The site is located on one of the strategic transport routes within the Borough on the A56 between Colne and Skipton and thus has the benefit of being accessible to both Lancashire and Yorkshire.

It is recognised that the construction of B1 uses at the Site (now Class E(g)) is consistent with the employment function of the site and the purpose of its allocation. Such uses may support specific industries provided at the site, strengthening the role and function of the site within the economy and supporting local jobs. As a result a limited allowance for Class E(g) uses is made at the site. The amount of Class E(g) permitted at the site is however limited in order to avoid undermining the allocation of the site for Employment (defined at B2 and B8 in the policy). At the same time it is also important to recognise that Class E uses now encompass a wide range of uses which also includes restaurants, retail, and nurseries. As a result, in order to protect the role and function of our town centres and to avoid a dilution of the primary employment function of the site, planning conditions will be used for Class E(g) uses permitted at the site to prevent their change of use to other forms of development also identified within Class E.

The site experiences limited constraints to development. Parts of the Site have a high risk of flooding from surface water, and so it is important, in order to avoid disruption to potential future occupiers that sufficient capacity and drainage is provided within the design and layout of the development, with attenuation basins likely to form part of the landscaping of the site. Runoff from the site into Earby Beck will need to be treated (to avoid pollution of the watercourse) and managed in order to prevent an increase in flood risk downstream from the development. The drainage scheme for the site should be developed in consultation with the Environment Agency and Yorkshire Water.

The site sits at the valley floor of a relatively narrow and steeply sided valley. Whilst West Craven Business Park is highly prominent within this landscape efforts should be taken through the development to minimise effects caused on the wider rural landscape and viewpoints from public routes. There will be need for careful landscaping and boundary treatment works to ensure that the development does not adversely affect the character and quality of the local landscape.

## Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 6	
<b>Local Plan Part 1 Policies</b>	SDP4 • WRK1 • WRK2	
<b>Local Plan Part 2 Policies</b>	WRK8	
<b>Targets</b>	<ul style="list-style-type: none"> <li>Secure the full delivery of the Employment Land Requirement in alignment with evidence of need.</li> <li>Support the economic success and stability of Pendle.</li> <li>Diversify the economy and support job creation.</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>Evidence of employment needs identifies a significant shift in floorspace requirements in contrast to those planned for/scope provided for through the Local Plan.</li> </ul>	
<b>Indicators</b>	EC01	Amount of new employment floorspace completed by type and location.
	EC02	Amount of new employment floorspace completed on PDL by type and location
	EC03	Amount of new employment land/floorspace with extant planning consent by type and location
	EC04	Amount of new employment land/floorspace lost to alternative uses by location.
	EC06	Number and change in VAT registered businesses
		Site delivery monitor by area and type of floorspace
<b>Delivery Agencies</b>	Pendle Borough Council, Pendle Enterprise and Regeneration Limited (PEARL2), Enterprise Lancashire Ltd, Regenerate Pennine Lancashire, Lancashire County Council, Lancashire County Developments Ltd, Lancashire LEP, local businesses, developers.	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>Determination of planning applications through the Development Management process.</li> </ul>	

## Working

	<ul style="list-style-type: none"> <li>• Securing private sector investment/grant funding.</li> </ul>
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Economic conditions worsen preventing business expansion and/or new business start-up (M-H)</li> <li>• Little or no interest from private sector businesses to relocate and/or invest in Pendle (M)</li> <li>• Sites are no longer available for employment use and/or promoted/developed for a different land use (M)</li> <li>• Sites are no longer meet demand due to a shift in land use need (M)</li> <li>• Sites are no longer viable to develop due to changes in costs, ground conditions and/or infrastructure (M)</li> </ul>
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Market and promote the borough as a place to do business.</li> <li>• Work with developers/partners to remove barriers to investment and simplify the development process.</li> <li>• Work with developers/partners to identify sources of grant funding</li> <li>• Liaise with key partners (PBC Economic Development, landowners, and developers) to market and help bring forward sites in appropriate locations.</li> <li>• Review of the Local Plan</li> </ul>
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Lancashire Enterprise Partnership: The Way Forward</li> <li>• Lancashire Enterprise Partnership: Strategic Economic Plan – A growth Deal for the Arce of Prosperity 2015-2025</li> <li>• Pennine Lancashire Investment Plan</li> <li>• Pendle Viability Study</li> <li>• Pendle Employment Land Review</li> </ul>

## Policy WRK8: Protected Employment Areas

### Justification

- 5.20 Employment uses are defined here as those activities falling within Use B2 and B8 of the Town and Country Planning (Use Classes) Order 1987, as amended. This policy sets out the criteria the Council will use to assess the value of employment sites when determining planning applications which propose to develop them for alternative uses.<sup>35</sup>
- 5.21 The NPPF requires planning to help build a strong, responsive and competitive economy by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth (paragraph 8). In particular it should make provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations (paragraph 82).
- 5.22 The Core Strategy ([Policy WRK2](#)) recognises that existing employment sites have a strategic and/or locally significant role where they:
- Represent major concentrations of employment activity and/or have the potential to provide further employment;
  - Are well located in relation to the strategic highway network;
  - Provide the capacity to contribute to local regeneration initiatives ; and
  - Offer good quality premises and/or development opportunities.
- 5.23 Those areas that best meet these objectives and which also demonstrate high levels of occupancy and evidence of recent investment in new or refurbished premises, are designated as Protected Employments Areas [“PEAs”].
- 5.24 Maintaining a range of employment sites across the borough also helps reduce the need to travel, especially by car. Due to their strategic economic importance only employment generating development proposals falling within Use Classes B2 and B8 will normally be permitted within PEAs, with the exception of a small allowance for the provision of public open space, shops and leisure facilities to serve the needs of employees and the immediate area, helping to reduce the need to travel.
- 5.25 Changes to the Use Classes Order now mean that uses previously defined as B1 (offices, research and development, and light industry), now sit within a wider category (Use Class E). B1 uses (now Use Class E(g)) can provide for suitable and complementary uses within Protected Employment Areas. However, Use Class E contains a broader range of uses which if not controlled could result in harmful effects for employment land supply, the retention of local skilled jobs, and the vibrancy of town centres. To prevent the dilution of the employment base of the Borough and an increase in out-of-town retailing, developments permitted for Use Class E(g) under this policy will be conditioned precluding their change of use to broader uses within Class E.

<sup>35</sup> The term ‘employment site’ is used to refer to land, premises and floorspace last used or allocated for employment uses.



## Working

- 5.26 Isolated business premises may also have particular economic importance to an area, due to the lack of alternative sites in the immediate vicinity. Their retention will also help to provide employment and business opportunities close to where people live. This is particularly important in those parts of Pendle experiencing persistently high levels of socio-economic deprivation.
- 5.27 Outside the Protected Employment Areas, it may be appropriate to safeguard existing employment sites in accessible locations that help to sustain local employment and/or meet regeneration objectives. Sub-divided former textile mills have provided small and low-cost premises attractive to new start-ups, helping to ensure that an appropriate overall balance of uses will continue to be maintained in the borough. Where isolated industrial uses cause nuisance or loss of amenity, alternative uses (including employment) may be considered appropriate, should the site become available.
- 5.28 It is acknowledged that over the course of the plan period to 2030, circumstances may change and that it may be necessary to consider making allowances for the loss of employment sites.
- 5.29 Applications for other uses will be positively considered on their own merits without undermining the fundamental aim of Local Plan policy, which is to ensure that suitable employment sites are available on an on-going basis throughout the plan period.

### Policy WRK8

#### Protected Employment Areas

1. The following employment areas, as defined on the Policies Map, are designated as Protected Employment Areas for industrial (B2) and warehousing (B8):
  - a. Lomeshaye Industrial Estate, Nelson
  - b. Southfield Business District, Nelson
  - c. Hallam Road Business District, Nelson
  - d. White Walls Industrial Estate, Colne
  - e. Crow Nest Industrial Estate (including Bankfield and Long Ing), Barnoldswick
  - f. West Craven Business Park, Earby
2. The development of Class E(g) uses at Protected Employment Areas may be acceptable, where consistent with other policies of the development plan, and where:
  - The proposal does not undermine or prejudice the operations of existing businesses;
  - The proposal is compatible with existing uses and business operations accounting for amenity, air quality, noise, vibration, odour, safety and security;
  - The proposal does not individually or cumulatively exceed 25% of the total floorspace and/or area (whichever is smaller) of the Protected Employment site.

3. At Riverside Business Park, Barrowford, as defined on the Policies Map, uses for offices, research and development, and light industry (Use Class E(g)) will be supported.
4. To avoid the dilution of the employment base of the Borough and prevent out-of-town retailing, a condition will be used to prevent the change of use from Use Class E(g) to other Class E uses at designated Protected Employment Areas and Riverside Business Park.
5. Business premises within Protected Employment Areas and elsewhere in the borough should remain in employment use unless, the proposal is for a use referred to above and does not prejudice the function or viability of the Protected Employment Area, or it can be demonstrated that:
  - a. Continued employment use is no longer appropriate for the site in question, by demonstrating that it has been vacant and continuously marketed for employment use, at prevailing local market rates, for a period of not less than two years.
  - b. A net reduction in floorspace is necessary to improve business operations
  - c. It is used for industrial or commercial training purposes
  - d. It will not prejudice the maintenance of the overall balance of employment uses
6. Applicants will need to show that continued employment use is no longer appropriate for the site in question, by demonstrating that it has been vacant and continuously marketed for employment use, at prevailing local market rates, for a period of not less than two years

## Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 6	
<b>Local Plan Part 1 Policies</b>	WRK2	
<b>Local Plan Part 2 Policies</b>		
<b>Targets</b>	<ul style="list-style-type: none"> <li>The primary function of sites remains B2 and B8 uses by the end of the plan period.</li> <li>Vacancy on site reflects typical market churn and is not long term.</li> <li>Maintain employment levels within the Borough</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>Supply losses undermine the deliverability of the land requirements of WRK2.</li> <li>Job losses in the Borough</li> </ul>	
<b>Indicators</b>	EC04	Amount of employment land/floorspace lost to alternative uses by location.
	EC05	Unemployment levels: Borough wide, spatial area, Bradley AAP

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	EC06	Number and change in VAT registered businesses: Borough wide, Bradley AAP
	EC07	Employment levels by age and sector.
<b>Delivery Agencies</b>	Pendle Borough Council, Pendle Enterprise and Regeneration Limited (PEARL2), Regenerate Pennine Lancashire, Lancashire County Council, Lancashire LEP, local businesses, private developers.	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Implementation of policy through planning application decision making.</li> <li>• Partnership working with investment partners and businesses.</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Closure of businesses due to a downturn in business or shift in demand (M-H)</li> <li>• Availability of more suitable sites elsewhere (M)</li> <li>• Sites and premises become too costly to maintain (M)</li> <li>• Sites and premises do not meet business needs (M)</li> <li>• Pressures to development for alternative land uses (M)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Work with developers/partners to help maintain the long term sustainability of businesses and their presence in Pendle.</li> <li>• Plan Review</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Lancashire Enterprise Partnership: The Way Forward</li> <li>• Lancashire Enterprise Partnership: Strategic Economic Plan – A growth Deal for the Arce of Prosperity 2015-2025</li> <li>• Pennine Lancashire Investment Plan</li> <li>• Pendle Viability Study</li> <li>• Pendle Employment Land Review</li> </ul>	

## Policy WRK9: Mixed Use Development

### Justification

- 5.30 In planning the term 'mixed use' refers to land or buildings where the occupants fall into more than one use class.
- 5.31 Mixed use development has become a more prominent feature of planning policy in recent years. The NPPF (paragraph 118) acknowledges that to make effective use of land planning policies and decisions should:
- 'encourage multiple benefits from both urban and rural land, including through mixed use schemes (and) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production'*
- 5.32 National planning practice guidance suggests that promoting healthy communities should include:
- '...opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity'*
- 5.33 Mixed use development provides an opportunity to deliver new housing and other uses as part of a managed process. This can help to consolidate retail and office markets in difficult times. It is most likely to be a consideration where high values for a particular element of the proposed scheme can support the provision of other complimentary uses.
- 5.34 The vitality of our town and local shopping centres depend on viable employment activity being retained and growth enabled. Significant amounts of new and affordable housing is also needed to support the associated growth in employment. Considering the relationship between these two elements at a neighbourhood level will help to support local amenities and create a sense of place.
- 5.35 Residents value access to good quality local shops, cafes, restaurants and other leisure amenities. These facilities need day-time trade to thrive and commercial workplaces provide this vital footfall. In its simplest form mixed use development promotes the introduction of residential use on the upper floors of existing retail and commercial premises, to help support vital and viable shopping streets.
- 5.36 Combining residential, business and commercial uses makes efficient use of land and helps to create vibrant places where people want to live, work and relax. It also generates multiple benefits for the community by reducing the need to travel; generating new employment opportunities; creating more interesting urban environments and enhancing local property values. As such mixed-use developments have played an increasing role in revitalising town centres.

