

Pendle Local Plan Fourth Edition**Schedule of Main Modifications: Version 5.1**

The table below sets out potential Main Modifications to the Publication Version of the Pendle Local Plan Fourth Edition (the Local Plan).

It has been prepared at the request of the Inspector following week 3 of the hearings (see document IN8). It represents the consultation version of the proposed Main Modifications.

Updates to the Appendices have been provided separately but are referenced within this document as necessary.


Main Modification Reference	Plan Location (Policy/Paragraph/ Page) Proposed Action	Proposed Changes Strikethrough (deleted text) <u>Bold underline</u> (new or amended text)	Reason(s) for Change
Spatial Planning: Guiding Change in Pendle			
MM01	Insert new paragraph after paragraph 1.17 See also Appendix 11.	<u>1.18 On adoption the Pendle Local Plan Fourth Edition 2021 – 2040 will replace in full the development plan documents listed in paragraph 1.18 and the Bradley Area Action Plan, which was adopted in July 2011. Appendix 11 sets out how the policies in the new plan supersede those in the adopted development plan.</u>	Response to PQ4 in PBC IN2 To comply with Regulation 18(5) of the Town and Country Planning (Local Planning) (England) Regulations 2012.
MM02	Insert new paragraph after paragraph 1.32	<u>1.33 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The Local Plan includes some policies that set out requirements that developments are expected to comply with. Meeting all such relevant requirements is likely to mean that the proposal would be in accordance with the development plan.</u> <u>1.34 However, other policies in the Local Plan encourage or support applicants to include certain design solutions that help deliver the Local Plan's objectives. Where a planning application includes such beneficial design solutions (in addition to meeting relevant policy requirements), additional weight in favour of the proposal will be applied through the decision-making process. The weight to</u>	Response to AP49 of IN8. To ensure that the plan is justified and effective.


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		<p>be applied is for the decision-maker to determine, having regard to the policies of the Local Plan, NPPF, relevant government legislation and regulations, up-to-date evidence, and all other relevant material considerations. In broad terms, greater weight will be applied based on the level of additional benefit from delivering design solutions that are encouraged or supported by policies in the Local Plan.</p> <p><u>1.35 Where necessary the Council may impose tailored planning conditions or require the adoption of a legal agreement, as appropriate, in order to secure these material benefits through the delivery stage. The variation or removal of these conditions may result in the need to reconsider the principle of development where this was important to the granting of planning permission.”</u></p>	
Strategic Planning Policies			
MM03	Policy SP01 Policy Text Part 3 Amend text	<p>3. Where there are no policies relevant to the application or relevant policies <u>most important to determining the application</u> are out of date, proposals will be determined in accordance with Paragraph 11d of the National Planning Policy Framework (NPPF). at the time of making the decision the Council will grant permission unless material considerations indicate otherwise – taking into account whether:</p> <p>(a) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or</p> <p>(b) Specific policies in the Framework indicate that development should be restricted.</p>	Response to PQ14 in PBC IN2 To ensure consistency with the NPPF and minimise unnecessary duplication of national planning policy (NPPF, Paragraph 16F).
MM04	Policy SP02 Policy Text Part 4 Amendment to Part 4 of Policy	<p>4. Outside a defined settlement boundary policies relevant to the open countryside apply (see Policy DM09). Development will only be permitted for the exceptions <u>to Policy DM09</u> that are identified in either the NPPF, or an adopted <u>development plan</u> document, <u>or a made neighbourhood plan</u>, that forms part of the Development Plan, <u>or that are in accordance with Policy SP04 part 5 when the Council is unable to demonstrate a five year housing land supply.</u></p>	Response to AP36 of IN8. To ensure the policy is effective, consistent of policies within the Local Plan, and to reflect national planning policy.

