



Lidgett & Beyond

Planning, Building Control and Regulatory Services,
Pendle Council,
Town Hall,
Market Street,
Nelson BB9 7LG

5th December 2024

Re: Pendle Local Plan Fourth Edition Consultation

Dear Planning Team,

Thank you for giving us the chance to review and comment on the Pendle Local Plan. Our comments are below.

Lidgett and Beyond (“L&B”) is Colne’s largest community group, with around 750 members. Based in Eastern Colne, the group aims to protect and enhance this rural part of Colne and has striven against inappropriate development in Eastern Colne, developed The East Colne Way and the Colne Boundary Walk, erected heritage information boards and will be completing a bulb planting scheme this winter.

L&B is broadly in support of this consultation version of Pendle Borough Council’s Local Plan and praises Pendle’s planning policy officers for taking into account climate change, for allocating housing sites predominantly on brownfield land, and for recognising the value of Local Green Spaces and the importance of heritage and the environment in many of the draft policies. This response will highlight areas we strongly support, as well as areas we believe should be redrafted and reflected in a final version, having been subjected to Examination.

L&B applauds the opening comments in the Spatial Portrait and agrees with the comment in 2.2 that there is “increasing concern that towns and villages throughout the country are losing their identity.” The anonymous and alien large housing estates built by national, and even large local, housebuilders are examples of what causes this.

As 2.18 states, there is indeed a significant challenge to deliver new housing. The large areas of the borough designated as Green Belt the areas of open countryside which are valued for their landscape character and importance for biodiversity are what gives Pendle its most valuable assets and both the residents and the Councillors of all parties are loathe to sacrifice them to insensitive and unsustainable development. Added to that are the topographical issues of river valleys and steep slopes noted in 2.36.

We feel that there is too much “talking down” of genuine development opportunities as the borough has overdelivered on its housing in recent years. Hence, to say in 2.18 that “The development of Greenfield land, both within and adjacent to our urban areas, is not viable without third party

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intervention, and previously developed (Brownfield) land is largely unviable” is overly pessimistic and one that does not market our borough very well to the outside world. In addition, it does not feed in very well to the Spatial Vision and the Objective LP01 in Table 3.1.

As acknowledged in 2.17, affordability is good for the lower-/mid-priced housing stock whilst the overall position is influenced due to the higher demand in selected rural areas. The way to attract ambitious people into the borough, who may be commuters to Manchester or Leeds, is to retain the setting of such rural stock. In the meantime, our excellent terraced houses are affordable, solidly built and are available to be improved. It should be noted that these 19th century houses have locked-in carbon so should not be considered for demolition and replacement by new-builds and the mindset and any comments that people are deprived because they live in terraced houses should be removed from all Council reports.

We agree wholeheartedly with the Spatial Vision set out in 3.2 and 3.3 and expanded in the box after 3.4. We specifically highlight the need to build our local economy first, along with connectivity to other employment centres, as those actions will bring extra salaries and spending power into the borough and that will drive demand and viability of housing developments. In the meantime, it is paramount to protect and enhance our high-quality landscapes and biodiversity as they are the main factors driving the rise in tourism.

Given the comments about the ageing population as well as the mix of housing required for the starter, affordable and aspirational markets, it is clear that a focus on developing homes for pensioners to downsize and to enjoy supported living is an important task to free up underoccupied larger houses to feed into the aspirational purchasers and to eventually filter down to first-time buyers. The fact that this virtuous housing circle is not functioning properly is evidenced by the volume of planning applications to add extensions and dormers. It is worth noting that many families actually want and choose to live in multi-generational and denser units and this is to be encouraged and should be factored in to new developments. Such semi-detached and terraced houses have a relatively small footprint and serve families flexibly over time. People often report that they could move, but they like where they live and so they choose to adapt their homes to cope with their changing circumstances. This philosophy also builds stronger and more resilient communities.

A key action for the Council is to engage proactively with specialist developers who can address this issue. If they are unwilling, then one of the Council’s strategic JVs or partners should be utilised. This is also noted in the comments regarding delivery in inner urban Brownfield sites in para 6.71.