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- 5.37 A mix of elements provides choice and opportunity. It also adds to the vibrancy of the public realm as people move through and between places at different times of the day. Their interactions make a positive contribution to vitality and have positive implications for safety and security as places become naturally observed and policed by a broad range of people throughout the day.
- 5.38 In recent years rapid advances in technology have given rise to a transformation in shopping habits and business practices, contributing to an increase in vacant floorspace in shopping centres and established business areas. The regeneration, conversion and imaginative re-use of older buildings has provided an opportunity to introduce a wider mix of uses into these areas; helping to maintain vitality and support future growth.
- 5.39 Regeneration initiatives and transport improvements can also open up new opportunities to increase the range, choice and diversity of uses in accessible locations beyond our town centres, helping to bring forward new homes and employment space.
- 5.40 As highlighted in LP1 Policies WRK6 and SUP4 flexibly specified buildings will allow the reconfiguration of internal space to suit new occupiers with different space requirements; allowing the businesses occupying the premises to expand in situ.
- 5.41 What is appropriate on a particular site will be largely determined by the characteristics of the area in which it is located. Schemes will need to fit in with, and be complementary to: their surroundings; the likely impact on sustainability; overall travel patterns and car use. The character of existing residential and business areas should not be undermined by inappropriate new uses.
- 5.42 Major mixed use developments that would attract a significant number of trips should be in locations that are well served by public transport, have adequate infrastructure and are properly integrated, in terms of land use and design, with surrounding areas.
- 5.43 In addition to providing guidance for mixed use development opportunities which may be brought forward over the plan period, the policy also allocates one site for mixed use development which will help to meet the housing requirements of the Plan (See Policy LIV6). The allocation responds to an opportunity to redevelop an area of existing employment land within Barnoldswick, which seeks to safeguard existing jobs and employers and make more effective use of developed land within the town.

### Policy WRK9

#### Mixed Use Development

1. Provided that they do not compromise broader spatial objectives, development proposals that promote and retain a mix of uses including housing, to help create mixed use neighbourhoods will be supported in:
  - a. Town and local shopping centres
  - b. Other locations that are highly accessible by means of transport other than the private car
  - c. Areas of major new development

2. Subject to meeting the requirements relating to the redevelopment of employment floorspace set out in [Policy WRK8](#), and the recommendations of any Heritage Impact Assessment, where appropriate, mixed use development of existing premises will be supported where they:
  - a. Provide an element of commercial, business and service use together with residential, community, leisure and cultural uses as appropriate
  - b. Avoid any unacceptable impact on the environment and where possible deliver an improvement in the physical quality of the urban environment
  - c. Attract further investment where the environment is poor and unemployment and levels of deprivation are high
3. Where mixed-use development incorporates a residential element, it will be important to ensure that the operational requirements of existing businesses in the vicinity are not prejudiced through redevelopment and that residential amenity and the safety of occupants is maintained.
4. The relocation of existing community, leisure and cultural uses (including arts) into a town or local shopping centre will be considered where it helps to maintain centre vitality.
5. P309 (Land at Ouzledale Foundry, Barnoldswick), as defined on the policies map, is allocated for mixed use development for 87 dwellings and 5ha of B2/B8 employment land. Proposals for the redevelopment of this Site will be required to:
  - a. Meet the site specific policy requirements set out below.
  - b. Address the design principles set out in [Policy ENV19](#) and any other relevant policies in the Pendle Local Plan, or a 'Made' Neighbourhood Plan.
  - c. The indicative distribution of housing development within each spatial area ([Policy SDP3](#)) and individual settlements ([Appendix 1](#)).
  - d. Contributions towards improved infrastructure provision ([Policy SDP6](#)), including affordable housing ([Policy LIV9](#))

P309	Ouzledale Foundry, Barnoldswick	Dwellings	87
<b>Site Specific Requirements:</b> <ol style="list-style-type: none"> <li>1. The site has capacity for around 87 dwellings on the southern part of the site. A broad mix of dwelling types, sizes and tenures should be provided on Site. At least 10% of new homes should be affordable housing.</li> <li>2. A proportion of plots provided at the site will be sought as self-build in accordance with Policy LIV11.</li> <li>3. A minimum of 5ha of the site should be developed for B2 or B8 employment uses. Of this, a maximum of 25% of any created floorspace may instead be developed as Class E (g) uses for offices, research and development, and light industry where compatible or ancillary to B2 and B8 uses. A condition will be used to prevent the change of use from Use Class E (g) to other Class E uses within the Site.</li> <li>4. A suitable alternative location should be made available for occupation for any existing business in operation within the site which is affected by that phase of demolition works. The alternative location should as a first preference be located within the wider site, or as a second preference be located within the settlement boundary of Barnoldswick.</li> </ol>			

## Working

5. No more than 50 dwellings should be occupied prior to the completion of employment land requirements for the Site as set by this policy.
6. Separate vehicular access points should be provided for residential and employment areas of the site. No vehicular access links should be provided within the site between residential and employment areas.
7. Pedestrian and cycle links should be provided within the site, connecting the employment and residential parts of the site and to the Leeds and Liverpool Canal towpath.
8. Opportunities should be provided for recreation areas linked and adjacent to the Leeds and Liverpool Canal which are accessible from the Canal towpath. Existing trees and vegetation should be retained as far as possible and supplemented by new planting.
9. New dwellings should as far as possible positively address the Leeds and Liverpool Canal.
10. Prior to the construction of any new dwelling, comprehensive and safe remediation of the Site is required to be informed by a detailed Site Investigation submitted to and approved by the local planning authority. A Construction Method Statement will be required confirming how contaminated materials will be stored and removed from the Site.
11. The effects of proposed and existing employment uses on the amenity, health and wellbeing future residents of the Site and adjacent residential areas will need to be assessed and effectively mitigated for through any planning application submitted to redevelop this Site.
12. The effects of the development on the Leeds and Liverpool Canal will need to be assessed and suitably addressed. This includes the need to avoid the pollution of the water course through development works and following completion through future operation. Any water draining from the Site will need to be treated before entering the Canal.

### Justification:

The site is currently largely in use for employment and forms part of the larger Long Ing Lane Protected Employment Site. Whilst the site is important for local jobs and the economy of Barnoldswick and West Craven, it is recognised that the site in its present condition is under-utilised and detracts from the built quality of the wider area. The site layout and existing buildings no longer meet the operational needs of businesses located on the site and flexibility must be shown in planning policy to enable businesses to adapt to change, to enable their growth and success over the plan period. The allocation of this site for a mixed use development gives rise to the opportunity to secure positive change in this part of Barnoldswick encouraging jobs growth and investment which is beneficial to wider residents.

The site itself is located within the settlement boundary, and is well linked to the Town Centre, wider sources of employment, and existing services and facilities. In broad terms therefore the Site forms a suitable and sustainable location for the development of new homes.

It is important that, given the role of the site in supporting the local economy and providing jobs locally, reinvestment in employment premises, especially for existing businesses, is secured as an integral part and pre-condition of the redevelopment of the site. As such the development of housing on its own on this site will not be

permitted. Housing delivery must be paced alongside the redevelopment of employment land. In particular, any part of the site which is currently occupied by an operational business where the existing premises must be demolished to accommodate the redevelopment must have suitable premises made available either elsewhere on site or within the town in order for that demolition to proceed. The Council cannot accept the loss of business and jobs from the town as a direct result of this development.

The site is in employment use, which includes manufacturing process. As such, in order to make the site safe for redevelopment, and partial future occupation by residents, there will be a need for comprehensive and effective remediation works to take place. The Council will require detailed assessment of ground contamination at the site before the development is approved. It will also require the submission of details as to how extracted contaminated and waste material from the ground will be safely stored and removed from the site.

If not carefully planned, the proposal for mixed use redevelopment of the site may give rise to incompatible uses with potentially harmful effects to public health and wellbeing of existing and future residents. A full assessment of the likely impacts of the development and existing neighbouring uses on future residents of the site will be required. This assessment will also need to consider the effects of proposals within commercial parts of the site on existing vulnerable occupiers. The Council will expect effective design responses to these impacts to ensure affects are kept within acceptable limits including but not limited layout and land use, open space, landscape and planting, orientation and design of new dwellings/commercial buildings, design specifications, and operational limits. In order to avoid conflict of traffic and limit adverse effects on highway safety, the Council will expect the provision of separate access points for employment and residential uses proposed for the Site.

The site is also adjacent to the Leeds and Liverpool Canal, an important corridor for wildlife and source of recreation for residents. The redevelopment of the site should ensure that there aren't any harmful effects on the environmental quality of the Canal Corridor as a result of developing the site and its longer term operation. This includes ensuring that the water course is not contaminated during ground and construction works, and that future industrial activity and processes do not pollute the Canal.

The proximity of the site to the Leeds and Liverpool Canal also gives rise to opportunities to enhance this corridor for the benefit of wildlife, boost recreational activities, and to improve the built and natural environment along the Canal. This should be provided with pedestrian links to the towpath, directly accessible recreation areas from the Canal, the provision of ecological enhancement measures along this corridor, and orientating new dwellings of appropriate scale and architecture to positively address the Canal.

## Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 6 • 7
<b>Local Plan Part 1 Policies</b>	WRK1 • WRK2 • WRK6 • SUP4
<b>Local Plan Part 2 Policies</b>	LIV6 • WRK10



## Working

<b>Targets</b>	<ul style="list-style-type: none"> <li>• Support the economic success and stability of Pendle.</li> <li>• Promote balanced communities</li> <li>• Make the most of opportunities for development in sustainable public transport corridors</li> <li>• Secure the best use of PDL and support regeneration objectives of the Council.</li> <li>• Support and develop the role of town centres.</li> </ul>	
<b>Triggers</b>	None identified	
<b>Indicators</b>		None identified
<b>Delivery Agencies</b>	Pendle Borough Council, PEARL2, Town and Parish Councils, Developers, Landowners, Business operators, Registered Providers, Lancashire County Council.	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Determination through the development management process.</li> <li>• Use of funds to kick start developments through Town Centre Renewal Fund.</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Low viability/Appetite to develop (M)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Third party funding.</li> <li>• Local authority engagement with key partners to identify and overcome barriers to stalled schemes.</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> </ul>	

## Policy WRK10: Vibrant Town Centres

### Justification

- 5.44 Chapter 7 of the NPPF provides extensive support for town centres. Specifically Paragraph 85 recognises that they are at the “heart of local communities”.
- 5.45 An established network of centres ([Policy SDP5](#)), providing a wide range of facilities and services, play a valuable social role in the local community. As accessible locations where people meet, they also help to reduce the need for multiple journeys and contribute to carbon reduction.
- 5.46 The NPPF encourages local planning authorities to support competitive town centres that provide consumers with a diverse offer and individuality. To this end the Council will encourage the redevelopment of and investment in the Borough’s six town and local shopping centres.
- 5.47 Changes in technology, habits, and practices mean that the role and function of Town Centres is evolving. This is influenced by the greater role played by online shopping in purchasing goods<sup>36</sup>, and evidence of a shift in how household income is spent with an increasing amount spent on eating out, culture and recreation<sup>37</sup>.
- 5.48 Locally, this shift has already started to impact the town centres of Pendle with varied consequences. In Colne, eating out and experiences have driven a revitalisation of the High Street in recent years. Whilst, Barrowford has found a niche in the market, providing high value quality goods. The implication of this shift is not so positive for Nelson, the Borough’s largest town centre, where vacancy rates remain higher.
- 5.49 To ensure that the Borough’s Town Centres are flexible in their use to adapt to changing needs, prevent their overall decline, and attract invest, there is a need for planning policy to adapt to support the Town Centres of the 21<sup>st</sup> Century. This is recognised by the Government whom, have amended the Use Class Order 1987 and General Permitted Development Order 2015 to reflect the wider role that a Town Centre now fulfils<sup>38</sup>. For commercial uses, this amendment combines A1, A2, A3, B1 and specific other uses (such as nurseries, gyms, and medical centres) into one single use class (Use Class E; Commerce, Offices and Services).
- 5.50 The change in regulations for changes of use represents a significant shift in policy for town centre uses. It is therefore necessary for the Council to act through the Local Plan Part 2 to reflect this shift for the good of the Borough’s Town Centres. The implication of this change means that Policy WRK4 of the Core Strategy must now be considered out-of-date and as a result is to be deleted from the statutory development plan. Policies WRK10 and WRK11

<sup>36</sup> ONS data shows that online shopping has increased from 6.6% of total retail sales at start of the plan period in April 2010 to just over 20% at the start of 2020 (pre-COVID).

<https://www.ons.gov.uk/businessindustryandtrade/retailindustry/timeseries/j4mc/drsi>

<sup>37</sup> ONS data for family spend 2012 to 2019.

<https://www.ons.gov.uk/peoplepopulationandcommunity/personalandhouseholdfinances/expenditure/bulletins/familyspendingintheuk/april2018tomarch2019>

<sup>38</sup> Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020

## Working

combine to supersede Policy WRK4, providing new guidance for town centres and for commercial uses beyond town centres respectively. Where new buildings are proposed or changes of use to Use Class E are proposed in areas not covered by WRK10 or WRK11, including the development of Greenfield, a sequential assessment will be required.

- 5.51 Policy WRK10 confirms the six town and local shopping centres as the focus for commercial activity within the Borough. Within each, a 'Commercial Core', comprising of the principle high street and shopping frontages, is defined on the policies map, where non-Use Class E activity is to be restricted at a ground floor level. The intention is to protect and develop the commercial role played by these six centres within the wider Borough and to promote active frontages. Beyond the Commercial Core, a broader range of uses is acceptable subject to material planning considerations.
- 5.52 Clusters of hot food takeaways can create 'dead frontages' and have a detrimental impact on the vitality and viability of town and local shopping centres. They can also lead to complaints about noise, disturbance, odours and litter. In assessing proposals for hot food takeaway use consideration will be given to the adverse cumulative impacts that may arise from the proposal (see [Policy SUP6](#)).
- 5.53 To reflect changes that have taken place since the town and local shopping centre boundaries in Pendle were first designated, the boundaries for the following centres have been amended in this plan.
- Nelson
  - Colne

### Policy WRK10

#### Vibrant Town Centres

1. The boundaries for each of the six Town and Local Shopping Centres in Pendle ([Policy SDP5](#)) are defined on the Policies Map.

Town Centres	Local Shopping Centres
Nelson	Brierfield
Colne	Barrowford
Barnoldswick	Earby

2. Town Centres are the preferred location for major development for retail, leisure, cultural, office and other uses that attract and serve the public.
3. Businesses within Use Class E will be encouraged and permitted within the Commercial Core of Town and Local Shopping Centres, subject to local planning, traffic and environmental considerations being satisfied. The boundary of each Commercial Core is defined on the Policies Map.
4. Where justified, a condition may be used to prevent the change of use within Class E.
5. Within the Town and Local Shopping Centres, residential development is supported above ground floor level. Within the Commercial Core residential development should not have an adverse effect on maintaining an active street frontage.