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			Reflects renumbering of policies (see MM36 and MM61).
MM05	Policy SP05 Policy Text Part 4 Policy SP05 renumbered to Policy SP07 as a consequence of MM36 and MM61. Delete Part 4 of text and sub-heading. Part 5 renumbered to Part 4.	Major Developed Sites 4. The following sites fall within the definition of a Major Developed Site within the Green Belt: (a) Burnley Wastewater Treatment Works, Wood End Road, Reedley	Response to AP7 of IN5.
MM06	Policy SP06 Policy Text Parts 1 – 6 Revise Text Policy SP06 renumbered to Policy SP08 as a	1. All <u>The design of all new</u> developments should seek to be designed to reduce the extent and impacts of climate change. To help promote zero carbon development, premises should <u>proposals are encouraged to</u> meet the highest technically feasible and financially viable standards and minimise their effects on climate change across the whole life cycle of the development. 2. <u>Applicants are encouraged to incorporate</u> small-scale renewable and low carbon energy generation should be incorporated into the design of new developments where appropriate, feasible and viable. <u>Domestic Residential development</u> 4. Developers should <u>are encouraged to</u> seek to meet independently accredited energy and sustainability standards, such as the Passivhaus Standard and the BRE Home Quality Mark.	Response to AP25 of IN7. To ensure that the policy is justified and effective.

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	consequence of MM36 and MM61.	<p>5. Residential and mixed-use developments incorporating ten dwellings or more, or in excess of 1,000m² gross floorspace, will be required to submit an energy statement. This should show how, the energy hierarchy has been used to make the fullest contribution to reducing greenhouse gas emissions.</p> <p>Non-domestic Residential development</p> <p>6. Non-domestic residential developments, excluding conversions and extensions of less than 500m², should are encouraged to achieve a minimum standard of BREEAM 'Excellent' (or any future national equivalent), where viability evidence indicates that this is feasible.</p>	
MM07	<p>Policy SP08 Table SP08a (now Table SP10a) International Protection Criteria</p> <p>Amend Text</p> <p>Policy SP08 renumbered to Policy SP10 as a consequence of MM36 and MM61.</p>	<p>Development within the SPA/SAC will only be permitted where it is necessary for the management of the site, or there is an imperative reason of over-riding public interest and there is no alternative solution.</p> <p>Development elsewhere in the borough will be required within an Impact Risk Zone (Policy DM08) will be expected to mitigate any adverse impacts on the SPA or SAC.</p>	<p>Response to AP28 of IN7.</p> <p>To protect wildlife and habitat conservation interests at the South Pennine Moors.</p>
MM08	<p>Policy SP11 Policy Text Part 6</p> <p>Amend Text</p>	<p>6. Proposals for new development should have regard to the potential impacts they may cause to the highway network, particularly in terms of safety and the potential to restrict free flowing traffic, causing congestion. Where an adverse impact is identified applicants should prepare a Traffic Impact Assessment and ensure that adequate cost-effective measures can be put in place. Where there is an unacceptable impact</p>	<p>To ensure consistency with national planning policy.</p>

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	Policy SP011 renumbered to Policy SP13 as a consequence of MM36 and MM61.	<u>on highway safety, or</u> the residual cumulative impacts of the development <u>are severe and</u> cannot be adequately mitigated, planning permission is likely to be refused.	
MM09	Policy SP11 Policy Text Part 7 Amend Text Policy SP11 renumbered to Policy SP13 as a consequence of MM36 and MM61.	7. Travel demand should be managed in accordance with programmes and initiatives established by the Council's partner organisations. New developments should, wherever possible, exploit opportunities for walking and cycling by connecting to existing pedestrian and cycle routes. Where appropriate new links should be provided to help increase connectivity and close gaps in the network such as those identified in the Local Cycling and Walking Infrastructure Plan (LCWIP) for Pendle. The provision of new or improved public transport systems may also be required to increase accessibility levels. A CIL charge may be sought to help finance these options.	To ensure that the local plan is justified. Deletion of text which is unnecessary. Response to AP47 of IN8.
MM10	Policy SP11 Policy Text Part 8 Amend Text Policy SP11 renumbered to Policy SP13 as a	8. For major developments applicants should submit a Transport Assessment to highlight any potential impacts of the development on the existing transport network. A Travel Plan may be required to indicate what measures will be taken to reduce and mitigate any negative impacts and address green travel options. <u>Development that generates significant amounts of transport movements should be supported by a Transport Statement or Transport Assessment.</u>	To ensure that the local plan is consistent with national planning policy. Response to AP47 of IN8.

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	consequence of MM36 and MM61.		
MM11	Key Diagram Page 74 Delete and Replace		<p>Response to AP2 of IN5.</p> <p>To ensure that the Key Diagram accurately illustrates the proposals and policies of the Local Plan</p>

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Development Management Policies			
MM12	Policy DM01 Policy Text Part 3(d)	3 (d). Adopt measures within building design to limit water usage, including the implementation of the optional technical standards for water efficiency in the Building Regulations.	Response to AP26 of IN07. The Council accepts that this requirement is not justified.