SP01 We support the presumption in favour of Sustainable Development - any development should improve the economic, social and environmental conditions

SP02 L&B supports the categorisation of Colne as a Main Town and its neighbouring villages of Trawden as a Rural Service Centre and Laneshaw Bridge as a Rural Village. In particular, the restriction in Laneshaw Bridge is welcomed to permit only development which addresses an identified local need.

In Part 2 of SP02, L&B supports the requirement that any development should be of a “nature and scale that is proportionate to the role and function of the settlement.” This overlaps well with the Colne Neighbourhood Plan and its development and design code policies, and will ensure that no large characterless developments take place. We support the comments in 4.11 and 4.12 about settlement boundaries and how they “protect the character of our countryside, villages and towns.” Further comments re development outside the settlement boundary in DM09 are made below.

SP03 We agree with the Distribution of Development, as urban development is the most sustainable.

SP05 We support these policies and the supporting text concerned with the Green Belt, especially the retention of the Green Belt between Colne and the villages of Laneshaw Bridge, Foulridge and Trawden. We applaud the comments in para 4.34 regarding the extra values provided by the Green

Belt and the conclusions in paras 4.40 and 4.41 regarding Green Belt not being necessary to meet the Borough's housing needs and its boundaries being capable of enduring beyond 2040.

SPO6, para 4.61 and DM03 – L&B also supports green energy, but wishes to state that it will not support developments that conflict with any of the Significant Views described within the Colne Neighbourhood Plan. The setting of Colne, which is provided by the upland landscape surrounding the town, is a very important element of our townscape. We agree with the current conclusions in 4.66 and 4.68 re commercial scale renewable energy systems.

SPO8 We broadly support these policies on the Natural Environment, but the words “and landscape character” should be added back in to point 1. In table SP08a Protected Sites, under Priority Habitats and Species, we suggest that if development is to take place on a site where there is a priority habitat, then the developer should acquire a similar sized piece of land near to the application site and manage it proactively for that species for a period of thirty years, as has happened recently in the Ribble Valley. The Lidgett area contain breeding grounds for both the lapwing and the curlew (red-listed birds) and their distinctive calls can be heard reverberating throughout the area. See extra comments under DM12 below.

SPO9 We welcome these policies, especially 5a, 5c, 5f and 5h, to protect Pendle's rich historic environment. Colne's Neighbourhood Plan features a Design Code which offers further detail to development within our historic market town. The Lidgett and Bents Conservation Area has a character appraisal that adds extra, specific detail to the rural policies and design code in the Neighbourhood Plan. The Lidgett & Beyond area contains several Listed buildings and also contains several buildings contained in the list of non-designated heritage assets.

SP10 L&B supports Healthy and Vibrant Communities, especially para 4.137. We look to Pendle Council to designate the Upper Rough as a Local Green Space via its Local Plan. Such sites are valuable for the physical and mental health of local residents, the wider residents of Colne and our visitors. Whilst active travel initiatives are welcomed, it must be acknowledged that the challenging topography of Colne makes it difficult to achieve wide take-up of sustainable cycling and walking and hence any development application that promises this should be treated with healthy scepticism.

SP11 L&B supports this Transport and Connectivity Policy and are especially pleased to see Policy 9 which recognises that topography, rather than distance can make some developments reliant on the car, as noted above in our comments on SP10.

Regarding Policy 1 (and described in 4.148-4.150), we assume the strategic road link to Yorkshire is the one previously downselected to go from the end or near the end of the M65 to the A56 north of Foulridge. Further, the recently issued Colne Masterplan highlights better rail links to Preston and a new direct link to Manchester as key initiatives.

The area covered by the Colne Masterplan includes the South Valley and seeks to support investment in developing housing and commercial buildings which fits well with Policy 5.

SP12. We support policy 2 re developer contributions for Open Space, Biodiversity Net Gain and Travel Plans where appropriate. We do not agree with the deletion of 2c: “Deliver Biodiversity Net Gain and ensure sufficient funding for long-term management and monitoring (Policy DM04)” and think it should be reinstated.

Para 4.175 notes: “Due to concerns about viability, as set out in the Pendle Development Viability Study (2023), Pendle Council has not adopted a CIL Charging Schedule.” There should not be an all-or-nothing approach to CIL and we think that it should be levied on Greenfield Sites and on any development in rural areas outside the Settlement Boundary in Pendle.