6. Within the Commercial Core Sui Generis and F1 uses may be permitted at ground floor level where the development:
  - a. Would not lead to a clustering of businesses not within Use Class E and/or result in more than 25% of ground level uses within that Commercial Core not being within Use Class E.
  - b. Would add to the range and diversity of uses on offer, and would increase footfall.
  - c. Does not harm amenity or give rise to increased noise, litter, disturbance, or antisocial behaviour.
  - d. Can be adequately accessed, serviced and ventilated.
  - e. Is designed with public safety, crime prevention and the reduction of anti-social behaviour in mind.
  - f. Maintains an active street frontage.
7. Outside the Commercial Core, but within a defined Town or Local Shopping Centre boundary, a broader range of uses will be supported, where consistent with other Local Plan policies, and provided that:
  - a. The proposed use is compatible with and does not compromise surrounding existing uses or users.
  - b. Maintains or enhances existing levels of amenity, environmental quality, security and safety.
  - c. Secures an efficient use of the site and where possible existing buildings.
  - d. Supports the role and vitality of the Town and Local Shopping Centre.
  - e. Suitably accessible and serviced by necessary infrastructure such as highways, parking, water and waste water supply, gas and electric.

## Monitoring and Delivery

<b>Strategic Objectives</b>	1 • 6 • 7	
<b>Local Plan Part 1 Policies</b>	SDP5	
<b>Local Plan Part 2 Policies</b>	WRK7, WRK8, WRK11, SUP7	
<b>Targets</b>	<ul style="list-style-type: none"> <li>At least 75% of occupied Commercial Core ground floor frontage is in Class E use.</li> <li>Increase population and employment within designated Town Centres and Local Shopping Centres</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>Monitoring indicates Town Centre vacancy increases over a 3-year period</li> <li>Non Class E uses significantly exceeds 25% of Commercial Core ground floor frontage unless higher at the start of the monitoring period.</li> <li>Employment in the Town Centres is shown to fall.</li> </ul>	
<b>Indicators</b>	EC07	Employment levels by Age and Sector

## Working

	EC13	Town Centre occupancy levels by type and location
<b>Delivery Agencies</b>	Pendle Borough Council, Pendle Enterprise and Regeneration Limited (PEARL2), Regenerate Pennine Lancashire, Marketing Lancashire, Lancashire Local Enterprise Partnership, private sector businesses and developers.	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Application of policy requirements through the development management process.</li> <li>• Where appropriate use of planning conditions.</li> <li>• Neighbourhood Plans</li> <li>• Nelson Town Deal Funds (Nelson only)</li> <li>• Advice and support to businesses through the economic development team.</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Market led approach undermines the role of Town Centres as investment is directed to out-of-town sites (M)</li> <li>• Economic conditions do not improve sufficiently to bring sites forward as anticipated. (M)</li> <li>• No interest in developing in Town Centres (M/H)</li> <li>• Absence of suitable sites or finance (M)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Work with developers/partners to help remove barriers to investment.</li> <li>• Work with developers/partners to identify alternative funding opportunities.</li> <li>• Market and promote the Borough's town centres as an attractive place to live, work and invest in.</li> <li>• Liaise with key partners to market and help bring forward sites in appropriate locations.</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Nelson Town Centre Masterplan</li> <li>• Pendle Retail Capacity Study (2007)</li> <li>• Pendle Retail Study (2012)</li> <li>• Pendle Retail Survey</li> </ul>	

## Policy WRK11: Retail and Commercial Uses Outside Town and Local Shopping Centres

### Justification

- 5.54 Commercial activity exists beyond the Town Centres. Where already established, commercial sites feature prominently in our daily live, and make a strong contribution to the local economy. Policy WRK11 recognises the role that these sites fulfil, confirming these areas as suitable locations for Use Class E development.
- 5.55 To safeguard our town centres as the main commercial drivers of the local economy and direct investment towards these areas, opportunities for Use Class E in locations beyond town centres will be restricted. Class E uses can have significant impacts for neighbouring development, infrastructure, and the local environment. As such Use Class E development is not appropriate in all parts of the Borough.
- 5.56 Guidance for proposals for small local shops falling under Use Class F2 is provided in Policy SUP6.
- 5.57 In Pendle, 14 local frontages have been identified and defined on the policies map. These are:
- 47-65 Gisburn Road, Barnoldswick
  - 1-5 Ribblesdale Buildings, Gisburn Road, Barnoldswick\*
  - 4-7 Gladstone Terrace, Gisburn Road, Barrowford
  - 1-6 King Edward Terrace, Gisburn Road, Barrowford
  - 51-63E Gisburn Road, Barrowford
  - 45-51 Burnley Road, Brierfield
  - 198-216 Keighley Road, Colne\*
  - 69-79a Keighley Road, Colne\*
  - 15-25 Skipton Road, Colne
  - 114a-142 Manchester Road, Nelson
  - 94-132 Scotland Road, Nelson
  - 134-146 Scotland Road, Nelson\*
  - 129-151 Leeds Road, Nelson\*
  - 94-112 Barkerhouse Road, Nelson\*
- \* Sites denoted with an asterisk are local frontages new in this plan
- 5.58 Local Frontages may compliment the role of the adjacent shopping centres or perform an important role within a particular neighbourhood. Local frontages can give communities access essential goods and services locally, reducing the need to travel. They provide opportunities for local employment, contribute to social interaction, and providing sense of community.
- 5.59 To support local communities, proposals for new Use Class E development within local frontages will be acceptable in principle. Non-use Class E development will be limited to safeguard the role that local frontages are intended to fulfil.

## Working

5.60 Six Retail Parks are identified and defined on the policies maps. These are:

- B&Q and Pendle Village, Brierfield
- Morrisons and Clayton Street, Nelson
- White Walls Retail Park, Colne
- Boundary Outlet, Colne
- North Valley Retail Park, Colne
- Aldi, Barnoldswick

5.61 Retail parks are well establish centres of commercial activity meeting a broad range of retail needs for residents of the Borough. They are, in broad terms, less constrained by neighbouring uses, impacts on residents, and served by better infrastructure, which can accommodate the potentially intensive operation of a Use Class E development. As such, outside of town centres, Retail Parks form appropriate locations for Use Class E development, including redevelopment works and, subject to wider impacts, modest expansion of existing premises.

### Policy WRK11

#### Retail and Commercial Uses Outside Town and Local Shopping Centres

1. Beyond defined Town Centres and Local Shopping Centres, businesses within Use Class E will be limited to:
  - a. Local Frontages.
  - b. Existing retail parks where businesses in Use Class E are permitted.
  - c. Small scale development (up to 280m<sup>2</sup>) to support the rural economy in line with the requirements of Policies ENV8, WRK12, and SUP6.
2. Where justified, a condition may be used to prevent the change of use within Class E.
3. Beyond these locations Town Centre uses will not normally be permitted unless supported by a robust Sequential Assessment and where necessary a Retail Impact Assessment.

#### Local Frontages

4. Local Frontages are defined on the Policies Map.
5. Businesses in Use Class E are acceptable in principle in Local Frontages provided:
6. There is no detrimental effect on the amenity or built/environmental character of the site and surrounding area
7. The scale and nature of the proposed development is consistent and compatible with existing uses
8. The site is accessible and serviceable without compromising highway safety. Sufficient means of parking is available to support additional use.
9. The proposal does not prejudice existing uses/users.
10. In addition, Sui Generis uses may be permitted provided that:

- a. Hot food takeaways/fast food outlets premises are not within 400 metres of a secondary school or premises frequently used by young children or teenagers (e.g. youth centres)
- b. Sufficient means is provided to ensure that any odour, noise, lighting, air pollution, fumes and litter arising from the site and its use, is dealt with effectively and without harm to the local environment or local health and wellbeing to the satisfaction of the Council.
- c. Does not result in more than 25% of the frontage units becoming non-Class E uses.

### Existing Retail Locations

- 11. Existing retail locations are defined on the Policies Map.
- 12. In existing retail locations:
- 13. Premises in Use Class E can be replaced by another retail or commercial use of the same floorspace, mass, and height.
- 14. Existing retail and commercial uses will be permitted for modest expansion, whichever is smaller of, up to 25% of the existing gross internal floorspace, or does not exceed the following additional floorspace:
- 15. 800m<sup>2</sup> in Nelson and Colne;
- 16. 550m<sup>2</sup> in Barnoldswick; and
- 17. 400m<sup>2</sup> elsewhere.
- 18. Such proposals will be required to demonstrate:
  - a. The proposal can be accommodated without adverse effects on the operation of existing uses.
  - b. There is sufficient highway capacity, the proposal would not adversely affect the safety of road users, and that there is sufficient on-site parking available consistent with parking standards as set out in Appendix 4.
  - c. The proposal is adequately accessed, serviced and ventilated without harm to amenity and the environment.

## Monitoring and Delivery

<b>Strategic Objectives</b>	6 • 7	
<b>Local Plan Part 1 Policies</b>		
<b>Local Plan Part 2 Policies</b>	WRK7, WRK8, WRK10, SUP7	
<b>Targets</b>	<ul style="list-style-type: none"> <li>• Long term vacancy within Class E sites reduced to xx by xx</li> <li>• Functionality of local frontages supporting local communities is retained.</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• Long term vacancy at Class E sites increases over a 3-year period.</li> </ul>	
<b>Indicators</b>		Premises vacancy rates



## Working

<b>Delivery Agencies</b>	Pendle Borough Council, Pendle Enterprise and Regeneration Limited (PEARL2), Regenerate Pennine Lancashire, Marketing Lancashire, Lancashire Local Enterprise Partnership, private sector businesses and developers.
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Application of policy requirements through the development management process.</li> <li>• Where appropriate use of planning conditions.</li> <li>• Neighbourhood Plans</li> <li>• Advice and support to businesses through the economic development team.</li> </ul>
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Economic conditions do not improve sufficiently to bring sites forward as anticipated. (M)</li> <li>• Changes in demand affecting the offer on Class E sites (M)</li> <li>• Absence of suitable sites or finance (M)</li> </ul>
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Work with developers/partners to help remove barriers to investment.</li> <li>• Work with developers/partners to identify alternative funding opportunities.</li> <li>• Community Development led schemes.</li> <li>• Liaise with key partners to market and help bring forward sites in appropriate locations.</li> </ul>
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Pendle Retail Capacity Study (2007)</li> <li>• Pendle Retail Study (2012)</li> <li>• Pendle Retail Survey</li> <li>• Neighbourhood Plans (various)</li> </ul>

## Policy WRK12: Tourist Facilities and Accommodation

### Justification

- 5.62 Tourism is of growing importance to the Pendle economy. The Borough has a wealth of tourism facilities and attractions, the majority of which focus on the value provided by the area's environmental assets.
- 5.63 The rich history of the area; the unspoilt countryside and its many attractions draw visitors from across Britain and overseas. We wish to retain this appeal whilst supporting and enhancing the existing tourist offer, to help promote Pendle as a year round destination for tourism, recreation and culture.
- 5.64 Tourist facilities in the borough are generally small scale. In 2015 the total number of jobs supported by tourism was almost 1,500. Total spend was £106m, with over 25% attributed to staying customers, although they only accounted for 10% of all tourist visits (Source: Marketing Lancashire, 2016). The tourism specific economic impact model STEAM estimated that visitor spend in the borough had risen to over £130m in 2018.
- 5.65 Most of the tourist accommodation in Pendle is well-established. It ranges from hotels and guest houses in the larger towns and villages to self-catering or bed and breakfast establishments in private homes and public houses in the rural areas.
- 5.66 Opportunities to improve the current stock of accommodation remain. At present there are no 4 or 5 star hotels in Pendle, although the borough does have a number of guest houses that achieve this status. Many establishments are highly commended by Visit Britain or Marketing Lancashire.
- 5.67 The challenge for the Local Plan is to ensure that the needs of the visitor, the tourism industry and the community can be met within environmental limits. This is particularly important at the so-called "tourist honeypots" of Barley and Wycoller. These are respectively located within an Area of Outstanding Natural Beauty (AONB) or close to the South Pennine Moors Site of Special Scientific Interest (SSSI).
- 5.68 The Forest of Bowland AONB is a unique and special area, receiving the highest level of protection under national planning policy and legislation, equivalent to a National Park. The Countryside and Rights of Way (CROW) Act 2000 states under s.82 the primary purpose of this designation is to conserve and enhance natural beauty and under s.85 places a statutory duty on a public body to have regard to the purpose of designation in the performance of its functions, which for local authorities includes the production of planning policy.
- 5.69 The AONB already has a large concentration of static caravans on sites close to Roughlee that were established many years ago in prominent locations, where they detract from their landscape setting.

## Working

- 5.70 Whilst additional provision for touring caravans and tents may be appropriate in parts of Pendle, where appropriate environmental criteria can be met, this is unlikely to be acceptable within the AONB. The provision of additional static caravans within the AONB may be acceptable, where applicants can provide robust evidence to demonstrate that their proposals would result in a significant improvement in the appearance of an existing site.
- 5.71 This policy seeks to maximise the benefits to be obtained from tourism, especially in respect of income and improved employment opportunities. It does so by promoting Pendle as a destination for visitors interested in a high quality, sustainable tourism offer, whilst recognising the need to protect the environmental quality of the borough and maintaining the quality of life for its residents.
- 5.72 Sustainable tourism in Pendle will focus on qualitative improvements, which may include the expansion of existing facilities. Environmental safeguards and improved standards in the quality and range of accommodation and attractions will be equally important in achieving high quality sustainable development.
- 5.73 The Council will support proposals to upgrade tourist accommodation provided that they are not detrimental to the surrounding built environment or the high quality landscape of the area.