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	Delete Text	Subsequent sub-sections of Part 3 of the policy renumbered accordingly.	
MM13	Policy DM01 Policy Text Part 3(h) (renumbered to part g) Revise Text	3(h) The provision of street trees to promote urban cooling and shading (Policy DM07). <u>Provide street trees unless there are clear justifiable and compelling reasons why this would be inappropriate.</u>	Response to AP26 of IN07. To ensure that the policy is effective.
MM14	Policy DM02(a) Policy Text Part 11 Text removed	11. Finished floor levels should be a minimum of 600mm above whichever is higher of: (a) average ground level of the site (b)(a) adjacent road level to the building(s) (c)(b) estimated river or sea flood level for the site Subsequent parts of the policy renumbered.	Response to AP27 of IN7. The policy is unnecessary repetition of requirements for Flood Risk Assessments.
MM15	Policy DM04 Policy Text Parts 3 and 5 Revised Text	3. Unless exempt [footnote] all development proposals in Pendle will be expected, as applicable, to must deliver an overall measurable net gain for biodiversity of at least 10% against the baseline conditions of the site, measured using the latest version of the statutory Biodiversity Metric or Small Sites Metric, or their successors. Developments achieving on-site or borough-wide enhancements above 10% of the baseline conditions will be considered favourably. Habitat provision should align <u>respond positively to with</u> the objectives of the Lancashire Local Nature Recovery Strategy (LNRS) 5. Conservation Biodiversity Credits may also be accepted as a means of meeting policy requirements for Biodiversity Net Gain. Conservation Biodiversity Credits are a last resort in accordance with the mitigation hierarchy. New footnote (54): <u>Exemptions to Biodiversity Net Gain requirements listed in Paragraph 003, Chapter 74 (Biodiversity Net Gain) of Planning Practice Guidance.</u>	Response to AP30 of IN7. To ensure that the policy is justified and effective. To ensure it is consistent with relevant legislation, regulations and guidance.

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MM16	Policy DM05 Policy Text Parts 1, 2 and 3 Revised Text	<p>1. The Borough's ecological network will consists of core habitat areas; wildlife corridors and stepping stones; and restoration areas, and their buffer zones as defined on the Local Habitat Map for Lancashire [footnote]].</p> <p>2. Development proposals of all types should seek to prevent avoid or mitigate any harm to, and <u>where possible enhance, the ecological network have having</u> regard to the potential to enhance and add value to, the Lancashire Local Nature Recovery Strategy (LNRS).</p> <p>3. Within the ecological network development proposals should:</p> <ul style="list-style-type: none"> a. Prioritise the enhancement to <u>Preserve or enhance</u> priority habitats. b. Improve the connectivity of habitats, including restoration areas, to support the movement of mobile species and improve the resilience and function of the network. c. Minimise adverse impacts from pollution and disturbance. <p>New footnote (57): <u>The Local Habitat Map is part of the Lancashire Local Nature Recovery Strategy.</u> https://experience.arcgis.com/experience/92a5cd8951b84c65b9cd842f5ffc2333/page/Habitat-Map</p>	<p>Response to AP39 of IN8.</p> <p>To ensure that the policy is justified and consistent with national planning policy.</p>
MM17	Policy DM05 Supporting Text Paragraphs 5.108 and 5.109 Revise Text	<p>5.108 A new <u>The</u> Lancashire Local Nature Recovery Strategy (LNRS) will builds on this work. The LNRS will seeks to create a coherent ecological network for the county <u>helping to restore nature</u> and in doing so highlight any strategic cross boundary issues for biodiversity.</p> <p>5.109 The LNRS will is <u>informed by the Lancashire Local Habitats Map</u> the emerging Lancashire Nature Recovery Network (LNRN). This will map <u>identifies the ecological network. It maps</u> the wide range of natural capital assets in of the county <u>borough</u> and recognises the ecosystems services that they provide <u>defining areas of Particular Importance</u>. Together with appropriate buffer zones, the network will allow species to move freely between designated sites – the core locations for biodiversity – to feed, disperse, migrate or reproduce, providing future resilience to the potential impacts of climate change. <u>This network has been used to identify locations to create or</u></p>	<p>Response to AP39 of IN8.</p> <p>To ensure that the policy is justified and effective.</p>

