

Pendle Local Plan Fourth Edition



Duty to Cooperate Statement of Compliance

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Versions

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1. Introduction

- 1.1 This Duty to Cooperate Statement of Compliance provides evidence of how Pendle Borough Council (the Council) has sought to engage and co-operate with its neighbouring authorities, prescribed bodies and other bodies during the preparation of the Pendle Local Plan Fourth Edition (the Local Plan), in respect of strategic cross boundary issues. It also demonstrates how these discussions and negotiations have helped to shape the policies within the plan, and the arrangements put in place to enable cross boundary engagement and collaboration to continue following the Local Plan's adoption.
- 1.2 Chapters 1-3 address the purpose and legislative requirements associated with the Duty to Cooperate. Chapter 5 provides a summary of the strategic cross boundary matters affecting the Borough of Pendle, with a detailed account provided in Appendix 1. Chapter 6 sets out the conclusions that have been reached on each of these matters.
- 1.3 Statements of Common Ground (SoCG) have been prepared, which address the key cross boundary issues with each neighbouring local planning authority and help to demonstrate how the Council has addressed the requirements of the Duty to Cooperate through the preparation of the Local Plan. A list of the key strategic cross boundary issues that have been identified and the signatories to the various SoCGs that have been prepared are set out in Table 1.1.
- 1.4 The Local Plan has been prepared in accordance with the policies of the December 2023 version of the National Planning Policy Framework (NPPF) and submitted for examination under the transitional arrangements set out in Annex 1 of the revised NPPF (December 2024). Consequently this document references policies of the December 2023 version of the NPPF.

Table 1.1: Statements of Common Ground for the Pendle Local Plan Fourth Edition 2021-2040

Signatories	Strategic cross boundary issues	Facilitation
Burnley Borough Council and Pendle Borough Council	Housing, employment, environment, flood risk, transport, tourism, and infrastructure	DPOG, Leaders Group, Chief Executive Group, and ongoing cooperation
North Yorkshire Council and Pendle Borough Council	Housing, transport, employment, flood risk, tourism, and environment	One-off meetings and ongoing cooperation
Ribble Valley Borough Council, Lancashire County Council and Pendle Borough Council	Forest of Bowland National Landscape	DPOG, Leaders Group, Chief Executive Group, and ongoing cooperation
Bradford Metropolitan Borough Council and Pendle Borough Council	Transport, landscape impact and environment (see South Pennine Moors SSSI below).	South Pennines Group (see below) and ongoing cooperation

Signatories	Strategic cross boundary issues	Facilitation
Calderdale Metropolitan Borough Council and Pendle Borough Council	Flood risk, landscape impact and environment (see South Pennine Moors SSSI below).	South Pennines Group (see below) and ongoing cooperation
Local planning authorities including parts of the South Pennine Moors SSSI and Pendle Borough Council	South Pennine Moors Site of Special Scientific Interest (SSSI), tourism and renewable energy	South Pennines Group meetings and ongoing cooperation

2. Legislative and planning policy context

- 2.1 Section 110 of the Localism Act 2011 introduced the Duty to Co-operate [“The Duty”].¹ The Duty requires local planning authorities, such as Pendle Borough Council, to engage constructively, actively and on an ongoing basis with neighbouring local planning authorities, and county councils on strategic cross-boundary matters in the preparation of local planning documents. The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) set out how local authorities can meet their legal obligations under the duty.
- 2.2 Detailed guidance on the Duty to Cooperate was withdrawn on 13 September 2018 and transferred into the guidance on Plan-making. This PPG confirms that strategic matters are defined by, but not limited to, strategic policies.
- 2.3 Paragraphs 20-23 of the 2023 NPPF sets out the national planning policy position in relation to strategic policy. It outlines that strategic policies should set out an overall strategy for the pattern, scale and design quality of places and make sufficient provision for:
- Housing (including affordable housing), employment, retail, leisure, and other commercial development;
 - Infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
 - Community facilities (such as health, education, and cultural infrastructure); and
 - Conservation and enhancement of the natural, built, and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.
- 2.4 The NPPF (paragraph 26) goes on to state that:
- “Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs cannot be met wholly within a particular plan area could be met elsewhere.”*
- 2.5 To demonstrate effective and on-going joint working Paragraph 27 of the NPPF requires the preparation and maintenance of one or more statements of common ground, document the cross-boundary matters being addressed and progress in cooperating to address these issues.
- 2.6 This evidence of ongoing working and collaboration now forms part of the tests of soundness as outlined in Paragraph 35 of the NPPF, namely:
- a) Positively Prepared – Provide a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - b) Justified – An appropriate strategy, taking into account the reasonable alternatives, based on proportionate evidence;

¹ This added Section 33A into the Planning and Compulsory Purchase Act 2004.

- c) Effective – Deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – Enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

2.7 PPG sets out what a Statement of Common Ground is expected to include:

- a) A short written description and map showing the location and administrative areas covered by the statement, and a brief justification for these area(s);
- b) The key strategic matters being addressed by the statement;
- c) The plan-making authorities responsible for joint working detailed in the statement, and list of any additional signatories (including cross-referencing the matters to which each is a signatory);
- d) Governance arrangements for the cooperation process, including how the statement will be maintained and kept up to date;
- e) If applicable, the housing requirements in any adopted and (if known) emerging strategic policies relevant to housing within the area covered by the statement;
- f) Distribution of needs in the area as agreed through the plan-making process, or the process for agreeing the distribution of need (including unmet need) across the area;
- g) A record of where agreements have (or have not) been reached on key strategic matters, including the process for reaching agreements on these; and
- h) Any additional strategic matters to be addressed by the statement which have not already been addressed, including a brief description how the statement relates to any other statement of common ground covering all or part of the same area.

2.8 The Local Plan will set out development needs for the borough over the plan period 2021 to 2040. It defines the strategic approach taken to development, allocates land to meet identified needs, and sets out detailed policies to manage and guide development through decision making.

2.9 Once adopted, the Local Plan will form part of the statutory development plan for Pendle. The development plan currently comprises:

- Saved policies from the Pendle Replacement Local Plan 2001-2016 (2006) *
- Lancashire Joint Minerals and Waste Plan: Core Strategy (2009)
- Lancashire Joint Minerals and Waste Plan: Site Allocation and Development Management Policies (2013)
- Bradley Area Action Plan (2011) *
- Pendle Local Plan Part 1: Core Strategy (2015) *
- Barrowford Neighbourhood Development Plan (2019)
- Trawden Forest Neighbourhood Development Plan (2019)
- Kelbrook and Sough Neighbourhood Development Plan (2022)
- Colne Neighbourhood Development Plan (2023)

Note: * Document will be replaced by the Pendle Local Plan Fourth Edition 2021-2040

- 2.10 Preparation of the Local Plan followed on from the decision made by Council in December 2021 to abandon work on the Pendle Local Plan Part 2: Site Allocations and Development Management Policies DPD (the Local Plan Part 2). This document would have accompanied, the adopted Core Strategy.
- 2.11 The timing of this decision has allowed the Council to make use of evidence and draft policies prepared originally for inclusion in the Local Plan Part 2 where appropriate, thereby helping to reduce the time and resources needed to prepare the new Local Plan.
- 2.12 The Council addressed this proposed approach with the prescribed bodies, developers, and members of the public through the consultation on the Scoping Report and Methodology and received no objections.
- 2.13 Where necessary, new and updated evidence has been sought. The Council also conducted a Call for Sites exercise as part of the plan-making process.