L&B applauds the opening comments in Section 5 covering the Environment and agrees with the comments in 5.2 about the quality and importance of Pendle's natural environment and how much it is appreciated by residents and visitors. That is why it must be valued and looked after for future generations.

DMO2(a) Policies 7-12 – L&B agrees with the value put on retaining existing landscape features which contribute to the natural prevention of flooding and/or slow the flow of water. Whilst much has been made about man-made SuDS achieving great things, in many edge of town and rural areas such flood prevention has been achieved successfully by nature and this should be respected.

DMO2(b) L&B questions Policy 2 as to the extent the proposed final drainage system must be modelled in applications that are Outline / Access-only. Such applications, as we have seen for the Upper Rough recently, tend to cover larger developments where getting the drainage solution right is most important and is often left to the last minute and conditioned.

Following on from this, L&B supports the requirements of Policy 3(f) and Policy 8, especially as this is often left to ad hoc engagement by service management companies.

DMO3 We broadly support these policies on Renewable Heat and Energy, especially those relating to community energy schemes. However, we strongly disagree with the deletion of this clause from 7b on Wind Turbines: “...and that the proposal has the backing of the local communities that have been consulted” and believe it should be reinstated. L&B was formed in the early 2000s in response to a rash of applications for wind turbines which would have delivered big profits for the landowners concerned, but would have simply littered our big, bare, landscape with alien, vertical structures. Any developments of on-shore wind in the future should be carefully grouped, following a careful analysis of important long-range views, so the wind turbines are not sited haphazardly in the landscape. The Colne Neighbourhood Plan has protected Long Range Views and these should not be compromised - 17 views in Rural Policy 6.4 are protected.

DMO4 We support these policies and supporting text on Biodiversity Net Gain. In order to protect the Curlew and Lapwing – red-listed ground-nesting birds in our area – we would like to see Grey Squirrel Control Measures introduced. This would also allow the red squirrels recently sighted locally to colonise new areas and flourish.

DMO5 & DMO6 We support the policies on Ecological Networks and Green Infrastructure.

DMO7 We support these policies on Trees and Hedgerows. However, dealing with the first two policy points, they contain “wherever practicable” and “should”. L&B would like to see stronger wording.

DMO8 We support the policies on the South Pennine Moors, which are designed to protect them.

DMO9 We support the policies on Open Countryside, which seek to protect and enhance it by preventing the coalescence of settlements, maintaining the predominantly open and undeveloped character of the open countryside, particularly in the gaps between settlements and protecting the separate character and identity of settlements, including their setting. Colne’s Neighbourhood Plan, affords more protection to Open Countryside by specifying in CNDP 14 “Within the countryside (the area outside the settlement boundary as defined on the Pendle Local Plan Policies Map), development should retain and enhance the rural identity and character of the neighbourhood area. As appropriate to their scale, nature and location...” and “Building form and style and layout of development should be consistent with the forms predominantly found within the rural area. Suburban and urban forms, styles and layouts will not be considered to meet this criterion” and “All development should include measures that seek to minimise the impact of car parking, garaging, garden landscaping and associated urban and suburban features so that the development will not have a significant adverse impact on rural identity and character”. Given our low viabilities within the Borough, we would like to have seen Pendle Council adopt similar rural policies to prevent suburban sprawl in Open Countryside.

DM10 We support these policies on Landscape Character. Colne’s Neighbourhood Plan identifies 17 important views of and from our town and several of them involve our area, with views 6 and 7 protecting the Upper Rough and the Lidgett Triangle specifically.

DM12 We support this policy on Local Green Space, but we would like to see more designated of all sizes and types, right across the Borough. 20 Local Green Spaces were designated in Colne's Neighbourhood Plan and these are included in this draft Pendle Local Plan, including the Lidgett Triangle.

