



Representation Form

Local Plan Fourth Edition Publication Report

To respond to this public consultation please complete and return this form to either:

Email: planningpolicy@pendle.gov.uk

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

All comments must be received by the Council no later than 5:00pm on Friday 6 December 2024.

Any responses received after this deadline will be invalid and may not be considered by the Inspector(s) appointed to examine the Local Plan.

Further information about this consultation is available on the Pendle Council website at:

Web: www.pendle.gov.uk/planning

If you have any questions, please get in touch using the contact details above.

* Only complete below if applicable

	Your Details	Your Agent's details*
Name	Ian Birtwistle	Mrs Gemma Kennedy
Organisation*		WBW Surveyors Ltd
Job Title*		Planning Consultant
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We process and hold your information in order to provide public services. The details you provide will be processed in accordance with the Data Protection Regulations. Further information is available at:

www.pendle.gov.uk/privacy

Guidance Notes

Before completing this form, it is important that you read the guidance notes.

At the start of each new comment please make clear:

- a. The title of the document you are commenting on.
- b. The page number and the paragraph number, table number or site reference.
- c. Whether you are supporting, objecting or commenting on what is said in the plan.

If you are objecting, please suggest alternative wording, which would help to overcome your concerns (see example below).

Document: Local Plan / Page 63 / Paragraph 5.32 / Objection

This part of the policy does not ...

Recommended change:

Replace the current policy wording with ...

Please keep your comments clear, concise, and specific to the issue that is of concern. This helps the Inspector to understand your point of view and decide whether any changes to the Local Plan are needed. All valid representations will be submitted to the Secretary of State alongside the Local Plan for examination by an independent Inspector(s).

Your comments should focus on the following issues:

Have the legal requirements for plan making been met? www.gov.uk/guidance/plan-making

Is the Local Plan consistent with the policies of the National Planning Policy Framework (NPPF)? www.gov.uk/government/publications/national-planning-policy-framework--2

Are the proposals in the Local Plan:

- a) Justified?
- b) Effective? Positively prepared?

If you answer no to any of these questions please say why and show how your objection could be overcome

Legal Compliance

Do you consider the Local Plan to be legally compliant?

Yes ☐ No ☐

If you have answered no, please provide state the reasons why in the box below. You should number any additional sheets that you attach to this form.

Soundness

Do you consider the Local Plan to be sound?

Yes ☐ No ☐

If not, why do you believe the Local Plan is unsound? (tick all that apply)

- ☒ It is not positively prepared
- ☒ It is not justified
- ☐ It is not effective
- ☒ It is not consistent with national policy

Please state the reasons why in the box below. You should number any additional sheets that you attach to this form.

Document: Local Plan / Page 149 / Paragraph 6.27/ Objection

The Local Plan is believed to be unsound as it fails to comply with the objectives of the National Planning Policy Framework (NPPF). Paragraph 6.27 of the Local Plan acknowledges that the Housing and Economic Development Needs Assessment (HEDNA) recommends a housing requirement of 270 dpa, and that the standard method requirement of 140 dpa would be insufficient to support projected jobs growth, however Policy DM20 allocates only 140 dpa.

An objection is raised in respect of the Council's approach on this matter. The insufficient level of housing allocations would adversely affect the Borough's economic growth, with a lack of housing reducing the availability of a workforce with consequential negative effects in terms of economic investment in Pendle. Existing residents will be required to seek employment outside of the Borough, increasing levels of commuting and associated environmental pollution.

Paragraph 8 of the NPPF sets out that the economic, social and environmental objectives of the NPPF should be pursued in mutually supportive ways in order to achieve sustainable development. The proposed housing allocation figures would result in a Local Plan that fails to meet the economic and environmental objectives set out at paragraph 8 of the NPPF.

(Additional wording attached to this document)

What changes do you consider to be necessary to make the Local Plan sound?

It would be helpful if you could suggest revised wording for any policy or text. Please be as precise as possible. You should number any additional sheets that you attach to this form.

Have you raised these matters at an earlier stage in the preparation of the Local Plan?

Yes ☐ No ☐

If no, please explain:

Please provide any additional comments in support of your representation. Use additional sheets if necessary.

Do you wish to participate at the hearing sessions?

Yes ☐ No ☐

If yes, please outline why you consider this to be necessary

How did you find out about this consultation?

- | | |
|--|---|
| <input checked="" type="checkbox"/> Email / Letter | <input type="checkbox"/> Poster |
| <input checked="" type="checkbox"/> Framework Newsletter | <input type="checkbox"/> Newspaper Advert |
| <input type="checkbox"/> Council Website | <input type="checkbox"/> Radio |
| <input type="checkbox"/> Social Media | <input type="checkbox"/> Other, please specify: |
| <input type="checkbox"/> Town or Parish Council | |

Future Updates

Would you like to be kept informed about progress on the Local Plan and other planning policy matters in Pendle?

Yes ☐ No ☐

If you answered “No”, your personal details will only be used for the purpose of processing and answering comments made to this consultation. They will then be deleted after the examination of the Local Plan has concluded.