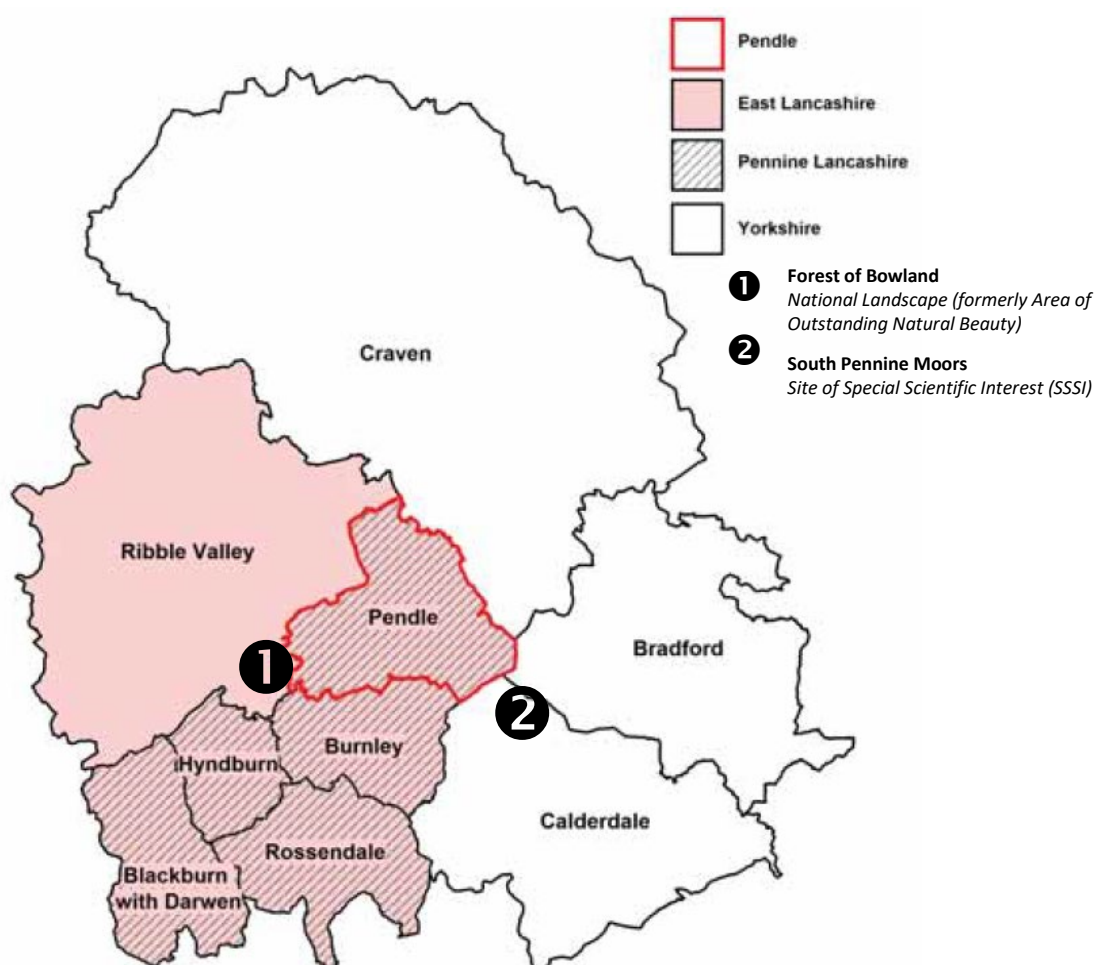
3. Strategic context

- 3.1 This chapter looks at the strategic cross boundary issues affecting Pendle and neighbouring local authorities, addressing matters that affect the prescribed bodies.

Cross Boundary Relationships

- 3.2 Pendle is one of 12 district councils in the county of Lancashire. Together with Blackburn-with-Darwen, Burnley, Hyndburn, Ribble Valley, and Rossendale, it also forms part of the Pennine Lancashire sub-region.
- 3.3 To the south and west Pendle shares a border with the Lancashire districts of Burnley and Ribble Valley. To the north and east lies the former district of Craven, now part of the unitary authority of North Yorkshire Council, whilst to the south-east is Bradford and Calderdale, both unitary authorities, and both part of the West Yorkshire Combined Authority (Map 1.1). Within these five neighbouring authorities a total of eighteen parish councils also share a border with Pendle.

Map 1.1: Neighbouring Authorities



- 3.4 Pendle's strongest links are with neighbouring Burnley. Together with the settlements of Brierfield, Nelson, Barrowford and Colne in Pendle, it forms part of an extended urban area with a combined population in excess of 150,000.
- 3.5 Pendle's residents, particularly in the southern part of the borough, are highly likely to use facilities in Burnley on a frequent basis. Burnley town centre is a major draw, as it contains a number of well-known high street stores and a multiplex cinema, which are not present in any of Pendle's towns. Out-of-town leisure facilities such as Crow Wood Hotel and Woodland Spa and Burnley Football Club, also draw a considerable number of Pendle residents into Burnley. In the opposite direction, and particularly at weekends, the large Boundary Outlet at Colne, the attractive countryside around Pendle Hill and other tourist hot-spots, such as the Wycoller Country Park, attract many visitors into Pendle from Burnley and further afield.
- 3.6 The Burnley Bus Company (Transdev Group) operates Pendle's bus network. Services across the two boroughs are fully integrated. Direct road and rail links exist between the settlements in Pendle and Burnley and there are numerous footpath and cycling links. The Lancashire Cycling and Walking Infrastructure Plan (LCWIP) prepared for Lancashire County Council covers both Burnley and Pendle. It proposes improvements to further enhance connectivity between the two authorities.
- 3.7 The vast majority rivers in Pendle form part of the upper catchment of the River Calder which flows through Padiham, a small town to the north west of Burnley, which has experienced severe flooding in the past. The Leeds and Liverpool Canal winds its way through both authorities and is an important historical, recreational and wildlife asset. The Burnley Waste Water Treatment Works is located in Pendle and forms a major site within the North West Green Belt. The stated purpose of the Green Belt in Lancashire is to restrict urban sprawl and prevent the coalescence of settlements found within the M65 Corridor, including those in Burnley as well as Pendle.
- 3.8 Given the high levels of social interaction between Burnley and Pendle, it is unsurprising that they are part of a joint Housing Market Area (HMA) and functional economic market area (FEMA) as evidenced in the Pendle Housing and Economic Development Needs Assessment (HEDNA) (Iceni Projects, 2023). There are strong commuting links and migration movements between the two authorities, which have similar housing markets within the M65 Corridor. Residents in this part of the borough also rely on social infrastructure, retail and cultural facilities found within neighbouring Burnley.
- 3.9 That part of Pendle north of Foulridge, was part of the West Riding of Yorkshire until local government reorganisation and the creation of Pendle Borough Council in 1974. The area still retains strong historical, cultural and economic links with the nearby market town of Skipton in North Yorkshire. Two way commuting patterns exist between Skipton and the West Craven towns of Barnoldswick and Earby. Whilst retail and leisure opportunities are the principal reasons for visiting Skipton, the presence of highly skilled employment opportunities within an advanced engineering sector strongly associated with the aerospace industry are the main draw in West Craven.

- 3.10 Pendle was formerly connected to Yorkshire by the Colne to Skipton railway. This trans-Pennine route was dismantled in the early 1970's, but efforts to restore the 'missing link' continue given capacity constraints on the three remaining trans-Pennine routes to the south. The proposal has strong cross boundary support. Watercourses flowing through Earby discharge into the River Aire catchment and have the potential to contribute towards flood risk at downstream locations in Yorkshire.
- 3.11 The imposing physical barrier of the 557m high Pendle Hill means that there is limited interaction between Pendle and Ribbles Valley to the west. Environmental concerns are the main focus for partnership working, with management of the Forest of Bowland National Landscape around Pendle Hill co-ordinated by Lancashire County Council. Links between the housing markets in the two boroughs are minimal and restricted to high value properties in and around the idyllic villages of the National Landscape.
- 3.12 The 3.3km boundary with Bradford is the shortest with any neighbouring authority. The only direct transport link is the narrow road linking the villages of Lanesshaw Bridge and Haworth. Environmental concerns are the foremost reason for cross-boundary working, in particular the management and stewardship of the internationally important South Pennine Moors. This vast and desolate expanse of moorland also sits astride the 4.1km boundary with Calderdale. With no direct transport links, cross boundary issues are once again focussed on environmental matters.
- 3.13 In 2011 the six local authorities making up the East Lancashire sub-region jointly prepared the *Pennine Lancashire Spatial Guide*; a non-statutory planning document that sought to address the following challenges and opportunities:
- Promoting economic regeneration;
 - Rebalancing the housing market;
 - Improving accessibility and connectivity; and
 - Protecting and enhancing the high quality environment (green infrastructure).
- 3.14 Long established road and rail links westwards from Pendle mean that although the borough does not share an administrative boundary with Hyndburn or Blackburn-with-Darwen, relatively strong commuting patterns do exist and there is a degree of migration between the different housing markets. To a lesser extent this is also true for Rossendale to the south as the A56, which passes through both boroughs, provides an important dual carriageway link between the M65 and M66 motorways. The latter connects with the M62/M60 north of Manchester, which provides the main east-west transport artery in the north of England, and links to Manchester Airport.
- 3.15 Table 3.1 summarises the relative importance of cross-boundary strategic issues between Pendle and its closest neighbouring local planning authorities.