The Upper Rough in East Colne (ref: LGS/LP4/DM12/025) has passed all three tests at independent examination, but the Examiner of the Colne Neighbourhood Plan felt that he should not designate this valuable community space in case Pendle Council designated it for housing. Pendle Council has not designated it for housing and, indeed, we would have found it perverse if it had, given it passed all three tests in the NPPF. Pendle Council has put forward the Upper Rough as a Local Green Space in this draft of its Local Plan and we welcome this. L&B was a Rule 6 party at the first Appeal to build out the entire Rough and also campaigned during the second application to build out the Upper Rough. It would have been a tragedy if these applications by property speculators had succeeded.

We specifically highlight the observations made by the Lancashire Wildlife Trust regarding the Upper Rough's value for wildlife, including:

1. Its potential for restoration to either Lowland or Upland hay meadow, both habitats of High Distinctiveness in the UKHab habitat classification used to calculate Biodiversity Net Gain. Surveys of the site between 1988 and 2022 have recorded 24 of the 28 constant or indicator plant species that characterise the respective grassland habitat types (MG3 and MG4 in the National Vegetation Classification) and 5 of the 7 indicator species in the UKHab.
2. Site surveys between 1988 and 2016 have recorded 51 bird species including 12 on the RED list of Birds of Conservation Concern, including 4 potential ground-nesting birds (Curlew, Lapwing, Grey Partridge and Skylark) and three other potential breeding birds (Tree Sparrow, Mistle and Song Thrushes).

These designations for Local Green Spaces are so important to Colne, given the very high proportion of dense, Victorian terrace housing (62%).

L&B suggests that for DM13 Pollution - Air Quality policy 4, the radius is expanded to be at least 1km given the impact such major development would have. This is important for East Colne as it is noted in 5.197 that there is only one AQMA in Pendle.

DM15 We support these policies on Soils, Minerals and Waste.

DM16 We support these policies on Design and Placemaking, especially the insertion of the words "beautiful and sustainable", as given our low viabilities, we are often presented with "acceptable" and we believe that Pendle and Colne, especially, deserve better. There is a Design Code for Colne in the made Neighbourhood Plan: <https://colnetowncouncil.org.uk/ctc/wp-content/uploads/2022/07/Colne-Design-Code-Report-2022.pdf> We especially support paras 5.253 and 5.259.

DM18 L&B is not just interested in landscape and ecology, we also seek to protect our heritage buildings and structures and our heritage information boards celebrate this rich legacy. There is a list of non-designated heritage assets in Colne's Neighbourhood Plan: https://colnetowncouncil.org.uk/ctc/wp-content/uploads/2022/08/Colne-Local-Heritage-List-2022-06-Final_compressed.pdf. Several of these are located in the L&B area, which spreads outside the Conservation Area, along with some Listed buildings. Policy 4c should make reference to this document for development proposals in Colne and not just rely on the reference in the supporting text.

Preserving heritage is very important to L&B. We have devised the popular East Colne Way and have placed information boards on heritage, wildlife and botany at both Ball Grove and Lidgett, so it is good to see this concern reflected in DM18. We are particularly pleased to see the inclusion of policy 6, as neglect or damage should never be used to justify a development proposal.

DM20 We support provision to deliver a minimum of 2,812 net dwellings, equating to a net average of 148 dwellings per annum. Policy 5 puts forward measures where a shortfall in provision occurs. We believe that the reoccupation of older, long-term empty houses should be taken into account should the five year housing land supply in Pendle dip.

Para 6.21 explains the need to consider the best interests of a range of stakeholders as part of securing “sustainable development beneficial to the area as a whole”. It is important to note that sustainability should not just consider the economic aspects, but also the social and environmental aspects of people’s lives.

Paras 6.23-26 note that population growth in recent years has exceeded the original 2014 forecasts and talk through the development of the final HEDNA. In Pendle, there is significant growth in the number of young people aged 0-19 years old, who are not in a position to buy houses and hence should not flow into housing target development. The link to economic growth seems to be based on an extra 2,100 jobs in a ten year period requiring 2,700 houses which somewhat defies common sense and merely illustrates that the authors are unaware of the Pendle housing market and the way in which people more and more choose to live.

We fully support para 6.27: “The Pendle Housing Need Review (2024) uses newly available data to update the findings of the HEDNA (2023). It concludes that the population of Pendle will increase by around 750 between 2024 and 2034, or 144 dpa when translated into households. Applying an increase for affordability, utilising the approach set out in the government’s standard method, gives a demographic-led annual housing requirement of 148 dpa. This figure is 20% or 24 dpa higher than the latest standard method figure for Pendle.”