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		<p><u>improve habitat of the greatest benefit for nature and the wider environment helping to guide projects and interventions to improve connectivity and resilience of habitats across Lancashire (see Habitat Map Layer 'Areas that Could Become of Importance'). Delivery of the potential measures outlined on the Habitat Map could help create, connect or improve habitat, helping to restore nature in Lancashire and would represent a positive response to Biodiversity Net Gain requirements (see Policy DM04).</u></p> <p>Relevant links to be inserted to the LNRS website</p>	
MM18	Policy DM06 Policy Text Part 1 Amend Text	<p><u>1. The Green Infrastructure Network is defined on the policies map.</u> The Council will seek to protect and enhance Pendle's green infrastructure assets. Where feasible, and appropriate to do so, the Council will seek to develop further connections between these assets (see Policy DM05).</p>	<p>Response to AP33 of IN7.</p> <p>To ensure the policy is justified and effective.</p>
MM19	Policy DM06 Policy Text Part 2 Delete and Amend text	<p>2. Development proposals will normally be supported where they:</p> <p>(a) Make a positive contribution to the delivery of a high quality multi-functional green infrastructure network.</p> <p>(b) Address the needs identified in the Pendle Green Infrastructure Strategy.</p> <p>(c) Avoid any unacceptable loss or harm to an existing green infrastructure asset. This includes the severance or disruption of a linear network connection such as a public right of way (e.g. footpath, cycleway, bridleway etc.) or ecological feature (e.g. wildlife corridor, hedgerow, ancient semi natural woodland or water environment).</p> <p>(d) Include measures that avoid any potential harm to the green infrastructure network. Or where harm cannot be avoided, sufficiently mitigate its effects (see also Policy DM31).</p>	<p>Response to AP34 of IN7.</p> <p>To ensure the policy is justified and effective.</p>

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		<u>(c) Avoid or mitigate any significant harm to an existing green infrastructure asset or the wider green infrastructure network including disruption to, or severance of, a linear connection such as a public right of way or part of the ecological network.</u>	
MM20	Policy DM06 Supporting Text Paragraph 5.121 Amend Text	5.121 The Pendle Green Infrastructure Strategy (2019) maps the many components of the borough's GI network. It identifies gaps in existing provision and highlights opportunities to protect and enhance existing assets. In doing so it helps to guide the delivery and future investment in GI to maximise its associated benefits. <u>The Green Infrastructure Strategy is depicted on the policies map.</u>	Response to AP33 of IN7. To ensure the policy is justified and effective.
MM21	Policy DM08 Policy Text Part 2	Subject to the exemption tests set out in Article 6(4) of the Habitats Directive , any development which is likely to lead, directly or indirectly, to an adverse effect (either alone or in combination with other plans or projects) on the integrity of the SPA or SAC, which cannot be effectively mitigated, will not be permitted within any of the three Impact Risk Zones.	Response to AP29 of IN7 To ensure the policy is justified and effective. To protect wildlife and habitat conservation interests at the South Pennine Moors.
MM22	Policy DM09 Policy Text Part 3 Amend Text	3. Outside a defined settlement boundary development will only be permitted where it: (a) is a rural activity, which for operational reasons – <u>Requires a countryside location for operational reasons – including, but not limited to, equestrian facilities (Policy DM46), infrastructure (Policy SP13) and communications (Policy DM39).</u> (b) (c) Support sustainable economic growth and business diversification – including support for tourism facilities and accommodation that accord with Policy DM45 (c) (b) Meets an essential local housing need, <u>including self-build and custom housebuilding – and complies with the exceptions set out in Policy DM23 or Policy DM27. (see Policy DM23)</u> (d) Secures the future of a designation or non-designated heritage asset that is substantially intact <u>(Policy DM18).</u>	In response to AP4 of IN5. To ensure the consistency of policy and secure the effectiveness of the Local Plan. Reflects renumbering of policies (see MM36 and MM61)