Table 3.1: Summary of Cross Boundary Strategic Issue

Local authority	Cross Boundary Issue			
	Housing	Employment	Transport	Environment
Blackburn-with-Darwen	Weak/indirect	Moderate	Moderate	Weak/indirect
Bradford	Weak/indirect	Weak/indirect	Weak/indirect	Strong
Burnley	Strong	Strong	Strong	Strong
Calderdale	None/negligible	None/negligible	None/negligible	Strong
North Yorkshire (Craven)	Moderate	Moderate	Strong	Moderate
Hyndburn	Weak/indirect	Moderate	Moderate	Weak/indirect
Ribble Valley	Weak/indirect	Weak/indirect	Weak/indirect	Strong
Rossendale	Moderate	Weak/indirect	Moderate	Weak/indirect

Bold Text = Neighbouring authority

- 3.16 Table 3.2 provides a summary of the position each relevant local authority has reached in its production of an up-to-date Local Plan. At the time of writing, none had made a formal request for Pendle Council to help meet any of its identified development needs through site allocations in the Pendle Local Plan.
- 3.17 As demonstrated by the Council's Strategic Housing Land Availability Assessment (SHLAA) and the updated Employment Land Review included within the HEDNA, the housing and employment land requirements of the Local Plan can be met in full within the Borough's boundaries. In accordance with the planned spatial strategy (Policies SP02/SP03) there is no need for a neighbouring authority to help meet the development needs of Pendle.

Table 3.2: Local Plan Position Summary (December 2024)

Local Authority	Plan Status	Housing Requirement		
		Dwellings per annum	Met in full by allocations?	Request to meet unmet need?
Blackburn-with-Darwen	Adopted (2023)	447	Yes	No
Bradford	Reg 18 Draft	1,704	Yes*	No

Local Authority	Plan Status	Housing Requirement		
		Dwellings per annum	Met in full by allocations?	Request to meet unmet need?
Burnley	Adopted (2018) Not under review	194	Yes	No
Calderdale	Adopted (2023)	997	Yes	No
North Yorkshire (Craven)	Adopted (2019) North Yorkshire Plan in initial stages of preparation	230	Yes	No
Hyndburn	Reg 19 final draft	194	Yes	No
Ribble Valley	Adopted (2022) Review commenced	280	Yes	No
Rossendale	Adopted (2021)	188	Yes	No

*Council has resolved to adopt a housing requirement lower than the standard method, as amended.

Regional Governance and Organisations

- 3.18 As part of a two-tier area, Lancashire County Council is responsible for delivering many public services in Pendle, including education, transport, and social services. It is also the minerals and waste, highway, and lead local flood authority and as such forms an important consultee for plan-making and decision-taking.
- 3.19 Lancashire County Council is currently preparing an update to its Joint Minerals and Waste Local Plan and Pendle Council has taken part in its preparation, assisting the County Council as required.
- 3.20 Lancashire County Council is also the responsible authority for the preparation of the Local Nature Recovery Strategy (LNRS) for the county. In its role as a supporting authority Pendle Council is assisting with the preparation of this strategy with attendance and input at regularly scheduled LNRS meetings and the provision of local data where required.
- 3.21 The Council also works with and consults the following regional bodies through the preparation of the Local Plan:
- Lancashire Enterprise Partnership – Local LEP (Regulation 4 body)
 - Forest of Bowland National Landscape Board – formerly the AONB Board
 - East Lancashire Chamber of Commerce
- 3.22 The South Pennines Park Ltd. (previously known as Pennine Prospects) was the Local Nature Partnership responsible for matters associated with the South Pennine Moors SSSI. The organisation was wound up in 2024, with its role as a Regulation 4 body passing to the South Pennines Group on a temporary basis, whilst alternative arrangements are put in place.

Prescribed Bodies and Specific Consultation Bodies

- 3.23 In accordance with Regulation 2 and 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Council has engaged with prescribed bodies and other bodies. Table 3.3 lists these bodies together with a brief explanation of their role and responsibilities.

Table 3.3: Prescribed Bodies and Other Bodies

Name	Statutory role	Areas of responsibility
Highways England	Reg 2 body	Strategic Highway Network (SRN)
Environment Agency	Reg 4 body	Main Rivers
Natural England	Reg 4 body	Protected habitats and species
Historic England	Reg 4 body	Conservation and enhancement of the historic environment
Sport England	-	Access and quality of sports provision
Homes England	-	Social housing developments
United Utilities	Reg 2 body	Utilities
Yorkshire Water	Reg 2 body	Utilities
Ministry of Housing, Communities and Local Government	Reg 4 body	Government department
National Landscape Management Board	-	Stewardship of the Forest of Bowland National Landscape
Coal Authority	Reg 2 body	Mining legacy
East Lancashire CCG	Reg 4 body	Health provider
Lancashire Constabulary	Reg 2 body	Police authority
Network Rail	Reg 2 body	Transport infrastructure
Office of Road and Rail	Reg 4 body	Infrastructure regulator
NATS	Reg 4 body	Air traffic control authority
Lancashire Wildlife Trust	Reg 4 body	Local Nature Partnership
Canal & River Trust	Reg 2 body	Management of waterway infrastructure.

4. Summary of joint working

- 4.1 This chapter considers the arrangements that have been put in place to facilitate joint working across administrative boundaries and with different government tiers and departments, statutory bodies, infrastructure providers and other important stakeholders.
- 4.2 These arrangements provide a cohesive approach to the planning and delivery of new development and growth. They help to establish and maintain open lines of communication and foster discussion. This is a key in helping participants to realise their own sub-regional and strategic ambitions, whilst also addressing local needs and priorities.
- 4.3 A detailed account of the specific cross boundary meetings that have taken place and the issues discussed during the preparation of the Local Plan is provided in Appendix 1 and referenced within each Statement of Common Ground (SoCG) as appropriate.

Cross Boundary Working

- 4.4 In accordance with the Regulations on planning, officers of the Council regularly engage with their counterparts in neighbouring authorities, other Pennine Lancashire authorities, and other Lancashire authorities. All these authorities have also been invited to comment on our plan proposals during the formal stages of public consultation undertaken during the plan preparation process.
- 4.5 Further opportunities for continued engagement, sharing of ideas and best practice, progress updates, and opportunities for learning and joint working are provided by the quarterly chief executive, officer and councillor meetings and working groups. Most notably these include:
- Lancashire Leadership Group
 - Lancashire Chief Executive Group
 - Lancashire Development Plan Officer Group (DPOG)
 - Lancashire Development Control Officer Group (DCOG)²
- 4.6 The Lancashire Leadership Group comprises the elected leaders of each district council in the county as well as Lancashire County Council. The meetings facilitate the discussion of local and sub-regional issues at a county level helping to increase awareness and support for the local political agenda. The leadership group works towards collective agreement and collaboration to support the publication and implementation of county-wide or sub-county initiatives through district level policy.
- 4.7 The Lancashire Chief Executive Group is attended by the appointed Chief Executive of each district council and Lancashire County Council. The group provides an opportunity for corporate and key strategic matters to be discussed, providing enhanced understanding and collaboration on strategic cross-boundary issues. This increases the opportunity for the alignment of strategic policy and corporate strategies. The group is currently leading work on the Lancashire 2050 plan, which will establish a shared vision, ambition and priorities for the county.

² Development Management was formerly known as Development Control.

- 4.8 The Lancashire Development Plan Officer Group (known as DPOG) was established to share best practice, explore ideas, share knowledge and inform local planning matters. The group facilitates regular communication and cross-boundary understanding at an officer level across Lancashire acting as a conduit for key workstreams. The group meets quarterly and is attended by Planning Policy Managers from each of the 14 local planning authorities in Lancashire. Lancashire County Council send representatives from their environment, health, education, highways, and flood risk teams, as appropriate. Officers from the Environment Agency also attend meetings on a regular basis, whilst those from Natural England attend as needed.
- 4.9 The Lancashire Development Control Officer Group (known as DCOG) is attended by Development Management officers from across Lancashire. It has a similar role to DPOG but focuses on the application of detailed development management issues. Issues raised during these meetings help to coordinate information, share knowledge, and use resources as appropriate across local planning authorities. The meeting is held quarterly.
- 4.10 Where joint working has not proved to be possible, the Council and/or the authors of their evidence have proactively sought to involve and obtain the comments of the relevant parties on matters addressing strategic cross boundary issues. A summary of the engagement that has taken place on key strategic cross boundary issues during the preparation of the Local Plan is provided in Chapter 5 of this report, with a more detailed account set out in Appendix 1.