Para 6.30 aligns with the beliefs of L&B regarding housing numbers. The standard methodology figure is not a cap and we also believe that the spatial strategy will deliver extra houses, substantiated by projects that are or will be in the pipeline in the short-medium term. The same can be said of the future updates to the Colne Neighbourhood Plan which will identify new development sites not considered by PendleBC.

We also support para 6.33, especially: “...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” and also “...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”. As noted earlier, the Council’s strategic JVs or partners should be utilised for such special housing projects.

We fully support para 6.37: “If we do not make informed choices about where new housing should be located, supply will be driven by housebuilders through the submission of ad-hoc planning applications. In the absence of site allocations it is harder for the Council to resist such applications, bringing uncertainty to our communities, and a pattern of development that does not properly reflect the spatial strategy”. Indeed, the repeated applications to build on twin green spaces, prominent in long range views, the Lidgett Triangle and the Upper Rough, shows that Colne’s large scale housing applications over recent years have not been driven by need, desire or sustainability, but by profit motives from land speculators who have bought land from the estates of deceased farmers.

DM22 L&B believes this should be rewritten to reflect the points made above in the text on Section 6 with regard to the Housing Mix. Attached houses are more sustainable and less wasteful of land, delivering more usable green spaces. Like Colne Town Council, we do not support para 6.53 – not only can older terraces be brought up to modern insulation and living standards, but new, large attached family houses can be delivered that are considered desirable.

Regarding housing types, L&B agrees we need bungalows and apartments, although we suggest that some one-bedroom apartments would help first-time buyers and help pensioners and the disabled as part of supported living set-ups.

Para 6.54 answers the earlier question about the lack of growth in household numbers whilst the population has grown significantly by acknowledging the increase in average household size. To put this in context, a large number of these increased households are actively choosing to live this way, with multi-generational arrangements becoming more popular to supply childcare and to provide support for older people, as well as addressing the cost of living and mortgage cost issues. That is why there are a lot of planning applications for extensions and dormers as that is cheaper than moving to a larger house or extended families having multiple homes.

DM23 is a chimera. Pendle is the second most affordable borough in England in which to buy a home. The most affordable homes are those that already exist. As anyone in the Borough renewing their house insurance will confirm, these houses would cost more to build than they are worth – something that is not true in vast swathes of the nation. Any “affordable housing” at 80% of the sale price on new developments is still bound to be far in excess of the average town house in Pendle. New houses in Pendle are out of reach of most first time buyers and this is something that should be acknowledged in the Local Plan and in the NPPF too.

DM23 policy 4’s requirements for a viability assessment if a developer wishes to avoid the affordable housing requirement are to be applauded but we know that developers both locally and nationally are employing various methods to manipulate such calculations. Nevertheless, they should be carried out and the final sentence should be tightened to state that failure to submit one “will result in the refusal of the application.”

L&B supports the affordable rural housing initiatives set out in paras 6.73-6.79, but notes that there should be appropriate scrutiny of all rural developments to ensure the support for such useful housing for rural communities and young people seeking to continue working there is not abused.

DM24 L&B supports this policy, but notes the need for borough-wide compliance with design standards to ensure that no precedents are set. This is especially the case where Conservation Areas are involved as residents must realise that living in such areas brings great benefits but also imposes obligations which need to be followed.

DM26 We support these policies on Housing in the Countryside because they protect the countryside, while not preserving it in aspic.

DM28 L&B supports this Policy and refers back to our earlier comments about more efficient entry, upsizing and downsizing opportunities in the local housing market.

DM31 and DM32 L&B supports these policies on Open Space, Sport and Recreation and on Walking & Cycling.

DM34 Pendle Council has worked hard to engage the community in its draft Local Plan throughout the process, which is applauded. For planning applications, L&B has experience of speculators’ consultations for large housing estates and many L&B members have taken the time to respond to them. They have been dismayed to see that the results of the surveys were not published – presumably because they did not fit the speculators’ narrative. We therefore welcome DM34 Engaging the Community, Policy 3b. For Policy 4 re design codes, the Colne Neighbourhood Plan has made it very easy for developers – simply follow our Design Code and do not even try to invent your own.

