



Andrew Ashcroft
Independent Examiner
< by email >

20th March 2023

Dear Mr Ashcroft,

Further to your request for clarification of the comments raised in the letter from the Lenches Residents, we provide the following responses.

No comments were submitted (by the Lenches Residents Group or predecessor groups) prior to or during the Regulation 14 consultation.

Public reaction to the potential development of the Lenches was triggered by surveyors appearing on the Lenches prior to the subsequent planning application and the Pendle Local Plan Part 2 consultation. Two approaches were subsequently made by the developer (Gleeson) for the Lenches to be identified in the CNDP as a housing site; and by residents to designate it as a Local Green Space. Both suggestions were rejected, owing to the fact they would have triggered a further Regulation 14 consultation. In consequence, no formal assessment of the site for housing or Local Green Space designation has ever been carried out. To complete the picture, the planning application was withdrawn by the applicant following a recommendation to refuse in the officer's report.

Regarding the locations of the littering and fly-tipping examples, we accept that the images taken from social media that we included in our response were from South Valley sites near and adjacent to our chosen housing sites and are not the sites themselves.

The map (right) indicates the likely locations of these social media pictures, annotated with comments and posts from groups who weekly seek to combat fly tipping and litter in the area, both on our chosen housing sites and adjacent areas.

We photographed our chosen housing sites on Monday, 13th March to give an accurate picture of their current state and these were available to view at the hearing and are in the Appendix. This is a constant issue affecting lower quality open spaces in Pendle Borough.



We asked for a report from the Environmental Services Manager at Pendle Borough Council and he has confirmed that not only do they regularly clear these sites and the adjacent areas, but they regularly respond to complaints from Councillors and members of the public. PBC proactively targets these areas for litter and fly-tipping, in addition to regularly clearing and the responses to complaints.

Here is the report that PBC has extracted from its CRM system:

Waterside Enforcement Action taken since January 2023 to March 2023

Dog Fouling Patrols carried out Millennium Green, Spring Gardens Road Shaw Street Green Road, Earl Street, Duke Street twice a week also exchange street, Midgley and Basil Streets. Dog Fouling signs put up to remind dog owners of responsibilities in picking up waste. Dog problems reported for dogs straying, and owners informed Basil Street.

CPW referral Earl Street extra photos taken for breach of CPW for ASB Officer.

Waste services informed of waste left on streets, targeting bin bags, mattresses, and furniture including wood to be cleared by flyers.

2 person team visits each Monday to remove flytipped items. 15 staff hours per week minimum.

Enforcement staff patrol routinely equating to 1 person / 15 hours per week

Clearly, litter/fly-tipping is not the reason the sites were selected, although this is often used by Pendle Borough Council as a reason for declaring sites they own as surplus to requirements given the savings from no longer having to maintain them. An example is 54, Carleton Street, Nelson whose disposal was agreed on 16th March at the Policy and Resources Committee.

The CNDP seeks to promote regeneration of areas like Waterside, in line with the proposals in the South Valley Masterplan from 2007, and this is also the focus of the new PBC Masterplan exercise for Colne. The South Valley Masterplan was clear in its appraisals and conclusions that an excess of poorly maintained amenity green spaces was a threat to the area and the quality of life of the residents. Strategic housing developments overlooking and being in close proximity to the open and green spaces is the objective, as then residents are more likely to value them and take pride in them. Waterside has 84 open spaces, of which 44 are amenity greenspaces, far more than any other ward in Pendle. Against the Fields in Trust (FIT) standard and the Average Provision Rate (APR) for the borough, Waterside is top in both measures.

The Pendle Open Space Audit 2019 gives the score of the three proposed development sites (CNDP6/1, 5 & 6) as being just above Poor, although the definition as “poorly maintained, unkempt, have noticeable amounts of litter, are generally unwelcoming” indicates that they have got worse in recent years. There is a direct equivalence with the site at Harrison Drive which was chosen as a Housing Site in our Reg 14 submission. It had a Poor score in the Open Space Audit and was beset by frequent fly-tipping, although it was well-positioned for Alkincoates Park and Nature Reserve and the sports fields. It has now come forward as a regenerative, social eco-housing development and has been welcomed by the vast majority of residents.

Yours sincerely,



CLlr Sarah Cockburn-Price

Chairman of the Colne Neighbourhood Plan Advisory Committee

Appendix – Condition of proposed CNDP development sites