Regional Governance and Organisations

- 4.11 Officer and elected members of the Council regularly participate in county-wide and sub-regional discussions to address strategic cross-boundary matters. These meetings ensure that an open dialog is maintained and that ideas are fully discussed, helping to secure agreement, collaboration, and joint working. The Council is represented at the following working groups:
- Lancashire Local Nature Partnership (LNP)
 - Lancashire Local Nature Recovery Strategy (LNRS)
 - South Pennines Group
 - Pendle Making Space for Water Group
- 4.12 The Lancashire Local Nature Partnership (Lancashire LNP) operates as a sounding board for decision makers, helping to align and coordinate plans and strategy addressing nature across the region. Lancaster University has led on the creation of the new Lancashire LNP, which involves a wide selection of organisations, including all of Lancashire's local authorities and the relevant statutory agencies like Natural England, the Environment Agency, and the Local Enterprise Partnership, as well as conservation groups, charities, businesses, and universities. The Partnership's key role is to enable and support the delivery of environmental and wildlife conservation and enhancement projects, as well as to advise and guide local decision-makers, ensuring that policies enhance the local natural environment and consider their impact on biodiversity, water quality, climate change and air quality in the region.
- 4.13 The Lancashire Local Nature Recovery Strategy (LNRS) group meetings focus on driving forward nature recovery and provide wider environmental improvements established by the Environment Act 2021. The primary purpose of the Lancashire LNRS is to find locations for the creation, connection, or improvement of habitat. It aims to identify the locations most likely to provide the greatest benefit for nature and the wider environment. The Ribble Rivers Trust currently chair meetings.

- 4.14 Pendle Council maintains a supporting role in the preparation and adoption of the Lancashire LNRS. Officers of the Council attend quarterly hybrid meetings chaired by Lancashire County Council. The Council has, throughout the preparation of the LNRS, supported its development by attending workshops and by providing data and local knowledge, as necessary. A range of Council departments have been involved in this process. The Council has also sought to support and align the Local Plan with the LNRS through Policies DM04 and DM05 of the publication draft document. The draft LNRS for Lancashire is due to be published for public consultation in early 2025.
- 4.15 The South Pennines Group is now a quarterly online meeting currently chaired by the City of Bradford Metropolitan District Council. The group was originally established to address wind farm proposals on the sensitive upland moors. Following the collapse of South Pennines Park Ltd. (the successor to Pennine Prospects and the Standing Conference of South Pennine Authorities) the purpose of the group has evolved to address other issues with links to planning such as visitor management pressures within the South Pennine Moors SSSI. The group is officer led, and membership includes local planning authorities from East Lancashire, North, West and South Yorkshire, Greater Manchester, and North Derbyshire.
- 4.16 A Statement of Common Ground addressing the role of the group is in the process of being agreed and formally signed-off by the participating authorities. This SoCG will be submitted as part of the examination process, forming an addendum to this Statement of Compliance, should it become available.
- 4.17 Making Space for Water meetings take place quarterly. The working group provides a pro-active response to flooding and drainage issues within the Borough and is chaired by the Lead Local Flood Risk Authority (Lancashire County Council). It is attended by officers from planning policy and engineering services, United Utilities, Yorkshire Water, and the Environment Agency. Typically items for discussion relate to specific projects and issues which have been raised by members of the public, many using the “Love Clean Streets” app. The meeting also provides an additional opportunity to discuss matters related to strategic flood risk and spatial planning matters, including potential site allocations.
- 4.18 Through the preparation of the Local Plan, the Council has engaged regularly with its sub-regional partners to discuss the content and issues raised by the Local Plan, and its potential role in supporting and contributing to the achievement of relevant strategic cross boundary matters (see Chapter 5/Appendix 1).

Prescribed Bodies and Specific Consultation Bodies

- 4.19 In accordance with the Regulations on planning, the Council regularly meets with prescribed bodies and specific consultation bodies through both plan-making and decision-taking. This includes meetings arranged directly between officers of the Council and the statutory bodies detailed in Appendix 1.
- 4.20 All prescribed and specific consultation bodies have been invited to comment on evidence produced to support policies and requirements of the Pendle Local Plan, with comments invited on the methodology used, assumptions and outputs. Details are set out below.

- 4.21 The Council invited representation from the prescribed bodies and specific consultation bodies during Regulation 18 consultation on the first draft of the Local Plan, and Regulation 19 consultation on the final draft of the Local Plan, also known as the 'Publication' or 'Pre-Submission' version of the Plan. As part of the public consultation officers hosted a workshop including a short presentation followed by a question and answer session solely for the prescribed and specific consultation bodies.
- 4.22 Representations to the Draft Local Plan were received from:
- The Environment Agency
 - Natural England
 - Historic England
 - National Highways
 - Sport England
 - United Utilities
 - Canal & River Trust
 - The Coal Authority
- 4.23 The individual comments within each representation have been fully considered. The Council has taken positive steps to address the issues that have been raised by holding follow-up meetings, collecting additional evidence, or making changes to the draft policy wording as necessary (see Consultation Statement for details).

Outputs of Cross Boundary and Regional Collaboration

- 4.24 The following documents have been prepared jointly or with the support of other local planning authorities and/or prescribed bodies. They continue to be relied upon by the Council as either an evidence base document, providing context to the preparation of the Local Plan, or in assisting the implementation of the plan and its policies. They are addressed in order of their date of publication.
- 4.25 The Lancashire Landscape Character Assessment (2000) was jointly commissioned by Lancashire County Council, Blackburn with Darwen Council, and North Yorkshire County Council with the support of the local planning authorities in Lancashire. The document provides a comprehensive assessment of urban and rural landscapes across the county, offering an objective description and classification of the various typologies that are identified. The report's findings help to inform the assessment of sites submitted for consideration as potential site allocations for future development through the site appraisal process.
- 4.26 The Historic Town Surveys for Colne, Nelson, and Barnoldswick (2005/2006) were commissioned on behalf of the Council by Lancashire County Council. The surveys provide a robust overview of the urban form and character of the boroughs three main towns describing the way in which these settlements have changed over time. The surveys pick out some of the key landmarks, materials and vernacular details which contribute positively to the built environment and make each settlement unique. They continue to provide a reliable source of information in understanding the built environment in Pendle. This is demonstrated by the reference that is made to them in Policy DM18 and their role in establishing the baseline conditions for the Local Plan as set out in the Sustainability Appraisal.

- 4.27 The Joint Lancashire Minerals and Waste Local Plan Core Strategy (2009) and Site Allocation and Development Management Policies DPD (2013) are prepared by Lancashire County Council and form part of the statutory development plan for Pendle. In its role as supporting local authority, Pendle Council continues to support the County Council in its updating of these documents. Support for the implementation of the Joint Lancashire Minerals and Waste Local Plan and its successor through the decision making process is confirmed through Policy DM15 of the Local Plan.
- 4.28 The South Pennine Renewable and Low Carbon Energy Study (2010) considers environmentally friendly ways to harness our natural resources. Prepared by Maslen Environmental, the study was jointly commissioned by Pendle, Burnley, Calderdale, Kirklees, and Rossendale Councils. The Study identifies potential areas for commercial windfarms in Pendle. Whilst these sites are not allocated in the Local Plan, the evidence prepared provides a useful starting point in considering the environmental effect of proposals for wind energy should they come forward during the plan period.
- 4.29 The Burnley and Pendle Gypsy, Traveller, and Travelling Showpeople Accommodation Assessment (GTAA) (2012) was a joint commission. The GTAA assesses the needs and requirements of the Gypsy, Traveller and Travelling Showpeople community for permanent and transit pitches in both Burnley and Pendle in the short, medium, and long term. Whilst the evidence has since been superseded, the approach, evidence and data continue to form a starting point for the assessment of these needs in Pendle. Updates to the evidence base have been provided in subsequent reports on local housing need.
- 4.30 The Pendle Playing Pitch and Outdoor Sport Strategy and Action Plan (2024) was commissioned jointly with Ribble Valley Borough Council. Whilst the final report only relates to Pendle, the joint commission has helped to ensure that the strategy is consistent with that to be prepared by Ribble Valley in terms of its scope, methodology and consistency of data sources. The objectives of the new strategy are supported by Policy DM31 in the Local Plan.
- 4.31 The Burnley and Pendle Lancashire County Walking and Cycling Infrastructure Plan (LCWIP) (2024) was commissioned by Lancashire County Council and prepared with the support of officers from various departments within both Burnley and Pendle councils. The LCWIP aims to increase the number of individuals walking and cycling through focussed investment in the appropriate infrastructure framed within a sub-regional strategy. In this way it directly supports and aligns with the plan's objectives to promote sustainable modes of travel. Support for the implementation of the LCWIP locally in Pendle is set out in Policies SP11 and DM32 of the Local Plan.