### Policy WRK12

#### Tourist Facilities and Accommodation

1. Tourism growth should be sustainable and wherever possible avoid damage to the natural or historic assets of Pendle.
2. Proposals relating to tourism activities, accommodation and facilities will be encouraged where they:
  - a. Are located in a Key or Local Service Centre ([Policy SDP5](#))
  - b. Provide for the enhancement of existing tourist attractions or accommodation
  - c. Increase the supply of quality serviced and self-catering accommodation
  - d. Do not involve the loss of tourism accommodation, unless there is no realistic prospect for its continued use
  - e. Support active use along the Leeds and Liverpool Canal ([Policy ENV21](#)), consistent with environmental and amenity factors
  - f. Develop new markets for local produce, particularly those that support land-based industries and cultural assets
  - g. Help to promote a year round tourism industry
  - h. Restrict occupancy for holiday purposes, whilst not unduly restricting operators from extending their season
  - i. Are capable of access by public transport, cycle ways and footpaths
  - j. Protect residential amenity

3. Proposals for large scale tourist development must address local transport infrastructure; how they will assist urban or rural regeneration; and the well-being of local communities.

### **Rural Tourism**

4. In Rural Service Centres tourist and visitor facilities should, where practicable, be situated within an existing or replacement building.
5. Proposals for new tourism development outside a defined settlement boundary ([Policy SDP7](#)) and in the open countryside ([Policy ENV8](#)) must:
  - a. Be in a location, and of a scale, that is in keeping with the rural character of the countryside and its wider landscape setting
  - b. Protect local landscape character and not have an adverse effect on any designated environmental sites ([Policy ENV1](#))
  - c. Provide evidence that the facilities support a particular countryside attraction.
  - d. Demonstrate that no alternative buildings or sites are available for re-use.
6. Small scale retail, at an existing facility, including farms, or visitor attraction will be supported where they are:
  - a. Located in an existing building, or in a new building which is closely related to the tourist attraction.
  - b. Enables the purchase of local produce.
  - c. Ancillary to the main permitted use.
7. Where the proposed development is not ancillary to an existing facility or visitor attraction, it will be necessary to demonstrate that a location within the open countryside or AONB is necessary.
8. Within the Forest of Bowland AONB and its immediate setting great weight is given to the conservation and enhancement of the natural environment. Development within the AONB must address the requirements of [Policy ENV10](#). Proposals relating to tourism activities, accommodation and facilities will be considered favourably where they:
  - Do not introduce built development into an area largely devoid of structures (other than those directly related to agriculture and forestry)
  - Are in keeping with the character of the landscape area and reflect the local vernacular, scale, style, features and building materials
  - Help to facilitate the conversion of existing buildings, in accordance with [Policy ENV8](#) and [Policy ENV9](#)
  - Replace existing static caravans with log cabins or lodges
  - Make provision for small-scale touring caravans and camping between 1 March and 31 October on a site that is not visible from public roads, open spaces or public footpaths

## Working

## Monitoring and Delivery

<b>Strategic Objectives</b>	6 • 7	
<b>Local Plan Part 1 Policies</b>	ENV8 ENV9 ENV10	
<b>Local Plan Part 2 Policies</b>	WRK7, WRK8, WRK10, SUP7	
<b>Targets</b>	<ul style="list-style-type: none"> <li>To enhance the attractiveness of the Borough as a place to visit and invest in.</li> <li>To support the sustainable growth of the tourism industry in Pendle.</li> <li>Encourage overnight visits to Pendle.</li> </ul>	
<b>Triggers</b>	<ul style="list-style-type: none"> <li>Long term vacancy at Class E sites increases over a 3-year period.</li> </ul>	
<b>Indicators</b>		Day visits to Pendle in a calendar year
		Overnight stays in Pendle in a calendar year
		Employment in sectors
<b>Delivery Agencies</b>	Pendle Borough Council, Marketing Lancashire, Developers, Operators, Town and Parish Councils, Forest of Bowland AONB board	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>Application of policy requirements through the development management process.</li> <li>Where appropriate use of planning conditions.</li> <li>Neighbourhood Plans</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>Economic conditions change reducing disposable income. (M)</li> <li>Changes in demand or tourism patterns (M)</li> <li>Pressures from increased visits to the Borough result in harmful effects to the built and natural environment (M)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>Work with developers/partners to help remove barriers to investment.</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>National Planning Policy Framework (2019)</li> <li>Planning Practice Guidance</li> <li>Neighbourhood Plans (various)</li> </ul>	

## Policy WRK13: Digital and Electronic Communications

### Justification

- 5.74 Advanced, high quality and reliable communications are essential for economic growth and social well-being. Mobile communications are now considered an integral part of the success of most business operations and individual lifestyles.
- 5.75 The European Electronic Communications Code (EECC) was introduced by EU Directive 2018/1972. Its purpose is to establish a harmonised framework for the regulation of electronic communications networks and services throughout the EU. In 2019 the UK government consulted on its proposed approach to implementation of the EECC. Whether the provisions of the code will be transposed into UK law by the deadline of 21 December 2020, is now uncertain given the withdrawal of the UK from the EU.
- 5.76 In England, the NPPF requires local plans to support the expansion of electronic communications networks, including telecommunications and high speed broadband (NPPF paragraphs 112- 116).
- 5.77 The [Future Telecoms Infrastructure Review](#) (2018), announced as part of the government's [Industrial Strategy](#) (2017), seeks to drive forward the changes necessary for the UK to remain globally competitive in a digital world. The proposals seek to stimulate commercial investment, provide greater consumer choice and secure full fibre broadband coverage by 2033, essential for the rollout of 5G across the UK.
- 5.78 In 2017, Approved Document R of the Building Regulations (2010) introduced the requirement for copper or fibre-optic cables or wireless devices capable of delivering broadband speeds greater than 30 Mbps to be installed in all new buildings and those undergoing extensive renovation (excluding dwellings). In March 2020, the government unveiled secondary legislation, which will effectively make it mandatory for property developers to ensure that almost every new home is built with support for "gigabit-speed" (1Gbps) and broadband ISP connections "fit for the future."
- 5.79 Improving digital connectivity is one of the five foundations for growth set out in the emerging [Lancashire Local Industrial Strategy](#). The [Pendle Core Strategy](#) (2015) also emphasises the need for new development to support improvements in digital and electronic communications. [Policy WRK1](#) emphasises the need to 'deliver improved transport links, electronic services and digital connectivity'. This is essential if we are to enhance local economic performance and increase competitiveness. The policy goes on to state that "widespread access to high-speed broadband .... will be key to successful delivery of this objective".
- 5.80 The roll out of full fibre broadband and the upgrading of existing wireless technologies for mobile networks is a priority in helping to address rural isolation and promote homeworking. Given the borough's extensive rural geography it is important to consider the potential impact on our landscape, when developing an enhanced communications network. The need to support both economic growth and sustainable development, requires a balanced approach.

- 5.81 Proposals for new infrastructure provision should seek to site equipment on existing masts or buildings; protect public health and undertake appropriate pre-application consultation in accordance with national policy and telecommunications codes of conduct. It is also important to protect the successful functioning of existing digital and electronic infrastructure. This includes the ability of residents to access strong and unbroken television reception.
- 5.82 Proposals should adequately addresses the outcome of any consultation concerning the development. Where an adverse impact on the successful functioning of existing infrastructure or the landscape is not practicable, appropriate mitigation should be provided. These mitigation measures will be assessed alongside the need for the proposed development.
- 5.83 Some digital and electronic communications proposals are permitted development under [Part 16 of The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#).

### **Policy WRK13**

#### **Digital and Electronic Communications**

##### **All Development**

1. New development of any kind should not cause significant or unavoidable interference with other digital or electrical equipment; air traffic services; or instrumentation operated in the national interest. Any interference will be assessed against the importance and wider need for the development.

##### **Network Enhancement**

2. Proposals to enhance network coverage, including the provision of backhaul connections<sup>39</sup> will normally be supported, provided that their impact on the environment is proportionate and acceptable.
3. When considering applications for the development of digital and electronic communications, the Council will have regard to the operational requirements of the network and the technical limitations of the technology.

##### **Infrastructure Requirements**

4. The installation of new equipment and any supporting structures will normally be permitted provided that the application:
  - a. Offers a reasoned justification for the development, including evidence of local need
  - b. Demonstrates that any new apparatus is necessary and is compliant with the International Commission guidelines on Non-Ionising Radiation Protection (ICNIRP) on the limitation of the exposure of the general public to electromagnetic fields.
  - c. Shows that the proposal minimises any adverse impacts on the environment and that the impact is acceptable.
  - d. Ensures that new infrastructure provision does not cause unacceptable harm to visual amenity; areas of ecological or geodiversity interest; areas

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<sup>39</sup> Backhaul refers to that side of the telecommunications network, which communicates with the global internet.

of landscape importance; examples of the best and most versatile agricultural land;<sup>40</sup> or heritage assets and their setting.

- e. Provides appropriate mitigation, where adverse impacts cannot be avoided. To avoid causing unacceptable harm to the character and appearance of the surrounding area and/or the external appearance of the building or structure to which it will be attached, proposals should:
  - i. Seek to share a mast, cabinet or other existing infrastructure wherever possible, or state why this may not be appropriate.
  - ii. Minimise the size and scale of any new apparatus
  - iii. Use appropriate colours to camouflage any new apparatus.
- f. Makes provision to ensure that equipment which has become obsolete, or is no longer in use, is removed as soon as practicable and the site restored to its former condition.

## Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 4 • 5 • 6 • 8 • 9 • 11	
<b>Local Plan Part 1 Policies</b>	SDP6	
<b>Local Plan Part 2 Policies</b>	ENV9 • EV17	
<b>Targets</b>	<ul style="list-style-type: none"> <li>• Ensure that development maintains and respects the built and natural character of the local environment.</li> <li>• Protect the amenity and health and wellbeing of existing residents.</li> <li>• Secure the improvement of the local communications network in Pendle.</li> <li>• Ensure that new development is future proofed, enabling the easy delivery of enhanced communications infrastructure.</li> </ul>	
<b>Triggers</b>		
<b>Indicators</b>		
<b>Delivery Agencies</b>	Pendle Borough Council, private developers, utility/communications providers such as openreach.	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Permitted Development Rights</li> <li>• Determination of planning applications through the development management process.</li> <li>• Planning Obligations.</li> <li>• Planned investment works by telecom companies.</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Changing technology requirements (M)</li> </ul>	

<sup>40</sup> Defined as Grades 1, 2 and 3a in Annex 2 of the NPPF.



<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Discussions with private developers at pre-application stage re: communications infrastructure.</li> </ul>
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• General Permitted Development Order</li> <li>• Future Telecoms Review</li> <li>• Lancashire Local Industry Strategy</li> </ul>

## 6. **Supporting:** Creating Healthy and Confident Communities

### Introduction

- 6.1 Evidence shows that connected and empowered communities are healthy communities.
- 6.2 The Local Plan and Neighbourhood Plans provide an opportunity for our communities to be engaged in helping to shape new development in their area and the services within it.
- 6.3 Drawing on the assets and resources in an area fosters place-based solutions, which help to integrate public services; build local resilience; improve health and well-being and reduce health inequalities.
- 6.4 The challenge for planning is to create the conditions in which community assets can thrive; help to remove barriers and enable key services to work for local communities.
- 6.5 The policies in this section supplement or provide additional detail to those on community infrastructure in [Pendle Local Plan Part 1: Core Strategy \(2015\)](#), which are listed below.

- Policy SUP 1** Community Facilities
- Policy SUP 2** Health and Well-being
- Policy SUP 3** Education and Training
- Policy SUP 4** Designing Better Public Places

## Supporting

**Policy SUP5: Supporting Healthy Places & Lifestyles****Justification**

- 6.6 Promoting good health is a guiding principle for the Local Plan.
- 6.7 Health professionals have started to take a new look at land-use and urban design. They have become advocates for building healthy communities; particularly those that promote increased physical activity.
- 6.8 In 2020 UN-Habitat and the World Health organisation issued
- 6.9 In 2016, Public Health England [“PHE”], in its written evidence to the House of Lords Select Committee on National Policy for the Built Environment, noted that:
- “Some of the UK’s most pressing health challenges – such as obesity, mental health issues, physical activity and the needs of an ageing population – can all be influenced by the quality of our built and natural environment. In other words, the considerate design of spaces and places can help to promote good health; access to goods and services; and alleviate, and in some cases even prevent, poor health and thereby have a positive impact on reducing health inequalities.”<sup>41</sup>*
- 6.10 Planning plays an important role in helping residents to live longer and healthier lives. The relationship between different land-uses has a strong influence on people’s lifestyles. Movement and connection not only provides the essential structure of form and place, it helps to support healthy living. This was recognised in the joint report ‘*Integrating health in urban and territorial planning*’ issued by UN-Habitat and the World Health Organisation in May 2020.
- 6.11 According to PHE as little as 30 minutes of moderate exercise each day, including brisk walking, can bring about significant health benefits. Development can help to create safe and attractive routes for walking and cycling, which will help to reduce the need to travel by car. In turn, this reduces the risk posed by allergies and ailments associated with air pollution. It also cuts down the stress and health risks linked with travelling in heavy traffic.
- 6.12 The Local Plan seeks to deliver better health and reduce health inequalities by:
- Retaining and improving local health facilities ([Policy SUP2](#))
  - Supporting healthy eating ([Policy SUP5](#))
  - Promoting active lifestyles by:
    - improving the quality and accessibility of open space provision and recreation facilities (Policies [ENV13](#), [ENV14](#), [ENV15](#), [ENV19](#) and [WRK5](#)),
    - promoting walking and cycling ([Policies ENV4](#), [LIV5](#), [WRK6](#), [SUP4](#) and [Policies ENV22-23](#))
  - Reducing or mitigating the risks posed by potential contributors to poor health:
    - climate change ([Policies ENV3-ENV7](#) and [Policies ENV12-16](#))

<sup>41</sup> Building Better Places: Report of Session 2015-16 to (2016) The Stationery Office. London.