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		<p><u>(e) Is a residential alteration, extension or conversion that is consistent with Policies DM24 – DM26, where relevant</u></p> <p>(f) Represents a design of exceptional quality that can be justified in a particular location.</p> <p><u>(g) Addresses a specific community or recreational need (see Policies DM31 and DM35).</u></p>	
MM23	<p>Policy DM11 Parts 2, 7 and 8</p> <p>Text Deleted Footnote 54 also deleted</p> <p>Parts 3, 4, 5, 6, and 9 renumbered (2, 3, 4, 5, 6, 7)</p>	<p>2. Paragraphs 1-8 of this policy apply to all land lying within the designated boundary of the National Landscape, including that within the following settlements:</p> <ul style="list-style-type: none"> • Barley • Newchurch-in-Pendle • Roughlee and Crow Trees • Spen Brook <p>7. To promote vibrant communities, and help maintain local service provision, small scale growth and investment within the designated area of the National Landscape will be supported for the following purposes, provided that it does not cause adverse harm to the landscape:</p> <p>(a) Agriculture and horticulture</p> <p>(b) Residential – conversions and rural exceptions sites (see Policy DM23)</p> <p>(c) Engineering operations and essential infrastructure</p> <p>(d) Sustainable Tourism⁵⁴</p> <p>8. Development proposals outside a defined settlement boundary (i.e. within hamlets or the open countryside) will be treated as exceptions and will only be permitted where they demonstrate that there will be no adverse impact on settlement or landscape character; and that it:</p> <p>(a) Requires a rural location.</p> <p>(b) Will help to sustain an existing business, including farm diversification and tourism schemes.</p> <p>(c) Supports tourism (see Policy DM45)</p>	<p>To ensure the policy is justified and consistent with national planning policy.</p> <p>To ensure the consistency of policy.</p> <p>To minimise duplication and ensure the Local Plan is succinct.</p>

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		<p>(d) Adjoins a settlement and contributes to the meeting of a proven and essential housing need in that location (see Policy DM23)</p> <p>(e) Represent a sensitive and appropriate reuse, redevelopment or extension of an existing structurally sound building.</p> <p>Footnote 54 Sustainable tourism in the Forest of Bowland National Landscape – https://www.forestofbowland.com/sustainable-tourism</p>	
MM24	Policy DM11 Policy Text Part 9 (renumbered to Part 6) Text Amendment	<p>9: 6. Development proposals within the setting of the National Landscape must demonstrate that, in terms of their siting or scale, they would not any adversely affect effects on <u>be sited and designed so that they</u> the special quality <u>qualities</u> of the Forest of Bowland National Landscape, as set out in the most up to date Management Plan, <u>are minimised and where possible eliminated.</u></p>	To ensure consistency with national planning policy.
MM25	Policy DM12 Policy Text Part 2 Add Footnote	<p>2. The sites listed in Appendix 8 – and any Local Green Space sites designated in a subsequently adopted DPD or Neighbourhood Plan – will be protected from any development that causes harm to the “special qualities” <u>demonstrably special characteristics</u> of the site, as defined in the Statement of Significance[footnote].</p> <p><u>New footnote (68): Part 4 of the Local Green Space Report and Methodology (Pendle Borough Council, 2024)</u></p>	<p>To ensure that the policy is effective and justified.</p> <p>Response to AP41 of IN8.</p>
MM26	Policy DM12 Policy Text Part 3 Amend Text	<p>3. Development on land designated as Local Green Space is considered inappropriate. Exceptions to this are:</p> <p>(a) Buildings for agriculture and forestry.</p> <p>(b) Art installations or the provision of appropriate facilities for outdoor sport, outdoor recreation, and cemeteries; provided that they preserve the openness of the Local Green Space and do not conflict with the purposes of including land within it.</p> <p>(c) The re-use of a building that is of permanent and substantial construction.⁵⁶</p> <p>(d) The extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building.</p> <p>(e) The replacement of an existing building; provided that the new building is for the same use and not materially larger than the one it replaces.</p>	<p>To ensure consistency with national planning policy.</p> <p>Response to AP41 of IN8.</p>