Evidence of further collaboration

- 4.32 The preparation of the Local Plan did not coincide with plan-making in neighbouring authorities (see Table 3). This has limited the opportunities for joint working on strategic cross boundary issues. The Council has nevertheless sought the input and feedback of neighbouring authorities and prescribed bodies where such issues have been identified.

- 4.33 The following documents are not jointly prepared, but neighbouring authorities and prescribed bodies have had the opportunity to comment and influence the scope and methodology followed in the preparation of these documents. In addition, all evidence base documents forming part of the Council's submission to the Secretary of State for the Ministry of Housing, Communities and Local Government (MHCLG) have been made available for public comment as part of the plan-making process. The Consultation Statement sets out what comments have been received in relation to these documents.
- 4.34 The Sustainability Appraisal (SA) (2024) is required by the legislation governing planning. The NPPF also states that local plans must be prepared with the objective of contributing towards the achievement of sustainable development. In accordance with the Regulations, the Council sought the views of the Environment Agency, Natural England and Historic England on the SA Scoping Report (2022), which confirmed the baseline conditions for the Local Plan. This report also considered contextual plans and programmes in Pendle to help identify the key sustainability issues affecting the borough. The SA Scoping Report also defined the framework for the sustainability appraisal process including the methodology to be used for the appraisal of the themes and policies set out in the Local Plan. A full account of the feedback received during the scoping consultation and how this helped to influence the approach that was followed in subsequent iterations are set out in Appendix 9 of the SA Report.
- 4.35 The Habitats Regulations Assessment (2024) considers the likely significant effects that the Local Plan proposals may have on specific designated sites, either in isolation or in combination with other plans and projects, including those in neighbouring local authorities. The Council directly sought the views of Natural England on the approach to be followed in the screening report and its assessment of how the policies in the plan may affect designated sites. Natural England's consultation response agrees that an Appropriate Assessment for the Local Plan is not required.
- 4.36 The Infrastructure Delivery Plan (IDP) (2024) confirms the infrastructure that is necessary to support the sustainable delivery of the proposals in the Local Plan. It confirms the timescales, cost and delivery mechanisms needed to secure the infrastructure that is identified. The IDP reflects the findings of engagement with the statutory providers of essential infrastructure, which has taken place throughout the plan-making process.
- 4.37 The Housing and Employment Development Needs Assessment (HEDNA) (2023) was prepared by Icen Projects on behalf of the Council. Together with a subsequent update (2024) it is a key evidence base document for the Local Plan and has a major role in informing the policy choices made in the Local Plan. The HEDNA helps to define the housing and employment needs of the borough up to 2040. The HEDNA includes an Employment Land Review establishing which sites should be protected for employment use in the Local Plan.
- 4.38 Whilst the HEDNA was not prepared jointly with a neighbouring authority, regard has been given to its cross boundary effects. For example, the HEDNA using analysis of market data and socio-economic patterns confirms that Pendle continues to form part of a shared housing market area with neighbouring Burnley. Furthermore, the HEDNA acknowledges limited, but nevertheless important, linkages between the local employment market in Pendle and the wider Lancashire area, particularly in relation to commuting patterns and in particular within the Aerospace Industry.

- 4.39 In recognition of this Icen Projects, engaged with planning officers at Burnley Borough Council at an early stage in the document's preparation, to provide an opportunity to comment on the overall scope and approach being taken and any key assumptions that were being made particularly where these could affect cross boundary issues. In addition, neighbouring planning authorities were given an opportunity to comment on the key findings of the HEDNA at the Regulation 18 stage. Issues raised were addressed by commissioning further work, as summarised at the subsequent Duty to Cooperate meetings with the councils in Burnley and North Yorkshire.
- 4.40 The Retail and Leisure Capacity Study (2023) was prepared on the Council's behalf by Lichfields, who had also prepared the 2007 and 2012 documents addressing these subjects. The study considers the need for allocations to address projected shortfalls in retail or leisure provision during the plan period. It examines the role of each of the six town and district centres in the borough, their place within the retail hierarchy and any revisions that may be necessary to established boundaries. It also sets out a recommended policy approach for addressing retail and leisure needs over the plan period. The strategy recognises strong cross boundary connections with neighbouring Burnley, which is a sub-regional centre, and the more limited use of retailing outlets in Skipton by residents of West Craven. Its conclusions and resulting policy implications were discussed with neighbouring authorities at the workshop which took place during the consultation on Regulation 18 draft Local Plan and at subsequent duty to cooperate meetings. No concerns have been raised.
- 4.41 The Strategic Housing Land Availability Assessment (SHLAA) (2024) assesses the potential of the current housing land supply to deliver new housing over the plan period and beyond. It forms the starting point for the site selection process. The SHLAA is prepared by officers of Pendle Council, but neighbouring local planning authorities have been given the opportunity to comment on its scope, methodology and results. The SHLAA plays a key role within the evidence base for the Local Plan. It helps the Council to determine where and when land can be made available during the plan period; assists with the allocation of sufficient sites to meet its local housing requirement in full, or if this is not possible to meet its obligation to address whether a neighbouring authority could meet any projected shortfall in accordance with the requirements of the Duty to Cooperate.
- 4.42 The Pendle Green Infrastructure Strategy (2019) was prepared for the Council by consultants LUC. The strategy was informed by a scoping report which was widely consulted upon. The strategy itself maps Pendle's green assets and establishes a framework for their protection and enhancement through the planning system. The analysis helps to identify where gaps in the green infrastructure network exist or where existing green infrastructure may need to be strengthened. This information helps to guide the allocation of development sites in the Local Plan. Implementation of the strategy is supported by Policy DM06 of the Local Plan and its findings have been used to help appraise candidate sites for allocation in Policies AL01 and AL02. The strategy identifies the need to address cross boundary issues at several locations where wildlife corridors cross or run parallel to the boundary shared with neighbouring Burnley. This stems from engagement undertaken by LUC during their preparation of the earlier Burnley Green Infrastructure Strategy (2013) and helps to ensure a cohesive approach to this matter.
- 4.43 The Level 1 (2021) and Level 2 (2024) Strategic Flood Risk Assessment (SFRA) were prepared for the Council by JBA Consulting who have prepared the SFRAs for the neighbouring councils in Burnley, Craven, Bradford, and Calderdale. This has helped to provide a consistent approach to addressing flood risk in authorities on either side of the Pennine watershed.

- 4.44 The SFRA has been prepared in close cooperation with the Environment Agency, Lancashire County Council in their role as the Lead Local Flood Risk Authority (LLFA), United Utilities and Yorkshire Water. Both the Level 1 and Level 2 SFRA have informed the site selection process and enabled the Council to conduct the Sequential and Exceptions tests required by national planning policy. They have also guided discussions with neighbouring authorities, particularly in regarding the potential effects of the Local Plan may have on increasing flood risk downstream on the River Calder in the town of Padiham, along Broughton Beck in North Yorkshire and Hebden Water in West Yorkshire.

5. Summary of strategic cross boundary matters

- 5.1 The Duty to Cooperate is not a duty to agree. However local planning authorities are expected, through plan-making, to collaborate to identify relevant strategic matters which need to be addressed, establishing effective and on-going joint working.
- 5.2 Chapter 5 provides a summary of the strategic matters that have been identified which are relevant to the Local Plan. A more detailed account of this assessment is provided in Appendix 1.
- 5.3 A number of Statements of Common Ground have been prepared to help demonstrate compliance with the Duty to Cooperate. They form part of the wider submission.
- 5.4 As set out in Chapter 2, work on the Local Plan closely follows on from that undertaken for the abandoned Local Plan Part 2. This has enabled the Council to consider evidence and draft policies prepared for this document where suitable. As a result, engagement and collaboration taking place prior to the commencement of the preparation of the Local Plan may also be referred to in the commentary below.