- flooding ([Policy ENV7](#))
- hazardous uses and emissions ([Policies ENV5-7](#) and [Policies ENV17-18](#))
- crime ([Policies ENV2](#) and [ENV19](#))
- Improving access to employment opportunities and higher value jobs, in recognition of the links between income and health ([Policies WRK1, WRK3, WRK6 and WRK8](#));
- providing high quality homes in an attractive residential environment, to help promote good mental health ([Policies LIV2-5](#) and [Policies LIV10-12](#))

6.13 This shows that planning policy seeks to address many health concerns from different perspectives. It also highlights the importance of joint working to help achieve positive health outcomes. The PHE ‘whole systems approach’ to obesity acknowledges the multidisciplinary nature of health interventions.

6.14 Where evidence suggests that the magnitude, nature or extent of any adverse impact on health and wellbeing is likely to be significant, a Health Impact Assessment [“HIA”] may be required. The HIA should maximise the positive health impacts of the proposed development and minimise any potentially negative outcomes.

#### **Promoting healthier weight and food environments**

6.15 Reducing levels of obesity is a key objective for Pendle Council. Recorded levels of adult obesity and childhood obesity, at reception and year six, are all above the regional and national comparators. And the prevalence of obesity is often greater in those wards with the highest levels of deprivation.

6.16 Obesity is estimated to reduce life expectancy by up to nine years. It affects comfort and mobility. It can also lead to health conditions as diverse as respiratory and cardiovascular diseases (heart disease and stroke), cancer, diabetes, depression and anxiety.

6.17 Research shows that if obesity develops in adolescence, it is likely to continue into adulthood. To help prevent the physical, psychological and social consequences of childhood obesity it is important to help establish healthy eating habits and active living from an early age.

6.18 In October 2017, the Council amended its street trading policy to help improve child safety and tackle obesity. Preventing ice-cream sellers and other street food traders from trading within 50 metres of a school was one of the measures approved.

6.19 The majority of hot food takeaways offer food that is energy dense, nutritionally poor and high in salt, all contributory factors to unhealthy eating habits and obesity. Controlling their proliferation and clustering can also help to make a positive contribution to promoting healthier living and tackling obesity levels.

6.20 In June 2018 the Government published the second chapter of its Childhood Obesity: Plan for Action. East Lancashire was selected as one of five Trailblazer authorities to develop, deliver, review and expand ambitious plans to tackle childhood obesity. The control of hot food takeaways was selected as the focus for the planning strand.

## Supporting

- 6.21 The viability of hot food takeaways and cafés are often reliant on late evening trade. For the purposes of planning fast food outlets (Sui Generis use) are differentiated from restaurants and cafés (Class E use). This is because they raise a number of environmental issues associated with odour, litter; long opening hours; and greater level of traffic and pedestrian activity. Hot food takeaways requiring late opening hours should normally be located within a town or local shopping centre. The opening hours of fast food outlets located outside a designated town or local shopping centre boundary will normally be restricted.
- 6.22 This approach is consistent with the [PPG on Healthy and Safe Communities](#) which considers how planning can help to create a healthier food environment [Paragraph Reference ID: 53-004-20190722].
- 6.23 Hot food takeaways can also detract from the retail function and character of a town or local shopping centre. The dead frontage created by security shutters outside opening hours creates a break in the continuity of shopping frontages. When clustered in a particular location this can magnify any adverse impacts and significantly increase the potential for anti-social behaviour. Policies WRK10 and WRK11 seek to maintain vibrant town centres and active shopping frontages.

### Policy SUP5

#### Supporting Healthy Places and Lifestyles

1. All development should support improvements in public health, or a reduction in health inequalities by:
  - minimising any adverse impacts on health and wellbeing
  - providing a healthy living and working environment
  - supporting healthy lifestyles
  - promoting social and economic inclusion
  - ensuring good access to a full range of health facilities
2. Improvements in the quality and accessibility of primary health care facilities will be supported, including the co-location of GP practices where this would help to deliver positive health outcomes.
3. A Health Impact Assessment ["HIA"] will be required where a development proposal is likely to have a significant adverse impact on health and wellbeing. The evidence in the HIA should be proportionate to the significance of the scheme.

#### Hot Food Takeaways

4. To ensure the vitality of town centres; promote healthy communities and deliver an attractive and inclusive urban environment, within town and local shopping centres applications for planning permission will normally be supported provided that the proposal:
  - a. Will not result in an over-concentration, or clustering of Hot Food Takeaways (Sui Generis) uses to the detriment of the character and function of that centre.
  - b. Will not have an adverse impact on the standard of amenity for existing and future occupants of land and buildings.

## Supporting

5. Outside the boundary of a designated town or local shopping centre:
  - a. Extended opening hours will only be permitted where it can clearly be demonstrated that there would be no unacceptable impact on residential amenity or highway safety.
  - b. In support the Council's objective to reduce levels of childhood obesity in the borough, applications for Hot Food Takeaways (Sui Generis), outside a designated town or local shopping centre, will normally be refused where the development is:
    - i. Within 400m walking distance of an entrance to a secondary school, youth centre, leisure centre or Public Park.
    - ii. Within a ward where more than 15% of the Year 6 pupils, or 10% of reception pupils have been classified as very overweight in the preceding three year period.
6. Where a takeaway service is to be offered by a restaurant or café, in determining the dominant use class for the premises, consideration will be given to:
  - a. The internal and external layout of the premises
  - b. The proportion of space designated for hot food preparation
  - c. Other servicing requirements
  - d. Designated customer circulation space
  - e. The number of tables and chairs to be provided for customer use

## Monitoring and Delivery

<b>Strategic Objectives</b>	2 • 8 • 9
<b>Local Plan Part 1 Policies</b>	ENV2 • ENV3 • ENV4 • ENV5 • ENV6 • ENV7 • LIV5 • WRK1 • WRK5 • SUP2 • SUP4 • SUP6
<b>Local Plan Part 2 Policies</b>	ENV12 • ENV13 • ENV14 • ENV15 • ENV17 • ENV19 • ENV20 • ENV21 • ENV22 • ENV24 • ENV25 • WRK8
<b>Targets</b>	<ul style="list-style-type: none"> <li>• Increase average life expectancy at birth</li> <li>• Reduce the gap between average life expectancy at birth in Pendle and the national average</li> <li>• Reduce the gap between average life expectancy at birth in the worst-performing Pendle wards and the borough average</li> </ul>
<b>Triggers</b>	<ul style="list-style-type: none"> <li>• Indication of decline on health and wellbeing indicators</li> </ul>
<b>Indicators</b>	
<b>Delivery Agencies</b>	Public Health England, Lancashire County Council, Pendle Council
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Determination of planning applications through the development management process.</li> </ul>

## Supporting

	<ul style="list-style-type: none"> <li>• Dialog with partners relating to the impacts of development.</li> <li>• Control of certain types of development in certain locations.</li> </ul>
<b>Risks</b>	None identified.
<b>Contingencies</b>	None identified.
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• Using the planning system to promote healthy weight environments (Public Health England, 2019)</li> <li>• Hot Food Takeaways and Spatial Planning (Lancashire County Council, 2018)</li> <li>• Obesity and the environment: regulating the growth of fast food outlets (Public Health England, 2014)</li> </ul>

## Policy SUP6: Support for Local Communities

### Justification

- 6.24 Neighbourhood shops together with community, social and health facilities, within walking distance of residential properties, are a valued element within neighbourhoods and help to minimise social exclusion. They are of particular benefit to residents without cars, or with constrained mobility, who might otherwise be effectively deprived of the services they provide. Such facilities are integral to the sustainability, health, and wellbeing of neighbourhoods and rural communities.
- 6.25 The importance of this type of development is reflected by recent changes made to the Use Class Order which places such uses into one single new use class (Use Class F2). The change made is recognition that communities have in fulfilling the social objectives for sustainability as set out in Paragraph 8 of the NPPF. The amendment better supports communities by enhancing available flexibility in permitting the use community uses, whilst safeguarding existing facilities from being lost to alternative uses.
- 6.26 Policy SUP6 is responsive to this context, as well as Paragraph 92 of the NPPF. The policy sets out the Council's support and guidance for Use Class F2 developments. It seeks to support the development and enhancement of community services and facilities in a sustainable manner which is consistent with the local built and natural environment. The policy enables the alteration and maintenance of existing facilities to support their longevity and continuing role within existing communities. It seeks to safeguard existing community uses where there is a threat of loss.
- 6.27 Community action is playing a growing part in rural service provision, especially where there is declining provision as a result of public sector austerity or competitive market pressures.
- 6.28 To reflect the changing needs of the community, new ways of providing facilities continue to develop. Online services, where geographic distance is no longer a barrier, offer considerable scope to address long standing concerns about rural access to services, provided that adequate broadband connectivity is made available. Where a physical presence is desirable, service providers are increasingly looking to co-locate
- 6.29 The demographics of rural areas and, in particular, the growing number of older people also has implications for the future of services. It places considerable extra pressures on public services such as GP surgeries and adult social care, especially as funding has been reducing and seems likely to continue. In contrast older age groups are more likely to be users of local services such as convenience stores, thus helping them to survive. Retired people who remain in good health are also likely to make up a good proportion of the volunteers engaged with providing community-run services.
- 6.30 This policy seeks to ensure that local communities have appropriate provision of community facilities by working with public, private and voluntary sector providers to meet demonstrable need and by encouraging new provision in locations that are accessible by public and sustainable modes of transport.



## Supporting

6.31 [Policy SUP1](#) addresses the proposals that would involve the loss of a community facility.

### Policy SUP6

#### Support for Local Communities

1. The Council will support proposals for new development in Use Class F2 where:
  - d. Shop proposals largely sell only essential items including food.
  - e. Shop proposals do not exceed a floorspace of 280m<sup>2</sup>
  - f. There is no existing shop facility within a 1km radius of the proposal.
  - g. The proposal would respond to a need or aspiration identified by the local community and/or the Council.
  - h. The proposal promotes multifunctional use of space/buildings.
2. Proposals for development within Use Class F2 should as far as practical:
  - a. Prioritise the redevelopment of existing buildings.
  - b. Be well related to existing built form, where it can be demonstrated that redevelopment is not feasible.
  - c. Respond positively to the local built up character, in terms of scale, appearance, materials, massing and layout.
  - d. Be accessible via foot, bicycle and public transport to the community it serves.
  - e. Be safely and sufficiently accessed from the local highway network and is responsive to parking requirements set out in Appendix 4.
3. Any proposal to demolish premises, or redevelop a site for Use Class F2 which is already in that use will be supported where:
  - a. The need to demolish or redevelop is justified i.e. for health and safety.
  - b. Replacement is of a similar scale, and maintains or enhances the local built character.
  - c. It is evidenced that there is no need or demand for the facility to remain in that use.
  - d. It is consistent with other policies of the Local Plan.
4. To protect the sustainability and vitality of local communities, the Council may, where necessary, remove permitted development rights of proposals granted planning permission in accordance with this policy.
5. Where possible, sports and built facilities that attract large visitor numbers should be located in Key Service Centres ([Policy SDP2](#)) and easily accessible by public transport, cycling and walking.
6. The temporary use of vacant buildings and sites by creative, cultural and community organisations will be supported where they will help to revitalise town centre locations.

## Supporting

## Monitoring and Delivery

<b>Strategic Objectives</b>	6 • 7	
<b>Local Plan Part 1 Policies</b>		
<b>Local Plan Part 2 Policies</b>	SUP7 WRK10 WRK11	
<b>Targets</b>	To secure a sustainable increase in community facilities located within the Borough's neighbourhoods and rural communities.	
<b>Triggers</b>		
<b>Indicators</b>		Loss of community assets to other uses
<b>Delivery Agencies</b>	Pendle Borough Council, Town and Parish Councils, landowners, developers.	
<b>Delivery Mechanisms</b>	<ul style="list-style-type: none"> <li>• Determination of planning applications through the development management process.</li> <li>• Neighbourhood Plans</li> <li>• Neighbourhood Development Order</li> <li>• Community Right to Build Order</li> </ul>	
<b>Risks</b>	<ul style="list-style-type: none"> <li>• Services provided are not viable owing to lack of use or funding (M)</li> <li>• Services/facilities are not maintained and become run down (M)</li> </ul>	
<b>Contingencies</b>	<ul style="list-style-type: none"> <li>• Third party funding such as contributions from development.</li> <li>• Community ownership/volunteering</li> </ul>	
<b>Key Linkages</b>	<ul style="list-style-type: none"> <li>• National Planning Policy Framework (2019)</li> <li>• Planning Practice Guidance</li> <li>• The Rural Shop Report 2018</li> <li>• Neighbourhood Plans (various)</li> </ul>	



## **Appendix 1: Indicative Housing Distribution**

## Appendices

### Revised distribution of new housing in Pendle 2014-2030

Housing Requirement 2011-2030 (LP1 - Policy LIV1)	5,662	Source: Pendle Core Strategy (December 2015)
Annual Housing Requirement 2014-2019 (LP2 - Policy LIV6)	298	Source: Pendle Local Plan Part 2 (January 2021)
Annual Housing Requirement 2019-2030 (Local Housing Need)	240	Source: Standard Method (August 2020)

