



**Canal &
River Trust**

Making life better by water

Development Services
Pendle District Council
Number One
Market Street
Nelson
BB9 7LJ

Our Ref CRTR-POL-2024-42937

Monday 28 October 2024

By email to planningpolicy@pendle.gov.uk

Pendle Local Plan Publication Draft

Thank you for your consultation on the above document.

The Trust are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.

The Trust own and manage the Leeds & Liverpool Canal, which runs across the district, including through the main urban areas of Nelson, Barrowford and Barnoldswick. The canal provides local access to the wider Green and Blue infrastructure network.

Our waterways are acknowledged as significant green infrastructure, but they also function as blue infrastructure, serving as a catalyst for regeneration; a sustainable travel resource for commuting and leisure; a natural health service acting as blue gyms and supporting physical and healthy outdoor activity; an ecological and biodiversity resource; a tourism, cultural, sport, leisure and recreation resource; a heritage landscape; and a contributor to water supply and transfer, drainage and flood management.

Our towpaths are an important component of the 'natural health service' and play a key role in providing sustainable transport across England and Wales. The Canal & River Trust Impact Report 2021-23 (Impact Report 2024 low res.pdf (canalrivertrust.org.uk)) indicates that using our network for active travel and recreational usage is saving up to 65,663 quality adjusted life years (QALYs) per annum nationally. By moving a commuter out of a car and onto the towpath we can also save an average of 0.8 tonnes of CO2 a year per commuter.

Please find below the Trust's response to the Publication Draft of the Local Plan. We hope that the comments provided are clear and helpful.

The Trust previously provided comments on the Fourth Edition of the Local Plan in our letter dated 10th August 2023. These included comments on the following sections:

Policy SP12: Infrastructure and Developer Contributions

DM03: Renewable heat and energy

Policy DM10 Landscape Character

DM13 Environmental Protection (formerly title 'Pollution') & DM14: Contaminated and unstable land

Policy DM16 Design and Placemaking

DM32 Walking and Cycling

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The Trust had no significant issue with the wording provided for these parts of the Plan shown. Having reviewed the latest Publication Draft, we still have no significant issue of concern with these.

We do wish to make comments on the following aspects of the Plan:

Policy DM05 Ecological Networks

Our waterways form part of the wider strategic green (and blue) infrastructure network within Pendle. The Trust encourage efforts to help protect and enhance biodiversity associated with our network.

In our previous response, we did suggest that explanatory text could be included to provide more certainty to developers over what would constitute a buffer zone, as this is not defined within the Local Plan. Failure to account for this could mean that the policy might not apply where it should upon developments in proximity to ecological networks where debate exists as to whether the site is in a buffer zone or not. The wording could also be made more effective by including examples of how buffer zones should be protected or enhanced, so that it is clearer to developers and decision makers over what the Policy requires.

Policy DM06 Green Infrastructure

Paragraph 5.111 has amended the definition of Green Infrastructure from the previous iteration of the Local Plan to match that provided in the glossary of the NPPF (page 69). This change will help make the Local Plan more effective in ensuring that decision makers are aware of the full range of Green Infrastructure assets over which Policy DM06 seeks to apply.

DM19 'Leeds and Liverpool Canal Corridor

The aspirations of this policy should help to ensure that consideration is given towards the design of new development and the creation of new positive spaces. We believe that it is essential that the document provides guidance and certainty to developers and decision makers over how waterfront spaces should be incorporated into new development. Waterfront areas feature unique characteristics as a setting for development and form key areas for leisure, recreation and tourism. There are specific needs to ensure that development integrates positively with waterways, ensuring that development is designed to improve access to, along and from the waterway; and ensuring development optimises natural surveillance of the waterway.

As per our previous comments, the general policy wording as proposed would help to address these needs, which would make the plan more effective by ensuring that decision makers and developers are made aware on how waterside spaces should be addressed by new development proposals.

We note one change in response to previous comments raised by the Trust (within part 1, e oof the draft policy), which has added the caveat that the greenspace character of the canal should be retained where appropriate (our emphasis). This change is considered appropriate, as it would help ensure that opportunities for open space areas next to the canal or additional surveillance are not curtailed by a requirement to retain brownfield sites that have become overgrown.

Moorings

We welcome the revised wording under part 5 of the policy, which has been expanded to include reference to the availability of water resources. This is a key consideration in assessing the principle of new marinas or mooring

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sites, and reference to this would make the plan more effective in highlighting this key issue to prospective developers and decision makers.

Changes to paragraph 5.290 are also welcomed, as the removal of reference to the 4-step application process should help to avoid any confusion should the method of our internal assessment change during the period covered by the Local Plan.

Reference to the Trust within the Local Plan

We previously requested that the Trust should be referenced as the Canal & River Trust throughout the document (including the Ampersand symbol), which is consistent with our registered name, to help avoid any confusion with any similarly named bodies. We note that this change has been made, which is welcomed.

Please do not hesitate to contact me with any queries you may have.

Yours sincerely,

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Area Planner

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<https://canalrivertrust.org.uk/specialist-teams/planning-and-design>

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