Strategic cross boundary matters

Housing

- 5.5 The housing needs of the borough are principally assessed through the Housing and Economic Development Needs Assessment (HEDNA). This was prepared on behalf of the Council by consultants Icen Projects. The HEDNA examines the dynamics of the housing market in Pendle. The analysis recognised three distinct sub-markets in the borough; the M65 Corridor, West Craven and the rural area lying between them. The HEDNA confirms that Pendle forms part of a joint housing market area with neighbouring Burnley to the south west, with this cross boundary relationship significantly stronger than those with other neighbouring authorities.
- 5.6 The HEDNA adopts the standard method figure as its baseline for assessing local housing need, as required by the NPPF. It then considers the need to apply any further adjustments to the housing requirement in order to support economic growth and affordable housing delivery. The HEDNA recommended an increase to the housing requirement above the standard method figure of 140 dpa to 270 dpa. This is to provide a sufficient supply of labour to support the delivery of projected economic growth. The assessed affordable housing need is nearly double the standard method figure, however the HEDNA does not recommend a further upward adjustment to address this need.
- 5.7 The HEDNA recommends that the majority of the affordable housing that is secured should be for affordable or social rented housing, noting that the need for affordable housing is driven by residents with low household incomes. The HEDNA finds that there is a need for good quality smaller sized homes. The projected increase in demand is being driven by the high proportion of residents aged 65 and over who are looking to downsize. The HEDNA's recommendations for housing mix and tenure are reflected in policies DM22 and DM23, respectively.

- 5.8 Officers presented a summary of the findings of the HEDNA to neighbouring authorities and prescribed bodies in a series of workshops held during the consultation on the Regulation 18 draft Local Plan. The Council has not been made aware of any objections from these neighbouring authorities, or the prescribed bodies, with regard to the robustness of the HEDNA in terms of its scope, methodology, evidence or recommendations.
- 5.9 The Regulation 18 draft Local Plan proposed a housing requirement of 140 dpa, equivalent to the standard method figure for Pendle. This reflected Council concerns regarding the reliability of the available demographic data. In particular, the reported increase in the population was not reflected in a corresponding increase in the number of new homes. In addition, the Council was not convinced that the evidence supported the adoption of an annual housing requirement of 270 dpa to secure projected economic growth.
- 5.10 The representation from North Yorkshire Council, submitted in response to the Regulation 18 public consultation, highlighted concerns of proposals not to deliver the numbers of homes evidenced to support projected economic growth as evidenced through the HEDNA and the potential this would have on the local labour market in the Skipton area and increased cross boundary commuting. Whilst no formal representation was received, officers at Burnley Borough Council had made similar observations during the workshop arranged during the consultation on the draft version of the Local Plan.
- 5.11 The Council sought to address these comments and its own concerns by commissioning additional evidence on the assessment of local housing need (the Housing Needs Review). This was able to use more up-to-date data that had become available since the publication of the 2021 Census. In particular it allowed for a better understanding of the high levels of economic inactivity and unemployment in Pendle. More up-to-date evidence on patterns of migration, which had previously caused some confusion, and commuting rates also provided greater certainty about the demographic needs of Pendle.
- 5.12 The Housing Needs Review highlights that Pendle experiences an unusually low economic activity rates and a relatively high level of unemployment. The study develops a sensitivity test showing that the housing requirement, should economic activity rates improve only half way towards the regional average, would be lower than the proposed annual housing requirement of 148 dpa, a figure that reflects the modelled demographic needs of Pendle, and is itself 24 dpa higher than the updated standard method figure.
- 5.13 Subsequent meetings with neighbouring authorities have allowed for further discussion about the plan, its evidence base and the monitoring and review framework. These meetings have proven useful in addressing the initial concerns raised by Pendle's closest neighbours (Burnley and Craven) regarding delivery of the proposed housing requirement. The comments received in response to the Regulation 19 public consultation, which considers the Publication version of the Local Plan, and the signed Statements of Common Ground demonstrate that both are now content that the policies of the Local Plan do not raise any significant cross boundary issues in relation to housing. Existing arrangements for cross boundary communication and cooperation, as summarised in Chapter 4 of this statement, provide a the most appropriate means for exploring potential strategic cross boundary issues that may need to be addressed in the coming years and for facilitating any future joint working to overcome such issues.
- 5.14 The spatial distribution of development and growth outlined in the Local Plan continues to broadly reflect that of the Core Strategy adopted in December 2015. The most significant

amendment relates to West Craven with targets applied to the whole of the sub-area, rather than treating the towns of Earby and Barnoldswick separately from the rural area immediately surrounding them. This revision to the spatial strategy recognises shortcomings in the previous approach and better reflects the distinctiveness of West Craven as a whole, whilst continuing to note the importance of the two towns for providing essential services and employment opportunities for the wider sub-area.

- 5.15 This amendment to the borough's development strategy was first proposed in the Local Plan Scoping Report consulted on in Summer 2022. The spatial distribution was presented to neighbouring planning authorities and prescribed bodies through a series of workshops arranged prior to consultation on the first draft of the Local Plan. The spatial strategy, the proposed distribution of development, and the established settlement hierarchy have been received positively by neighbouring authorities and prescribed bodies. The former district of Craven shares a boundary with West Craven and North Yorkshire Council has made clear their support for this new strategy in its representations.
- 5.16 The Pendle Strategic Housing Land Availability Assessment (SHLAA) has been important in informing cross boundary discussions. It demonstrates that there is sufficient housing land available within the borough to meet the identified housing requirement in full and that there is no need for any of the projected housing growth to be met within a neighbouring authority. The SHLAA also demonstrates that the distribution of sites that are available, suitable and achievable for development is consistent with the spatial strategy set out in Policies SP02 and SP03 of the Local Plan. This ensures that a sustainable pattern of development can be maintained throughout the plan period. It also gives confidence that it is highly unlikely that any particular settlement will suffer from disproportionate growth.
- 5.17 The Local Plan seeks to promote the delivery of housing in sustainable locations. This is objective is driven by Policy SP02 which adopts the previous governments presumption in favour of sustainable development within designated settlement boundaries. The housing land supply in Pendle is made up of sites with an extant planning permission for housing and sites where housing development is already underway (including the strategic housing site at Trough Laithe, allocated in the Core Strategy). It also includes an evidenced small sites windfall allowance of 40 dwellings per annum over the lifespan of the plan. The resulting need for site specific housing allocations is limited, but the Council has sought to identify a housing land supply which provides a surplus against identified needs in order to increase the prospect that the overall delivery target can be met, ensuring that the Local Plan can be considered to have been positively prepared.
- 5.18 The proposed site allocations for housing have been sourced from the SHLAA, which was updated during the plan-making process. The sites have been subject to rigorous assessment through the site assessment process and sustainability appraisal. The criterion used to assess each site is based on the agreed methodology for the abandoned Local Plan Part 2. The assessment process considers 57 criteria which examine availability, suitability, and deliverability; including physical constraints, access to key services such as employment, shops and open space. The methodology has been subject to public consultation on more than one occasion. Whilst the format remains largely unchanged since preparation of the Core Strategy started in 2007, the assessments themselves have been updated to reflect new developments and more up-to-date evidence.

- 5.19 Each candidate housing site allocation has also been subject to sustainability appraisal. An iterative approach ensures that the methodology and scope of the sustainability appraisal has been subject to public consultation at various stages in the plan-making process.
- 5.20 None of the housing site allocations are considered either individually, or cumulatively, to give rise to any strategic cross boundary issues. The largest new site allocation has a capacity of just 140 dwellings and already benefits from outline planning permission. Collectively the capacity of the sites allocated through the Local Plan amounts to 544 net new dwellings. The Local Plan also carries forward the allocation of the strategic housing site at Trough Laithe, originally allocated in the \Core Strategy (2015), which has a capacity of 500 dwellings. Construction work has already commenced at this location with 81 dwellings completed as of 1 April 2024. The Council is not aware of any representations raising concerns about strategic cross boundary issues concerning the proposed housing site allocations proposed through Policy AL01 of the Local Plan.
- 5.21 The Council is confident that the Local Plan will provide upon adoption a supply of deliverable housing land sufficient to provide at least five-years' worth of housing land when measured against the proposed housing requirement. If, for any reason, a five-year supply cannot be maintained, Policy DM20 sets out a series of steps the Council will take to improve the supply and delivery of housing. At the Regulation 18 stage, North Yorkshire Council expressed concerns about the approach to be taken, but following in depth discussions are satisfied that the policy is consistent with the NPPF.