Your Signature: Ian Swain

Date: 5/12/24

Thank you for your comments

Further information

Website: www.pendle.gov.uk/planning

Email: planningpolicy@pendle.gov.uk

Telephone: 01282 661330

Write to: Pendle Council, Town Hall, Market Street, Nelson BB9 7LG

Failure to meet Environmental Objectives

Document: Local Plan / Page 149 / Paragraph 6.29 / Comment

States that the Council's justification for adopting a lower housing requirement of 140 dpa is based on the assessed environmental effects of accommodating a minimum of 270 dpa. This approach suggests that the environmental objective has been deemed more important than the social and environmental objectives, whereas the objectives should be pursued in mutually supportive ways in accordance with paragraph 8 of the NPPF.

Document: Local Plan / Page 150 / Paragraph 6.30 / paragraph 6.30 / Objection

Seeks to justify the low housing allocation figure by stating that the pattern of growth provided by 270 dpa would not represent a sustainable approach to meeting development needs, especially taking into account the Council's zero greenhouse gas emissions pledge, whereas 140 dpa is consistent with the Council's policy and will support the regeneration and safeguarding of the borough's high-quality landscape and natural environment. This approach suggests that the environmental objective has been deemed more important than the social and environmental objectives, whereas the objectives should be pursued in mutually supportive ways in accordance with paragraph 8 of the NPPF.

Document: Sustainability Appraisal of Pendle Local Plan Publication Document / page 9 / second paragraph / Objection

Notes that unless improvements in economic activity rates can be secured, 148 dpa will be insufficient, and will result in mixed effects for air quality and climate change due to the potential effect on commuting patterns. This suggests that the Local Plan's (page 149, paragraph 6.29) argument that a lower housing allocation would avoid environmental effects would potentially be countered by the effects of low housing numbers of commuting patterns and that the low allocation figures could have the reverse effect of increasing environmental impacts.

Failure to meet Economic Objectives

Document: Local Plan / Page 149 / Paragraph 6.27 / Comment

The Local Plan acknowledges that the allocation of 140 dpa would be insufficient to support projected jobs growth and recommends a housing requirement of 270 dpa is adopted to support this figure.

Document: Housing Need Review / Page 22 / paragraphs 4.2 – 4.7 / Comment

The Housing Need Review considers that the required level of economic growth in the Borough to warrant 144 dpa could only be achieved if significant improvements are made in particular groups that have not historically engaged with the labour market. It is stated that it may require a strategy/policy to achieve this engagement, neither of which is currently in place. The Housing Need Review therefore concludes that the economic need of 230 dpa remains the most appropriate housing target for Pendle, unless a deliverable strategy to improve economic activity rates is adopted.

The Local Plan does not propose any strategies to achieve the engagement of those groups who have not historically engaged with the labour market, and as such there is no deliverable strategy to improve economic activity rates to warrant a reduced housing allocation at 144 dpa or 140 dpa as proposed in the Local Plan.

Document: Local Plan / Page 149 / paragraph 6.28 / Comment

States that the Council has resolved to adopt a housing requirement which is consistent with the standard methodology. If this is the case then it is a material consideration that the draft revised National Planning Policy Framework (NPPF) at paragraph 62 no longer specifies the outcome of the standard method as a starting point for calculating housing figures, and no longer specifies that exceptional circumstances may justify an alternative approach to housing figures. Furthermore, under the revised method of calculating housing allocations, Pendle's proposed method would be 382 dpa, significantly higher than Pendle's calculated figure of 140 dpa. Based on Policy DM20 specifying a minimum of 2600 net dwellings over the plan period, equating to a net average of 140 dpa, this would increase to 7528 dwellings over the plan period if using the proposed revised outcome figures, requiring the allocation of further sites to accommodate 4928 additional dwellings.

Document: Appendix 6 (sites P001 – P327) to the 2024 25 SHLAA / Comment

Appendix 6 to the SHLAA lists all those sites considered for allocation for housing. Some of those sites have been brought forwards for housing site allocation in the Local Plan.

Of those sites contained within Appendix 6 (including those sites that have already been allocated in the local plan) there are viable capable of providing 3451 dwellings outside the green belt, and 1514 dwellings within the green belt. The remaining sites in appendix 6 that are listed as not viable or of marginal viability have been excluded from these calculations. Those sites listed within Appendix 6 that are viable are therefore capable of providing a total of 4965 dwellings over the plan period and providing scope to progress towards meeting the 7528 dwellings that would be required under the proposed revised outcome figures.

Document: Appendix 6 – Sites P205 – P298 / Pages 55 – 57 / Comment

Ian Birtwistle has put forward site (P266) on the edge of the town of Barnoldswick, directly adjacent to West Craven Secondary School to deliver 100 houses (10 of which are already completed). The site scores highly against many of the Council's criteria for allocation, but has been dismissed as whilst it is not designated Green Belt land it is open countryside and the Council's housing strategy does not require the need to release the land for development. However, Pendle's planned delivery of housing falls significantly short of their own calculated figures, and of the proposed revised outcome figures. The borough's housing needs will not be met by the proposed housing allocation figures, and the allocation of viable sites will be required to be allocated in order to meet the housing targets. The allocation of site P266 for housing, will contribute to the housing targets on a site that is viable, accessible and one which the owners are able to bring forwards for development.