Adjusted Housing Requirement 2011-2030	4,130	Note: This figure is reflected in Column A Below
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Spatial Area	Settlement	A	B	C							D	E	F	G	H
				2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	Total					
M65 Corridor	Nelson	2,891	1,012	18	9	48	10	67	30	182	830	331	175	324	419
	Brierfield		578	3	7	14	7	45	34	110	468	197	100	171	
	Colne		1,012	24	28	28	68	88	83	319	693	517	175	1	
	Barrowford		289	15	6	2	3	9	10	45	244	271	50	-77	
West Craven Towns	Barnoldswick	743	446	11	66	20	2	27	28	154	292	290	0	2	173
	Earby		297	2	3	2	2	32	9	50	247	76		171	
Rural Pendle	Fence	496	74	3	0	13	18	3	0	37	37	3		34	191
	Foulridge		74	2	2	2	0	20	6	32	42	23		19	
	Kelbrook		74	0	0	0	2	0	0	2	72	8		64	
	Trawden		74	5	2	1	6	9	3	26	48	21		27	
	Barley		15	0	1	7	0	0	0	8	7	9		-2	
	Blacko		30	0	0	0	0	0	0	0	30	11		19	
	Higham		30	0	1	0	2	0	1	4	26	2	0	24	
	Laneshaw Bridge		40	0	0	0	2	0	0	2	38	20		18	
	Newchurch and Spen Brook		15	0	0	0	0	0	0	0	15	30		-15	
	Roughlee and Crow Trees		15	0	1	0	0	1	0	2	13	1		12	
	Salterforth		40	0	1	31	17	9	0	58	-18	3		-21	
	Sough		15	0	0	0	0	0	0	0	15	3		12	
		4,130	4,130	83	127	168	139	310	204	1,031	3,099	1,816	500	783	783
		Annual Shortfall		215	171	130	159	-12	36						
		Cumulative shortfall						663	699						

Column	Comment
A – Housing Requirement	The figure of 4,130 has been calculated on the basis of 5 years @ 298 dpa (from 2014/15) + 11 years @ 240 dpa.
B – Balanced Distribution	Based on the percentages in Table 3.10 of the LP2 Scoping Report & Methodology
C – Net Completions	Homes completed since the start of the plan period minus losses (AMR Indicator HS01 and Appendix K3(ii))
D – Housing Requirement after Completions	(B – C) + D
E – Existing Commitments	Dwellings on sites with extant planning permission, but not built out( Source: SHLAA). Figure excludes the Strategic Housing Site identified in LP1 (Policy LIV2).
F – Strategic Housing Site	Allocation in LP1 (Policy LIV2). Figure taken from planning application 13/15/0327P and apportioned by balanced distribution
G – Balanced Distribution (Revised)	D – E – F
H – Housing Requirement (Revised)	Number of dwellings required on sites to be allocated in the Local Plan or a Neighbourhood Plan



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## Appendices

### **Appendix 2: Commuted Sum Calculator for Affordable Housing**

## Appendices

The off-site provision of affordable housing will be considered where the developer can demonstrate to the satisfaction of the Council that it is neither feasible, nor viable to provide the required level of affordable housing on site.

This methodology sets out how the financial contribution towards the off-site provision of affordable housing – known as a commuted sum – is calculated.

The payment of a commuted sum may be required in the following circumstances:

1. Where all the affordable housing requirement is to be provided off site
2. Where some, but not all of the affordable housing requirement is to be provided on site
3. Where the affordable housing calculation yields a 'partial dwelling' (e.g. 7.4), a financial settlement will be required to cover the 'partial value' (e.g. 0.4).

The basis for the commuted sum calculation is either:

1. The average sales price by house type for the postcode area in which the development is located;<sup>42</sup> or where insufficient transactional data is available
2. The proposed sales price for units on the site.

An adjustment factor is used to represent the cost of land purchase and servicing that would be incurred by the Council or Registered provider. Land costs typically represent 40% of the open value market value of housing. Servicing and professional fees are estimated to be about 10% of the land value (or 4% of the total cost). The financial contribution sought will be 44% of the open market value of the residential units to be delivered through the planning permission.

The commuted sum will reflect the different dwelling types to be provided on site (i.e. it will be based on the market value of each dwelling type to be provided).

Where a site covers more than one postcode area the commuted sums payment will be based on the proportion of the proposed development falling within each postcode area.

Where a deferred payment or claw back arrangement is agreed, or where the trigger for payment is a date in the future (e.g. number of dwellings completed on site) the amount set out in the s106 agreement will be linked to future sales prices. If there is a reduction in property price below the value of the site when the s106 was agreed the Council will continue to require the amount set out in the s106 agreement.

The Commuted Sums Calculator on the Council's website can be used to identify any payment that may be required to support the provision of affordable housing in the borough. A screenshot is provided here for information.

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<sup>42</sup> Land Registry house sales data for the most recently available calendar year will be used.



## Appendices

### Calculator

#### Commuted Sums for Affordable Housing in Pendle

Please enter a value into all unshaded cells

Type of dwelling	Total	Detached	Semi-detached	Townhouse	Terraced	Flat or Maisonette	Source
<b>A</b> Number of <b>market value dwellings</b> to be provided on-site	20	4	4	4	4	4	Developer
<b>B</b> Market value of dwelling type (i.e. sale price) or average sales price for postcode in previous calendar year	£ 3,000,000	£ 200,000 115m <sup>2</sup>	£ 175,000 93m <sup>2</sup>	£ 150,000 90m <sup>2</sup>	£ 125,000 79m <sup>3</sup>	£ 100,000 50m <sup>2</sup>	Developer / VOA MHCLG
<b>C</b> Number of <b>affordable dwellings</b> to be provided on-site	5	1	1	1	1	1	Developer
<b>D</b> Total number of dwellings to be built on site [A+C]	25	5	5	5	5	5	
<b>E</b> Percentage of affordable housing required by Policy LIV4	30%	30%	30%	30%	30%	30%	Local Authority
<b>F</b> Number of affordable dwellings required on-site by Policy LIV4 [DxE]	7.50	1.50	1.50	1.50	1.50	1.50	
<b>G</b> Number of affordable dwellings required off-site to maintain the overall ratio of affordable housing to market housing required by Policy LIV4.	3.57	0.71	0.71	0.71	0.71	0.71	
<b>H</b> Adjustment factor	0.44						
<b>I</b> Commuted sum required	£ 235,714	£ 62,857	£ 55,000	£ 47,143	£ 39,286	£ 31,429	

#### Notes

The adjustment factor represents the cost of land purchase and servicing incurred by Pendle Council or a Registered Housing Provider. Land costs typically represent 40% of the open market value of housing. Servicing and professional fees are calculated at 10% of the land value (i.e. 4% of the total cost). Any commuted sum will, therefore, be equivalent to 44% of the open market value of the residential units to be delivered through the relevant planning permission.

## Appendices

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## Appendices

### **Appendix 3: Minimum Space Standards for New Dwellings**

## Appendices

### Minimum Space Standards

The following table is taken from the government publication [Technical housing standards – nationally described space standard](#) (May 2015) with footnotes as amended on 19 May 2016.

Bedrooms (No.)	Bed Spaces (Persons)	1 Storey Dwellings	2 Storey Dwellings	3 Storey Dwellings	Built-in Storage (m <sup>2</sup> )
1	1	39 (37)	-	-	1.0
	2	50	58	-	1.5
2	3	61	70	-	2.0
	4	70	79	-	
3	4	74	84	90	2.5
	5	86	93	99	
	6	95	102	108	
4	5	90	97	103	3.0
	6	99	106	112	
	7	108	115	121	
	8	117	124	130	
5	6	103	110	116	3.5
	7	112	119	125	
	8	121	128	134	
6	7	116	123	129	4.0
	8	125	132	138	

- Built-in storage areas are included within the overall GIAs and include an allowance of 0.5m<sup>2</sup> for fixed services or equipment such as a hot water cylinder, boiler or heat exchanger.
- GIAs for one storey dwellings include enough space for one bathroom and one additional WC (or shower room) in dwellings with 5 or more bed spaces. GIAs for two and three storey dwellings include enough space for one bathroom and one additional WC (or shower room). Additional sanitary facilities may be included without increasing the GIA provided that all aspects of the space standard have been met.
- Where a 1b1p has a shower room instead of a bathroom, the floor area may be reduced from 39m<sup>2</sup> to 37m<sup>2</sup>, as shown bracketed.
- Furnished layouts are not required to demonstrate compliance.

### Houses in Multiple Occupation

In December 2017, new rules setting minimum size requirements for bedrooms in houses of multiple-occupation were introduced:

- Room used for sleeping by one (1) adult: No smaller than 6.51m<sup>2</sup>.
- Room used for sleeping by two (2) adults: No smaller than 10.22m<sup>2</sup>.
- Room used for sleeping by children of 10 years and younger: No smaller than 4.64m<sup>2</sup>.

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## Appendices

### **Appendix 4: Pendle Car Parking Standards**

## Appendices

**Table 1: Accessibility Zones**

Zone	Position in the Settlement Hierarchy or Retail Hierarchy (Policies SDP2 and SDP5)
1	Key Service Centre (within the Town Centre)
2	Key Service Centre (outside the Town Centre), Local Service Centre (including the Local Shopping Centre)
3	Rural Service Centre, Rural Village or open countryside

**Table 2: Car Parking Standards**

Use Class		Benchmark Parking Standard (gross floorspace m <sup>2</sup> )		
		Zone 1	Zone 2	Zone 3
B2	General Industrial	1 space per 35m <sup>2</sup> for first 235m <sup>2</sup> <b>plus</b> 1 space per 70m <sup>2</sup> for additional floor area over 235m <sup>2</sup>	As Zone 1	As Zone 1
B8	Storage & Distribution	1 space per 70m <sup>2</sup> for first 235m <sup>2</sup> <b>plus</b> 1 space per 140m <sup>2</sup> for additional floor area over 235m <sup>2</sup>	As Zone 1	As Zone 1
C1	Hotels	1 space per bedroom, including staff parking Any leisure or conference facilities forming part of the hotel complex should be considered separately.	As Zone 1	As Zone 1
C2	Hospitals	1 car space for every 3 beds <b>plus</b> 1 space per staff member 20% of spaces should be for disabled drivers	As Zone 1	As Zone 1
	Care / Nursing Homes	1 space per 4 beds <b>plus</b> 1 space per staff member	1 space per 5 beds	As Zone 2

Use Class		Benchmark Parking Standard (gross floorspace m <sup>2</sup> )		
		Zone 1	Zone 2	Zone 3
		20% of spaces should be for disabled drivers		
	Sheltered Accommodation	1 space per 2 beds <b>plus</b> 1 space per resident member of staff <b>plus</b> 1 ambulance space	1 space per 3 beds	As Zone 2
	Training Centres / Halls of Residence	1 space per bed including staff parking	As Zone 1	As Zone 1
C3 <sup>1</sup>	Terraced Houses, Townhouses, Flats, Apartments or Maisonettes (up to 2 bedrooms)	1 space per dwelling <b>plus</b> 1 secure cycle space whether parking is within the curtilage or communal parking is provided	As Zone 1	As Zone 1
	Terraced Houses, Townhouses, Flats, Apartments or Maisonettes (up to 3 bedrooms)	2 spaces per dwelling (if parking is within the curtilage) <b>plus</b> 1 secure cycle space <b>or</b> 1.5 spaces per dwelling (if communal parking is provided) <b>plus</b> 1 secure cycle space	As Zone 1	As Zone 1
	Terraced Houses, Townhouses, Flats, Apartments or Maisonettes (4 or more bedrooms)	3 spaces per dwelling (if parking is within the curtilage) <b>plus</b> 2 secure cycle spaces <b>or</b> 2 spaces per dwelling (if communal parking is provided) <b>plus</b> 2 secure cycle spaces	As Zone 1	As Zone 1
	Semi-detached / Detached Houses (up to 3 bedrooms)	2 spaces per dwelling <b>plus</b> 1 secure cycle space	As Zone 1	As Zone 1
	Semi-detached / Detached Houses (4 bedrooms)	3 spaces per dwelling <b>plus</b> 2 secure cycle spaces	As Zone 1	As Zone 1

# Appendices

Use Class			Benchmark Parking Standard (gross floorspace m <sup>2</sup> )		
			Zone 1	Zone 2	Zone 3
		Semi-detached / Detached Houses (5 or more bedrooms)	4 spaces per dwelling <b>plus</b> 2 secure cycle spaces	As Zone 1	As Zone 1
<b>C4</b>		Small Houses in Multiple Occupation	1 space per bedroom	As Zone 1	As Zone 1
<b>E</b>	<b>E (a)</b>	Food Retail	1 space per 16m <sup>2</sup>	1 space per 15m <sup>2</sup>	1 space per 14m <sup>2</sup>
		Food Stores (over 2,000m <sup>2</sup> )	1 space per 15m <sup>2</sup>	1 space per 10m <sup>2</sup>	As Zone 2
		Non-Food Retail and Retail Services	1 space per 22m <sup>2</sup>	1 space per 21m <sup>2</sup>	1 space per 20m <sup>2</sup>
		Non-Food Stores (over 2,000m <sup>2</sup> )	1 space per 28m <sup>2</sup>	1 space per 26m <sup>2</sup>	1 space per 24m <sup>2</sup>
	<b>E (b)</b>	Restaurants and Cafes	1 space per 6m <sup>2</sup> of public floor area	1 space per 5m <sup>2</sup> of public floor area	1 space per 4m <sup>2</sup> of public floor area
	<b>E (c)</b>	Financial & Professional Services	1 space per 32m <sup>2</sup>	1 space per 30m <sup>2</sup>	1 space per 28m <sup>2</sup>
	<b>E(d)</b>	Indoor Sport, Gyms	1 space per 23m <sup>2</sup>	1 space per 22m <sup>2</sup>	As Zone 2
	<b>E(e)</b>	Medical and Health Facilities	1 space for every 2 members of staff <b>plus</b> 3 spaces per consulting room	1 space for every 2 members of staff <b>plus</b> 4 spaces per consulting room	As Zone 2
	<b>E(f)</b>	Crèche, Day Nurseries and Day Care Centres	1.5 spaces for every 2 members of staff <b>plus</b> 1 drop-off zone for every 10 children	As Zone 1	As Zone 1
	<b>E(g)</b>	Offices	1 space per 32m <sup>2</sup>	1 space per 30m <sup>2</sup>	As Zone 2
		Research & Development			
		Light Industry			
<b>F1</b>	<b>F1(a)</b>	Primary Schools, Secondary Schools and Madrasas	1 space per classroom/activity area	1.5 spaces per classroom/activity area	As Zone 2
		Sixth Form Centres and Further Education Colleges	1 space for every 2 members of staff <b>plus</b> 1 space for every 15 students	1 space for every 2 members of staff <b>plus</b> 1 space for every 10 students	As Zone 2
		Training Centres (Non Residential)	1 space per 30m <sup>2</sup> <b>plus</b> 1 coach space (minimum) for premises over 1,000 m <sup>2</sup>	As Zone 1	As Zone 1