Employment

- 5.22 The employment land requirement for the plan period is also identified in the HEDNA. The assessment confirms that Pendle forms part of a joint Functional Economic Market Area (FEMA) with Burnley and that there are strong two-way commuting links between the two authorities. The HEDNA examines the indicators of demand and the current market for employment land. The main driver for new employment land is not inward investment – although the lack of availability may have constrained these figures – but to move out of outdated business premises or facilitate an expansion of business operations. As such it finds that the current market for employment land is largely self-contained within Pendle, and that the indigenous office market is relatively small.
- 5.23 The Employment Land Review (ELR), included within the HEDNA, examines the strategic significance and continued justification for protecting the borough's existing Protected Employment Areas (PEA). It also considers those employment sites that are not currently protected, to see if they now met the criteria for designation. The ELR concludes that PEA status should be removed from Primet Bridge in Colne to help promote mixed use redevelopment in an area close to the town centre and well served by public transport, to help achieve a transformation similar to that at Northlight in Brierfield. The ELR also recommends that Eden Works to the north of Kelbrook should be considered for designation as a PEA. There are no cross boundary implications arising from these proposals and no adverse comments have been received in respect of these recommendations.
- 5.24 The HEDNA assesses the future employment needs of the borough by using employment growth projections from Cambridge Econometrics to forecast an annual jobs growth of 215 per annum. This figure is then sensitivity checked against the most significant sectors in the local economy, with a small adjustment made to reflect the key role that the manufacturing sector plays in Pendle.

- 5.25 The projected level of employment growth over the plan period is broadly consistent with the peak-to-peak trend based position. Taking this approach as the basis for its calculations Pendle is required to identify sufficient employment land to accommodate 79,100 sq.m. of industrial (B2) and warehousing (B8) floorspace and 13,200 sq.m. of office space (E(g)(i)) up to 2040.
- 5.26 The HEDNA confirms that this requirement has already been met, in quantitative terms, by committed development. The extension to the Lomeshaye Industrial Estate fulfils a strategic role in securing the projected level of economic growth over the plan period. Development at Riverside Business Park, Barrowford also plays a vital role within the M65 Corridor. However, in terms of spatial distribution there is a lack of existing commitments in West Craven. The HEDNA recommends that additional employment land allocations are made in West Craven to address this shortfall, which was first identified in the Core Strategy (2015). Doing so will help to provide a consistent pattern of economic development across the borough.
- 5.27 The employment sites selected for allocation in the Local Plan were identified from the SHLAA, where landowners had also indicated that their land was available for employment use. All potential sites were subject to a rigorous site assessment process and with further evaluation in the sustainability appraisal. The methodology and comprehensive range of criteria used to assess sites, like that for assessing housing sites, was subject to public consultation during the preparation of the Local Plan Part 2. In accordance with the recommendations of the HEDNA only sites in the West Craven sub-area were considered for allocation, with needs outside this area, as noted above, met by committed developments, or the reuse of land within a Protected Employment Area, as promoted by Policy DM41.
- 5.28 Two employment sites are proposed for allocation in Policy AL02 of the Local Plan. The extension of the West Craven Business Park north of Earby may have localised cross boundary impacts, but these are largely limited to the issues of landscape, drainage, pollution, and highway capacity. These can be effectively managed through the planning application process in consultation with North Yorkshire Council. The site's allocation would primarily support the expansion of existing aerospace businesses located at West Craven Business Park. This is likely to generate cross boundary economic benefits as recognised by North Yorkshire Council in the comments they have submitted in support of the proposed allocation.
- 5.29 The site at Jackdaw Road in Barnoldswick is an infill site between the existing Crow Nest Industrial Estate and the Leeds and Liverpool Canal. The allocation and subsequent development of a 5ha site brought within an existing employment area is not considered to bring about any strategic cross boundary effects. No comments or objections have been made from neighbouring authorities or prescribed bodies regarding the proposal to allocate this site for employment.

Retail and Leisure

- 5.30 The Retail and Leisure Capacity Study prepared for the Council by Lichfields provides an up-to-date appraisal of the borough's retail and leisure needs over the plan period. The Study confirms that the established retail hierarchy, designated through the Core Strategy (2015), remains up-to-date and accurately reflects the scale and role of each of the six town and district centres identified in Pendle. The retail hierarchy has therefore been carried forward in the Local Plan (see Policy SP04).

- 5.31 The Retail and Leisure Capacity Study also examines the need for specific retail or leisure site allocations. A need for 3,600sqm of retail floor space is identified. This figure is lower than the amount of retail floorspace that is currently vacant in the borough, so existing floorspace is considered to be sufficient to meet the projected level of demand. As such no retail site allocations are proposed in the Local Plan.
- 5.32 Modest requirements for leisure facilities are identified in the study, including health and fitness facilities and indoor sport. Rather than allocating specific sites for these uses, the report recommends a flexible approach is taken to their development over the plan period. Policy DM42 seeks to achieve this whilst directing such development to sustainable locations within the borough's designated town centres.
- 5.33 The Council is proposing significant amendments to existing retail policy in response to the introduction of Use Class E in September 2020 and the expansion of permitted development rights. The policy provides much greater flexibility with regard to land use within the borough's town and district centres to help reflect the intentions of the 2020 Use Classes Order. Within town centres development proposals for uses not in Use Class E and the development of Use Class E at locations outside a designated town or district centre are more restrictive. This approach is appropriate given the retention of the sequential and exceptions test in national planning policy.
- 5.34 With a few exceptions, Pendle's six town and district centres have a local role, serving a limited rural hinterland. There is an absence of national high street chain stores in each centre, with independent stores occupying the majority of units and floorspace.
- 5.35 Burnley is a sub-regional centre and continues to be a significant draw for residents living in the south of the borough. Skipton town centre attracts some residents who live in the north of the borough, but to a much lesser degree. Taking this into account, and the absence of specific site allocations, no cross boundary implications have been identified for retail matters, and the Council is not aware of any concerns raised by a neighbouring authority regarding the approach of the Local Plan's town centre policies.
- 5.36 Leisure facilities in Pendle have been assessed as meeting the needs of its residents. Higher order leisure attractions, such as cinemas, are typically located in neighbouring authorities, although the three theatres in Colne are an exception to this. Outdoor leisure is more significant, with their management and effects on the wider environment and infrastructure guided by several other policies in the Local Plan. The Council recognises the value and importance of maintaining and promoting access to outdoor recreation. In association with the adopted Craven District Local Plan, the enhancement of pedestrian and cycling links into North Yorkshire is promoted through Policy SP11. The Local Plan also promotes the delivery of the Lancashire Cycling and Walking Infrastructure Plan (LCWIP) which encourages improved pedestrian and cycling activity within both Burnley and Pendle. The Council also offers protection to the Leeds and Liverpool Canal a major trans-Pennine connection in the cycling network and an important wildlife corridor.

Infrastructure

- 5.37 No roads in Pendle form part of the Strategic Road Network (SRN). The M65 east of Junction 10 in Burnley is managed by Lancashire County Council. Representations submitted in response to the draft and publication versions of the Local Plan confirm that National Highways have no objections to the Local Plan insofar of its potential impacts on the SRN.
- 5.38 The Council has engaged with Lancashire County Council in its role as the local highway authority throughout the preparation of the Local Plan. This dialog has also helped to inform the Infrastructure Delivery Plan (IDP) prepared in support of the Local Plan. A key role of the IDP is to highlight the infrastructure enhancements required to support the level of development proposed in the Local Plan and in particular to secure the sustainable delivery of the strategic sites at Trough Laithe (Housing) and Lomeshaye (Employment), which both impact Junction 13 on the M65 motorway. As confirmed within their representations, the local highway authority has not raised concerns regarding the quantum, distribution or specific allocation of sites included within the Local Plan, with regard to their projected impact on transport safety or highway capacity. The Council has worked closely with Lancashire County Council to develop its parking policies and parking standards, although these are not strategic cross boundary issues.
- 5.39 The Council has engaged directly and on an ongoing basis with key infrastructure providers (utilities, education, health etc.) regarding the scale and pattern of development proposed in the local plan and its likely requirements over the plan period. Appendix 1 sets out details of the meetings that have taken place and how this open dialogue has influenced policy requirements, the allocation of specific development sites and the content of the IDP.
- 5.40 It has been concluded that the scale and nature of the development proposed in the Local Plan is not sufficient to result in any strategic cross boundary impacts for the availability and capacity of existing infrastructure. From the start of the plan-making process, when the Scoping Report provided a clear steer on the overall scope and approach of the Local Plan, neighbouring authorities and prescribed bodies have had the opportunity to comment on the proposed scale, distribution and location of development being promoted through the Local Plan. Officers have arranged workshops with neighbouring authorities and the prescribed bodies to set-out the reasoning for the proposed strategy and site selection. These discussions have taken place in parallel to the wider public consultation on the draft Local Plan. The Consultation Statement sets out what measures have been taken in response to the comments received, including any additional evidence which has been prepared.