DM37 The Lidgett and Beyond area has been adversely affected by the poorly planned and under provision of parking on the Lower Rough, leading to selfish parking on a narrow section of Skipton Old Road by residents on the new estate. We support these policies on Parking (especially policy 8), but would like to propose an addition: “New parking should not be made from existing front gardens in Conservation Areas”. We support para 6.214, but observe that to prevent parking on pavements (increasingly prevalent), additional on-street visitor/delivery/home-carer parking should be made available.

DM39 We support these policies on Digital and Electronic Communications, especially 4b and 4g. With regard to para 6.423, we firmly believe that in urban areas, and especially in Conservation Areas, new broadband infrastructure should not be mounted on poles, a retrograde step, but should go underground.

In section 7, we support the policies in DM40 on Employment Land Requirement and Delivery.

DM45 We support these policies on Tourist Facilities and Accommodation and especially those on Rural Tourism. Para 7.77 is particularly important in attracting tourists. L&B has always supported visitors to our beautiful area and has provided information and walks for them. Reference should be made to the increasing numbers of AirBnB properties in certain neighbourhoods. L&B has seen several appearing in East Colne and, whilst they are good for tourism, they can prove to be loud and disruptive when occupied and then leave an empty feeling at quieter times of the year. Perhaps there should be density limits, similar to those for HMOs?

DM46 L&B agrees with these policies on Equestrian Development and our area is home to many horses and ponies.

Part 8 L&B supports these site allocations for sustainable growth over the plan period.

ALO1 We strongly support that Pendle Council has not allocated any housing on any wholly Greenfield sites in Colne, especially the Upper Rough. L&B supports the choice of housing site allocations and the reasons for their selection.

In Table 8.1, we suggest that the small sites windfall allowance should not exclude the first three years, just the first one covering 2023/24, as they are the ones to be completed or committed; years two and three will be new applications which can be evidenced in the portfolio of applications starting to emerge. This adds 80 to the total and will reduce the residual requirement.

We note para 8.12: "The role of the SHLAA is to consider whether a site could be developed for housing. It does not consider whether a site should be developed. The inclusion of a site in the SHLAA does not imply that it will receive planning permission, or be allocated, for housing". We very much hope that the Upper Rough should at long last be designated as a Local Green Space. Currently, both it and the Lidgett Triangle are contained within the SHLAA and, given their importance to residents and prominence in long range views, we deeply believe neither of these sites should ever be developed. In the SHLAA merged Appendices on page 21, it refers to the Upper Rough (P005) as having an outstanding application - 22/0790/OUT (Pending) – but this was Refused in July 2023 and therefore this part of the draft Local Plan needs updating. This is reflected in the new Appendix 6.

We fully support para 8.15 on the Housing Trajectory. We wholeheartedly support para 8.19 that no housing should be allocated on Pendle's Green Belt. We also support para 8.20 on Windfall Sites, but add that in Colne these should be all within the settlement boundary or of small scale and rural in form and character outside the settlement boundary if our Neighbourhood Plan is to be compiled with.

ALO2 could consider some of the brownfield / flytipped land in South Valley in Colne as employment sites. The Colne Neighbourhood Plan sought to allocation some for regeneration housing, but landowners expressed a preference for commercial development and some have already progressed. We even suggested mixed commercial / residential development to cut down on using cars for the journey to work.

On page 310 of the appendices, in regard to Local Green Spaces and their designation, L&B strongly objects to the addition of extra questions to be answered on top of the three criteria specified in the NPPF. This means we do not agree with page 311, which sets out a flowchart. Instead, the three criteria in the NPPF:

Is the site reasonably close to the community it serves?

Is the site demonstrably special to the community?

- Is the site local in character and not an extensive tract of land?

should be the **sole** criteria for designation as a Local Green Space that should be relied upon in the Pendle Local Plan.

If you wish to discuss or clarify any of the points raised in this response, please contact one of the L&B Trustees.

Yours faithfully

A solid black rectangular box used to redact the signature of David Cockburn-Price.

David Cockburn-Price
Chairman of the Trustees
Lidgett & Beyond Charity