Use Class			Benchmark Parking Standard (gross floorspace m <sup>2</sup> )		
			Zone 1	Zone 2	Zone 3
	<b>F1(b-d)</b>	Art Galleries, Museums and Libraries	1 space per 25m <sup>2</sup> <b>plus</b> 1 coach space (minimum) for premises over 2,500 m <sup>2</sup>	As Zone 1	As Zone 1
	<b>F1(e-f)</b>	Public Halls and Places of Worship	1 space per 10m <sup>2</sup> <b>plus</b> 1 coach space (minimum) for premises over 2,500 m <sup>2</sup>	As Zone 1	As Zone 1
<b>F2</b>	<b>F2(a)</b>	Essential Retail up to 280m <sup>2</sup> not within 1km of another store	N/A	N/A	1 space per 14m <sup>2</sup>
	<b>F2(b)</b>	Community Halls	1 space per 10m <sup>2</sup> <b>plus</b> 1 coach space (minimum) for premises over 2,500 m <sup>2</sup>	As Zone 1	As Zone 1
	<b>F2(c)</b>	Outdoor Playing Pitches	1 space for every three players <b>plus</b> one coach space for every four pitches	As Zone 1	As Zone 1
<b>Sui Generis</b>		Cash and Carry Warehouses	1 space per 45m <sup>2</sup>	1 space per 40m <sup>2</sup>	As Zone 2
		Cinemas	1 space for every 6 seats	1 space for every 5 seats	As Zone 2
		Conference Facilities	1 space for every 6 seats	1 space for every 5 seats	As Zone 2
		Drinking Establishments	1 space per 6m <sup>2</sup> of public floor area	1 space per 5m <sup>2</sup> of public floor area	1 space per 4m <sup>2</sup> of public floor area
		Drinking Establishments with Expanded Food Provision			
		Filling Stations (Fuel)	1 space per pump <b>plus</b> any requirements associated with retail or hot food takeaway element (see Use Class Standard)	As Zone 1	As Zone 1
		Garden Centres	1 space per 25m <sup>2</sup> (enclosed display) <b>plus</b> 1 space per 100m <sup>2</sup> (open display)	As Zone 1	As Zone 1
		Hot Food Takeaways (including Drive Thru' Restaurants)	1 space per 12m <sup>2</sup>	1 space per 10m <sup>2</sup>	As Zone 2
		Large Houses in Multiple Occupation	1 space per bedroom <b>plus</b> 1 cycle space per 2 bedrooms	As Zone 1	As Zone 1

## Appendices

Use Class		Benchmark Parking Standard (gross floorspace m <sup>2</sup> )		
		Zone 1	Zone 2	Zone 3
	Marinas (with residential moorings)	1 space for every 3 staff <b>plus</b> 1 space per berth <b>plus</b> 1 articulated vehicle space for every 10 berths	As Zone 1	As Zone 1
	Other Leisure Facilities	1 space per 23m <sup>2</sup>	1 space per 22m <sup>2</sup>	As Zone 2
	Places of Worship	1 space for every 8 seats <b>plus</b> 1 coach space (minimum)	As Zone 1	As Zone 1
	Stadia	To be negotiated on a case by case basis	As Zone 1	As Zone 1
	Taxi Booking Offices	1 space for every for every 2 office based members of staff	1 space for every office based member of staff <b>plus</b> 1 space for every 1.5 licensed vehicles.	To be negotiated on a case by case basis
	Theatres	1 space for every 6 seats <b>plus</b> 1 coach space (minimum)	1 space for every 5 seats	As Zone 2
	Vehicle Rental and Hire	1 space per 14m <sup>2</sup>	As Zone 1	As Zone 1
	Vehicle Repair and Servicing	1 space per 50m <sup>2</sup>	As Zone 1	As Zone 1
	Veterinary Clinics	1 space for every 2 members of staff <b>plus</b> 3 spaces per consulting room Where larger animals are treated adequate turning and manoeuvring space for larger vehicles with trailers must be provided	1 space for every 2 members of staff <b>plus</b> 4 spaces per consulting room Where larger animals are treated adequate turning and manoeuvring space for larger vehicles with trailers must be provided	As Zone 2
	Wholesale Car Sales	1 space per 25m <sup>2</sup> (showroom) <b>plus</b> 1 space per 100m <sup>2</sup> (open display) <b>plus</b> 1 space per 20m <sup>2</sup> (workshop)	As Zone 1	As Zone 1

<sup>1</sup> All upper floor rooms, capable of being used as a bedroom, will count towards the number of bedrooms.

**Table 3: Additional Parking Provision (all accessibility zones)**

Description		Disabled Vehicles	Bicycles	Motorcycles / PTW <sup>1</sup>
Public, Private and Commercial Car Parks	1-14 spaces	Each case treated on its merits with the presumption that an allocation of at least one space will be made where practicable.	1 bicycle space for every 10 car spaces	1 motorcycle space <b>plus</b> 1 motorcycle space for every 20 car spaces (1-99 car spaces) <b>plus</b> 1 motorcycle space for every 30 car spaces (over 100 car spaces)
	15-20 spaces	2 spaces minimum		
	21-199 spaces	3 spaces or 6% of total capacity (whichever is greater)		
	200+ spaces	4 spaces plus 4% of total capacity		
Car Parks for Hospitals, Care Homes and Nursing Homes (C2)	All	20% of all spaces should meet the mobility impaired standard		

<sup>1</sup>The term Powered Two Wheeler is used to describe a wide diversity of vehicles such as motorcycles, scooters and mopeds.

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Table 4: Minimum Dimensions

Description		Dimensions (metres)			Comment
		Width	Length	Height	
Car	Non-residential space <sup>1</sup>	2.8	5.0	-	
	Mobility impaired space <sup>1</sup>	3.6	6.2	-	A hatched area is normally required to both sides (1.2m) and the rear (1.0m)
	Parent and child space <sup>1</sup>	3.6	6.2	-	A hatched area is normally required to both sides (1.2m) and the rear (1.0m)
	Residential driveway	3.0	5.5	-	If the space is located against a wall, or similar solid structure, the driveway parking width will increase to 3.3m.
	Residential parking court <sup>1</sup>	2.4	5.0	-	
	Residential garage (single)	3.0	6.0	2.4	An increase to 3.5m x 7.0m is recommended to allow for the storage of cycles etc.
	Residential garage (double)	5.8	6.0	2.4	An increase to 6.5m x 7.0m is recommended to allow for the storage of cycles etc.
	Residential garage (triple)	8.6	6.0	2.4	An increase to 9.5m x 7.0m is recommended to allow for the storage of cycles etc.
	Residential garage (with wheelchair access)	3.5	7.0	2.4	A width of 4.0m is recommended
Cycles	Bicycles	0.6	2.0	-	Cycle stands should be far enough apart to allow users to park and lock their cycle with ease. There should be at least a 0.65m gap from any wall, fence or kerb.
	Bicycle lockers (horizontal)	0.7	2.0	1.3	
	Motorcycles	1.4	2.4	-	
Commercial / Specialist Vehicles	Light Van	2.5	7.5	-	
	Rigid HGV / Ambulance	3.5	12.0	-	
	Coach	3.5	14.0	-	
	Articulated Vehicle	3.5	18.5	-	
	Operational Space	NA	NA	NA	Operational space should be provided in accordance with the requirements of the highways authority.

<sup>1</sup> A minimum of 6.0 metres clearance is required to enable cars to reverse out of a parking space.

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## Appendices

### **Appendix 5: Criteria for the Designation of Local Green Space**

## Criteria for the designation of Local Green Space

In all instances the Council will require evidence why a site is considered to be of particular significance to the local community and why it warrants additional protection when compared to other areas of open space in the borough.<sup>43</sup>

**Stage 1:** A desktop assessment of the factual information provided. Criteria 1-5 are addressed in sequence. Where a site fails to comply with a particular criterion, no further assessment work is carried out and the site is not considered for designation as Local Green Space.

<b>Stage 1</b>	Criterion 1	The site nomination has been submitted by a Parish or Town Council on behalf of the local community.
	Criterion 2	There is no current planning permission on the site, which once implemented would undermine the merit of the proposed Local Green Space designation.
	Criterion 3	The site is not land allocated for development as part of an adopted Local Plan or Neighbourhood Plan, or required to meet the borough's development needs.
	Criterion 4	The site is local in character and is not an extensive tract of land.
	Criterion 5	The Local Green Space designation would provide additional policy protection and its special characteristics cannot be protected through another policy designation or more adequate means.

**Stage 2:** For sites which pass through Stage 1, an assessment of the evidence submitted against each of the criteria is carried out. In view of the subjective nature of this assessment, the views of external organisations will be sought prior to designation, including but not limited to, commentary from the Lancashire Environmental Records Network (LERN) and the Lancashire Historic Environmental Record (LHER).

<b>Stage 2</b>	Criterion 6	Where the site is publicly accessible, it is within a reasonable walking distance of the community (or communities) that has nominated it for consideration.
	Criterion 7	The site is demonstrably special to one (or more) local communities and holds a particular local significance because of the "unique and special qualities" associated with its natural beauty, historic significance, recreational value, tranquillity or richness of wildlife.
	Criterion 8	The special characteristics of the site, together with any uses or activities which form part of the case for its designation, can be maintained and managed for the duration of the plan period.

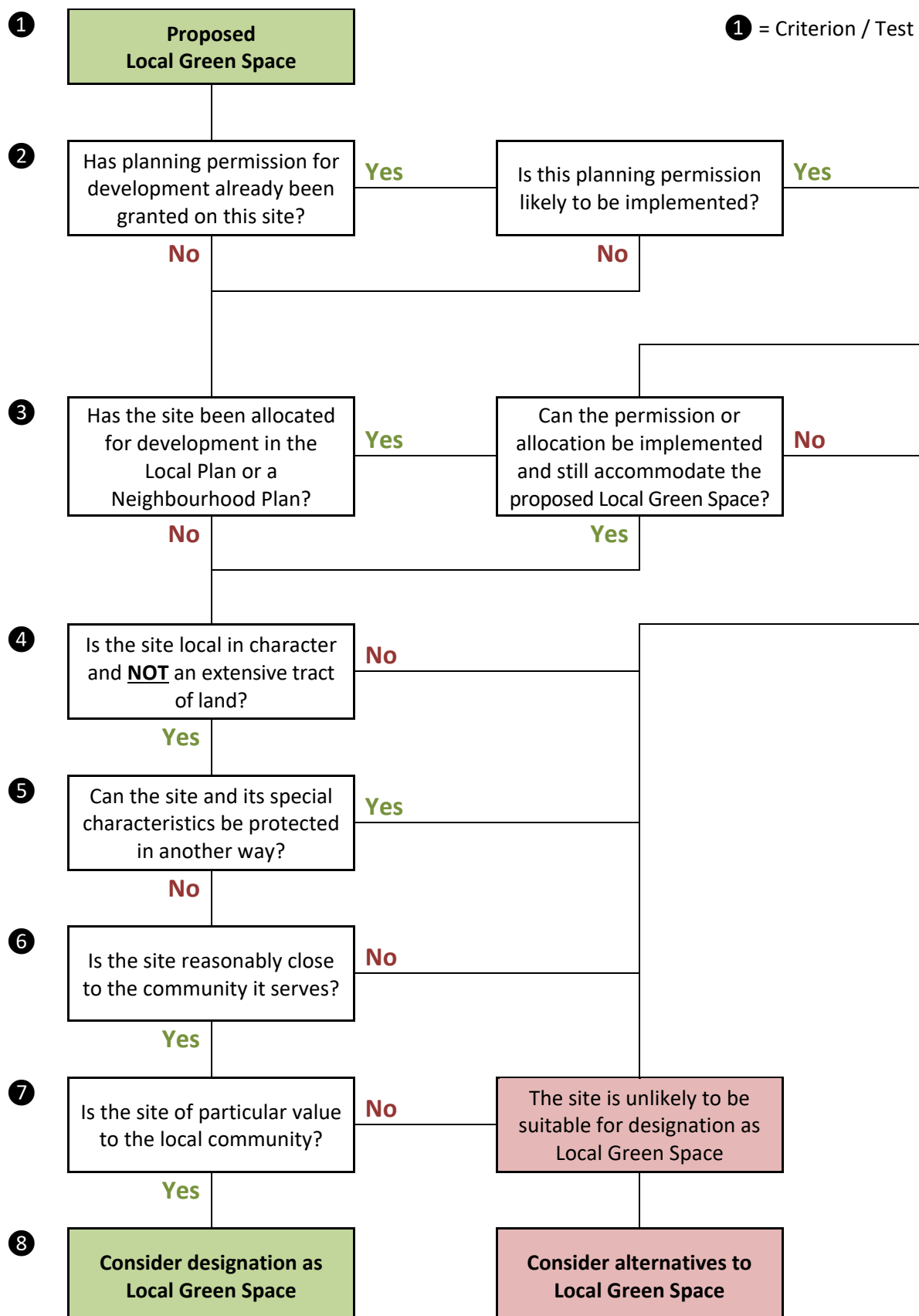
A report setting out the conclusions of the assessment will form part of the evidence base for the Local Plan.