Flood risk and water management

- 5.41 Pendle sits astride the Pennine watershed and parts are within the catchments for the rivers Ribble, Calder, and Aire. As a result the Council engages with a wide range of organisations with regard to water management and flood risk including the Environment Agency, Lancashire County Council, United Utilities, Yorkshire Water, Burnley Borough Council, North Yorkshire Council, and the Earby and Salterforth Internal Drainage Board. A detailed record of this engagement and how it has influenced the Local Plan is set out in Appendix 1 and the Consultation Statement.
- 5.42 The Pendle Local Plan includes both strategic and non-strategic policies addressing flood risk, the management of surface water and the supply and management of water and waste water. The approach and wording of these policies has evolved over time and originates from the preparation of the Local Plan Part 2. The Environment Agency, Lancashire County Council and United Utilities have all had a significant input on the content of these policies.
- 5.43 The Strategic Flood Risk Assessment (SFRA) prepared on behalf of the Council by JBA Consulting has informed the site selection process, by helping the Council to determine the source, scale and degree of flood risk at each of the candidate sites. The Level 2 SFRA is more detailed. It is informed by modelling provided by the Environment Agency and has allowed the Council to undertake the sequential and exceptions tests required by national planning policy for sites shortlisted for allocation in the Local Plan and those that are realistic alternatives. JBA Consulting has also prepared the SFRAs informing the Local Plans of several neighbouring authorities.
- 5.44 Being located in the upper catchment of three significant British rivers, it is inevitable that many of the sites proposed for allocation in the Local Plan are affected in some way by fluvial flooding and surface water. Sites with identified flooding issues, can be adequately dealt with on-site and through the development management process. Strategic cross boundary flooding or water management issues are unlikely to arise from the allocations identified in the Local Plan. Engagement with Pendle's neighbouring authorities has revealed no major concerns.
- 5.45 Given the modest level of additional development that is proposed through the Local Plan, infrastructure concerns for the supply of water and management of waste water have not been identified.

Natural environment

- 5.46 The Local Plan has been subject to Sustainability Appraisal and screening in the Habitats Regulations Assessment has determined whether an Appropriate Assessment is needed. The Council has engaged with the statutory consultees with regards to the scope, methodology and assessment carried out through these documents. Their findings have been influenced by the feedback received as have the policies and proposals contained within the Local Plan. A full account of these outcomes is provided within Appendix 9 of the Sustainability Appraisal and the Consultation Statement.
- 5.47 The South Pennine Moors are an internationally recognised wildlife site located in the south eastern corner of the borough. They extend far beyond East Lancashire, into North, West and South Yorkshire, Greater Manchester, and North Derbyshire. As a member of the South Pennines Group, Pendle Council maintains regular dialogue with other local planning

authorities covered in part by the Site of Special Scientific Interest (SSSI), Special Area of Conservation Area (SAC) or Special Protection Area (SPA). The group has provided valuable opportunities for joint working, evidence gathering, coordinating policy approaches and sharing best practice. Policy SP08 of the Local Plan sets out the hierarchy of protections for designated biodiversity sites in Pendle, establishing the highest level of protection for the South Pennine Moors SSSI. Policy DM06 applies restrictions to the scale and type of development permitted within defined Impact Risk Zones at specified distances from the SSSI boundary, including requirements for the provision of Suitable Alternative Natural Greenspace (SANG) where necessary, to help eliminate or alleviate recreational pressures within the SSSI.

- 5.48 The South Pennine Moors are a significant cross boundary issue for Pendle and four of its five neighbours. Burnley, Bradford, and Calderdale are long-term members of the South Pennines Group, whilst the newly formed North Yorkshire Council has recently started to attend meetings. Through the group the Council has been able to ensure that neighbouring authorities have had the opportunity to consider and influence any Local Plan policies that may impact the South Pennine Moors. The Council has not been made aware of any concerns or objections raised by a neighbouring authority to the level of protection afforded to the South Pennine Moors SSSI (including the SAC and SPA) afforded by the policies in the Local Plan or the way in which development potentially affecting this important designation is dealt with.
- 5.49 In its role as a supporting authority, Pendle Council continues to engage with and assist Lancashire County Council in their duty to prepare the new Lancashire Local Nature Recovery Strategy (LNRS). The Local Plan make provisions to support the implementation of the LNRS (see Policies DM04 and DM05). Natural England support their inclusion. The Consultation Statement demonstrates how Natural England have helped to shape the Local Plan policies on biodiversity and the wider natural environment throughout the plan-making process.
- 5.50 The Forest of Bowland National Landscape³ applies to the rural areas around Pendle Hill, in the west of the borough and crosses over into neighbouring Ribble Valley. Within Pendle, the National Landscape designation washes over those villages with a designated settlement boundary. Policy SP02 sets out the approach to development within the National Landscape, with Policy DM11 providing further design guidance.
- 5.51 In accordance with the adopted Forest of Bowland Management Plan, the Council has determined that the public benefits of major development proposals are not sufficient to justify this scale of development within the National Landscape. As such, a more restrictive approach to development is applied. The Forest of Bowland Management Unit and officers from Ribble Valley Borough Council have had an opportunity to shape and influence our approach to development within the National Landscape, with policy development stretching as far back as the initial stages of work on the Local Plan Part 2 in 2016. Engagement has included stakeholder and public workshops addressing the draft Local Plan. No concerns have been raised in connection to the Forest of Bowland National Landscape following these events.

³ Known as the Forest of Bowland Area of Outstanding Natural Beauty (AONB) until November 2023.

Historic environment

- 5.52 The Council has worked closely with Historic England and the Canal & River Trust in the development of policies relating to the historic environment within Pendle. This close collaboration pre-dates work on the Local Plan, with the policies based on earlier iterations in the now abandoned Part 2 Local Plan. This open dialogue has helped to reach a consensus position, with Historic England expressing strong support for the proposals in the Local Plan, as far as they relate to the historic environment.
- 5.53 The Council has made use of the Historic Environment Record (HER) hosted by Lancashire County Council to help assess the potential effects that the draft policies and proposed site allocations in the Local Plan may have on the historic environment. The guidance provided, alongside engagement with Historic England and the Canal & River Trust has ensured that the historic environment will continue to be conserved through the proposals in the Local Plan.
- 5.54 The Council is not aware of any outstanding cross boundary matters relating to the historic environment associated with the Local Plan. Engagement with neighbouring authorities has raised no significant concerns in relation to this topic area, which has limited cross boundary implications.

6. Conclusions

- 6.1 The government is committed to strategic planning where issues need to be addressed at a larger than local scale. In the context of 'localism,' the form of this co-operation is not prescribed, but at the discretion of the local planning authority.
- 6.2 The Duty to Co-operate is a legal requirement for local authorities, county councils, and other public bodies to work together on strategic planning issues that cross administrative boundaries. The Duty ensures that strategic planning issues are addressed appropriately with relevant partners, maximizing the effectiveness of local plans. The Duty requires participants to engage constructively, actively and on an ongoing basis in relation to the planning of sustainable development. They are encouraged to enter into formal agreements on joint approaches or prepare joint evidence base documents and local plans. A Statement of Common Ground (SoCG) documents where cooperation is and is not happening and is used to demonstrate that Local Plans are deliverable.
- 6.3 To be found sound a Local Plan must demonstrate that it has addressed any strategic cross boundary issues in a proper and timely manner. The Statement of Compliance and Statements of Common Ground are intended to demonstrate that Pendle Council has met its requirements under the Duty from the outset; that this active co-operation and engagement has helped to increase the effectiveness of our strategy to promote future development and growth in a sustainable manner; and helped to reduce the overall cost of plan preparation. Details of the discussion, agreements, and arrangements secured through the plan preparation process are set out in Appendix 1.