The Council will endeavour to contact the landowners of sites proposed for designation within the draft Local Plan, in advance of any public consultation.

<sup>43</sup> Evidence supporting a nomination could include historic records; photographs; wildlife reviews etc. The Council reserves the right to request additional evidence where needed.

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### Local Green Space – Decision Tree



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### **Appendix 6: Local Green Space Sites in Pendle**

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### Local Green Space sites in Pendle

Site	Settlement	Statement of Significance
Church Fields	Kelbrook	Designated as a Site of Settlement Character in the Replacement Pendle Local Plan 2001-2016. Local Green Space designation is now more appropriate.
Village Green	Higham	Designated as a Site of Settlement Character in the Replacement Pendle Local Plan 2001-2016. Local Green Space designation is now more appropriate.
Land at Dean Street	Trawden	Designated as a Site of Settlement Character in the Replacement Pendle Local Plan 2001-2016. Local Green Space designation is now more appropriate.
Recreation Ground	Trawden	The Rec has been assessed to have particular significance for the parish. It is situated high above the Trawden Brook valley and is used by residents from all three of the parish's 'villages' (Trawden, Winewall with Cotton Tree and Wycoller). Its uses are varied, including supporting the local football club (Trawden Celtic) which also runs several junior teams. It is an important amenity for dog-walkers, joggers and residents simply out for a stroll. The annual village show, reputedly the largest village show in England, is held on the Rec each August. Loss of this resource would have a significant negative impact on the health and wellbeing of our local community and adversely impact the range of social and leisure activities available in the Parish.
The Poetry Garden	Trawden	The Poetry Garden is on a site formerly occupied by a public toilet. The garden became a place to promote and record the work of local poets. A local competition was held and the two poems judged to be the best entries were engraved and mounted in the garden. Features that are relevant to the history of the parish were added: a water pump from a local farm and a very large pan that is reputed to have come from Hartley's Jam Factory. On special occasions adults and children have written commemorative poems, which have been added. The garden is lovingly maintained by local volunteers who are known as Trawden in Bloom.
The Millennium Garden	Trawden	The Millennium Garden is on the site of a derelict former garage, which had become an eye-sore as you entered the village. The site was inherited by the Parish. The garage was removed and a garden created to a design, which was considered the best following a local competition. The garden lies across

## Appendices

Site	Settlement	Statement of Significance
		the road from land planted with black poplars. These trees are also known as cotton trees, from which the area acquired its name. The original poplars were felled in 2016, because they were deemed to have become dangerous. To retain the historic connection, new young black poplars were planted nearby shortly afterwards. The garden is lovingly maintained by local volunteers who are known as Trawden in Bloom.
Barrowford Memorial Park	Barrowford	Barrowford Memorial Park in its present form was created in two distinct phases. The first was the purchase at auction on 27 July 1921 by two local benefactors Mr. S. Holden and Mr. Dixon of Lot 12 Lower Park Hill, which was gifted to the people of Barrowford in perpetuity as a memorial park. The mill lodge, mill race and the old mill were purchased several years later by Barrowford Urban District Council, with the aid of public subscription, when the land went up for sale. Much of the work was carried out during the depression by unemployed local people. The Park still is Barrowford's Memorial to the two world wars. It contains a sunken garden and small Memorial at which the Armistice Wreath Laying Ceremonies are performed.
Bullholme Playing Fields	Barrowford	Bullholme Playing Fields were part of the original gift for the Memorial Park, along with the allotments and the cemetery. The current playing fields were originally allotments and hen-pens. They were low lying and prone to flooding. The whole area was used as a local landfill and when tipping was finished were converted for use as new playing fields. The football pitches replaced those sited high up Pasture Lane. Bullholme is the home of both Barrowford Cricket Club and Barrowford Celtic Football Academy. A cycle way skirts the playing fields linking with the adjacent Memorial Park and other cycle routes.
Victoria Park	Barrowford	Victoria Park straddles Pendle Water, the boundary between Barrowford and Nelson. It was Nelson's first municipal park. It is an extension of the earlier playing fields and was created to mark Queen Victoria's Diamond Jubilee. The parkland lying within Barrowford contains an ornamental lake. A path passes through a late Victorian Grotto and under Carr Road, connecting the lake with a scenic wooded area. This widens out into a large open space which contains a Grade II Listed Bandstand. The park also acts as a flood plain when Pendle Water is in flood preventing extensive flooding of residential

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Site	Settlement	Statement of Significance
		properties. Significant flood events have occurred in 1967, 2000 and 2015.
Land between Broadway and Gisburn Road	Barrowford	This strip of land was acquired by Barrowford Urban District Council (UDC) when it bought farmland that was formerly part of the Oaklands Farm. Most of the land was developed for council housing during the late 1940s and early 1950s. Barrowford UDC left this green strip along Gisburn Road, possibly as an acknowledgement of the former green field break between Newbridge and Barrowford. This area is currently planted with shrubbery and grass and is the last vestige of the rural boundary between Newbridge and Barrowford.
Field to rear of Holmefield House	Barrowford	The field is part of the curtilage of a former mill owner's house. It is known locally as "back of Sam Holden's canteen" after the last owner. It is currently used as a community centre and Council offices. The field abuts the natural boundary between Newbridge and Barrowford. It is situated amongst predominantly late Victorian terraces and acts as a "village green". For several generations it has been used by local children.
Triangle land at Dickie Nook	Barrowford	This is an open area of land, which once included a toll house and a barn/workshop which was demolished after being hit by a Charabanc in the 1920s. The area has remained open except for the creation of the bus turnaround and includes a raised garden with lawns and trees. The area stretches between Gisburn Road and Barnoldswick Road, providing a green backdrop which enhances the amenity and setting of the Higherford Conservation Area. This land abuts the Conservation Area but is not included within it.
Water Meetings and Utherstone Wood	Barrowford	This is part of the original Higherford Promenade where, in late Victorian and Edwardian times, young people promenaded after Sunday Service. The route to the Water Meetings passes the Grimshaw Oak, one of the oldest trees in the area. The Water Meetings has been a destination for families over generations and once had a tea room providing light refreshments. In recent years the main path has become part of the Pendle Way. The open area of floodplain at the confluence of two streams is particularly popular with both visitors and local residents before the valley narrows and climbs steeply into the area known as Utherstone Woods.

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Site	Settlement	Statement of Significance
Pasture Lane Wildlife Area	Barrowford	This is an area of sloping banking running down to a small stream, nestled behind residential houses. It contains a footpath that meanders down through the site across a little brook at the bottom and links up to the public footpath running from the top of Halstead Lane. The area contains several mature trees with glades providing natural ground cover for both small mammals and birds.
Land at North Park Avenue Carr Hall	Barrowford	This narrow strip of land runs from the end of Park Avenue along the riverside and under the A6068 Barrowford Road. It marks the start of Footpath 29, which follows Pendle Water from Victoria Park to Pendle Street. It links with Footpath 31 at Newbridge, which leads to Sandy Lane. It is essential route linking Barrowford with the strategic housing site at Trough Laithe; the Vantage Court Business Park; the Carr Hall area of Nelson and the Lomeshaye Industrial Estate. It also provides a wildlife corridor connecting Victoria Park and the wider area.

Note: A further 14 Local Green Space sites are proposed in the Colne Neighbourhood Development Plan. Any sites in Colne that are formally designated following the independent Examination of the plan will be included here.

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### Appendix 7: Glossary

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Term	Description
<b>Affordable housing</b>	Housing for sale or rent, for those whose needs are not met by the Market. Includes housing that provides a subsidised route to home ownership and/or is for essential local workers.
<b>Air quality management areas (AQMA)</b>	Areas designated because they are not likely to achieve national air quality objectives by the relevant deadlines.
<b>Ancient or veteran tree</b>	A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage.
<b>Ancient woodland</b>	An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites (PAWS).
<b>Archaeological interest</b>	A <b>heritage asset</b> that holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.
<b>Best and most versatile agricultural land</b>	Land in grades 1, 2 and 3a of the Agricultural Land Classification.
<b>Brownfield land</b>	See <b>previously developed land</b> .
<b>Brownfield land register</b>	A list of previously developed land that is considered to be appropriate for residential development, having regard to criteria in the Town and Country Planning (Brownfield Land Registers) Regulations 2017. Suitable sites can be granted <b>permission in principle</b> for residential development where the required procedures are followed.
<b>Climate change adaptation</b>	Adjustments made to natural or human systems in response to the actual or anticipated impacts of climate change, to mitigate harm or exploit beneficial opportunities.
<b>Climate change mitigation</b>	Action to reduce the impact of human activity on the climate system, primarily through reducing greenhouse gas emissions.
<b>Commercial Core</b>	That part of a town centre where retail development and other commercial activity is concentrated.
<b>Deliverable</b>	To be considered deliverable housing sites should be <i>available</i> now; offer a <i>suitable</i> location for development now; and be <i>achievable</i> , with a realistic prospect that housing will be delivered on the site within five years.
<b>Designated heritage asset</b>	A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.
<b>Designated rural areas</b>	National Parks, Areas of Outstanding Natural Beauty and areas designated as 'rural' under <a href="#">Section 157 of the Housing Act 1985</a> .



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Term	Description
<b>Developable</b>	To be considered developable, sites should be in a suitable location for housing development, with a reasonable prospect that they will be available and could be viably developed at the point envisaged.
<b>Development plan</b>	Defined in <a href="#">section 38 of the Planning and Compulsory Purchase Act 2004</a> . It includes adopted <b>local plans</b> and any <b>neighbourhood plans</b> that have been ‘made’. Neighbourhood plans approved at referendum are also part of the development plan, unless the local planning authority decides that the neighbourhood plan should not be made.
<b>Edge of centre</b>	For retail purposes, a location that is well connected to, and up to 300 metres from, the primary shopping area. For all other main town centre uses, a location within 300 metres of a town centre boundary
<b>Geodiversity</b>	The range of rocks, minerals, fossils, soils and landforms.
<b>Green infrastructure</b>	A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.
<b>Habitats site</b>	Any site included within the definition at Regulation 8 of the <a href="#">Conservation of Habitats and Species Regulations 2017</a> . Includes, but is not limited to (candidate) Special Areas of Conservation and Special Protection Areas etc.
<b>Heritage asset</b>	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes <b>designated heritage assets</b> and assets identified by the local planning authority in a <b>Local List</b> .
<b>Local List</b>	Used to identify <b>significant</b> heritage assets that help to reinforce a sense of local character and distinctiveness, but have not been formally designated.
<b>Local Plan</b>	A plan drawn up by the local planning authority in consultation with the local community, setting out the future development of the area.
<b>Material Consideration</b>	A matter that should be taken into account when determining whether or not to approve an application for planning permission, or decide an appeal against a planning decision.
<b>Neighbourhood Plan</b>	A plan prepared by a parish council or neighbourhood forum for a designated neighbourhood area.
<b>Open space</b>	Areas considered to be of public value, They include not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.
<b>Original building</b>	A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.
<b>Out of centre</b>	A location which is not in or on the edge of a town centre, but is not necessarily outside the urban area.

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Term	Description
<b>Out of town</b>	An <b>out of centre</b> location that is outside the existing urban area.
<b>Permission in principle</b>	A form of planning permission establishing that 'in principle' a site is suitable for housing-led development. The site must receive a grant of technical details consent before development can proceed.
<b>Planning condition</b>	A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990). Also applies to a condition included in a Local or Neighbourhood Development Order.
<b>Planning obligation</b>	A legal agreement entered into under <a href="#">section 106 of the Town and Country Planning Act 1990</a> to mitigate the impacts of a development proposal.
<b>Previously developed land</b>	Land which is or was occupied by a permanent structure; its curtilage and any associated fixed surface infrastructure. This definition excludes: <ul style="list-style-type: none"> <li>• land that is or was last occupied by agricultural or forestry buildings;</li> <li>• land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made;</li> <li>• land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and</li> <li>• land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.</li> </ul>
<b>Priority habitats and species</b>	Species and Habitats of Principal Importance included in the <a href="#">England Biodiversity List</a> published by the Secretary of State under <a href="#">section 41 of the Natural Environment and Rural Communities Act 2006</a>
<b>Renewable and low carbon energy</b>	Renewable energy for electricity, heating and cooling is generated from sources whose energy flows occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat.  Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).
<b>Significance</b>	In heritage policy this refers to the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.
<b>Site of Special Scientific Interest</b>	Sites designated by Natural England under the <a href="#">Wildlife and Countryside Act 1981</a> . Used to describe an area that's of particular interest to science due to the rare species of fauna or flora it contains – or important geological or physiological features that may lie within its boundaries.

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Term	Description
<b>Strategic policies</b>	Policies and site allocations which address strategic priorities in line with the requirements of <a href="#">Section 19 (1B-E) of the Planning and Compulsory Purchase Act 2004</a> .
<b>Supplementary planning documents</b>	Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.
<b>Sustainable transport</b>	Any efficient, safe and accessible means of transport with low overall impact on the environment. Includes walking and cycling, low and ultra-low emission vehicles, car sharing and public transport.
<b>Town centre</b>	The area predominantly occupied by main town centre uses within or adjacent to the primary shopping area. The reference can apply district and local centres, but excludes small parades of shops of purely neighbourhood significance and out-of-centre retail developments.
<b>Wildlife corridor</b>	Areas of habitat connecting wildlife populations.
<b>Windfall sites</b>	Sites not specifically identified in the development plan.

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**If you would like this information in a way which is better for you, please telephone us.**

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آپ کے لئے زیادہ مفید ہو تو برائے مہربانی ہمیں ٹیلیفون کریں۔



**Liberata**