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		<p>(f) Engineering operations.</p> <p><u>Applications for development within designated Local Green Space will be determined in accordance with national planning policy relating to Green Belt.</u></p> <p><u>[deleted footnote]</u> For new dwellings the phrase “permanent and substantial construction” will not normally include timber buildings or structures, as these will normally require significant modification to be considered habitable.</p>	
MM27	<p>Policy DM12 Supporting Text</p> <p>Delete and Amend Text</p>	<p>5.192 At the time of writing national planning policy and planning guidance make no mention of the need to consult with landowners prior to designation. Given the obligations of the plan-making bodies⁵⁷ under the Human Rights Act 1998, it is strongly advised that landowners are consulted prior to final designation, given the significant constraint that the Local Green Space designation imposes on the development rights of the land.</p> <p><u>A Local Green Space does not need to be in public ownership. However, as the designation restricts the type and scale of development that could take place on the land, neighbourhood bodies should contact landowners at an early stage about proposals to designate any part of their land as Local Green Space in new or updated neighbourhood plans.</u></p>	<p>To ensure consistency with guidance and procedure.</p> <p>Response to AP42 of IN8.</p>
MM28	<p>Policy DM14 Policy Text Part 3</p> <p>Amend Text</p>	<p>3. Where recorded coal mining features pose a potential risk to surface stability or public safety any issues that are identified must be resolved to the satisfaction of the <u>Local Planning Authority in consultation with the Mining Remediation Coal</u> Authority.</p>	<p>To ensure that the policy is consistent with planning law.</p> <p>To reflect a name change of a statutory consultee.</p>
MM29	<p>Policy DM16 Policy Text Part 1(c)</p> <p>Amend Text</p>	<p>(c) Encourage active lifestyles through compliance with Active Design, BREEAM and Home Quality Mark standards.</p>	<p>Response to AP43 of IN8</p> <p>To ensure the policy is justified.</p>

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MM30	Policy DM16 Policy Text Part 1(d)(i) Amend Text	1(d) Improving external appearance and amenity by ensuring that: i. Householder developments, shopfronts and external advertisements proposals accord with have regard to the detailed requirements guidance set out in the Design Principles SPD; and the Conservation Area Design and Development Guidance SPD where applicable.	To reflect the weight applied to supplementary planning documents through the decision making process.
MM31	Policy DM17 Policy Text Part 2 Amend Text	2. Proposals which would result in a proliferation of advertisements will be refused in sensitive locations where amenity will be impaired harmed . Sensitive locations include, but are not limited to, historic environments; rural locations; areas with high visual amenity; parks; business parks and town centres.	To reflect Advertisement Regulations. Response to AP44 of IN8
MM32	Policy DM17 Policy Text Part 3 Amend Text	3. Any advertisement requiring planning advertisement consent must meet the following criteria, and be consistent with relevant local and national planning policy:	To reflect Advertisement Regulations. Response to AP44 of IN8
MM33	Policy DM17 Policy Text Part 4 Amend Text	4. Proposals Development should conform have regard to the Design Principles SPD, which provides detailed guidance on the design of shop fronts.	To reflect the weight applied to supplementary planning documents through the decision making process.
MM34	Policy DM18 Policy Text Part 2 Amend Text	2. Proposals that affect a heritage asset, or its setting, should be designed so that they protect conserve the historic environment by: (a) Conserving, sustaining Sustaining and enhancing the significance of the heritage asset.	To ensure consistency with national planning policy.
MM35	Policy DM19 Policy Text Part 2	2. As a priority new development Development proposals should protect conserve , enhance, promote , and where appropriate, reinstate heritage assets that positively contribute to the historic character of the Leeds and Liverpool Canal corridor . This includes canal-	To ensure consistency with national planning policy. To

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	Amend Text	related infrastructure such as bridges, locks, wharfs, warehouses and textile mills <u>some of which are designated as heritage assets.</u>	ensure the policy is justified and effective. Response to AP45 of IN8.
MM36	Policy DM20 Move policy and supporting text to Strategic Planning Policies as Policy SP04	Policy DM20 <u>SP04</u> Housing Requirement and Delivery Supporting Text Paragraphs renumbered 4.25 to 4.45. Footnote numbering revised.	Response to PQ8 in PBC IN2 To ensure that Strategic Policies of the Local Plan are clearly identified in accordance with Paragraph 21 of the NPPE.
MM37	Policy DM20 (<i>now Policy SP04</i>) Policy Text Part 4 Delete Text, and renumber	4(b) Review housing density, site capacity, and product delivery at sites where development has not yet commenced including allocated sites. 4(c) and 4(d) revised to 4(b) and 4(c) respectively.	Response to AP14 in IN7 Action duplicates 4(a) and is not necessary.
MM38	Policy DM20 (<i>now Policy SP04</i>) Policy Text Part 5	5. Where applicable ⁶²⁻¹⁵ , the The Council will maintain a specific supply of <u>specific</u> deliverable ⁶³⁻¹⁵ housing sites sufficient to provide a <u>minimum of five-years' worth of</u> housing land supply <u>against the annual requirement for 148 dwellings with an additional buffer as set out in the NPPE.</u> Where this cannot be demonstrated, the Council must apply the presumption in favour of sustainable development <u>will apply.</u> ⁶⁴⁻¹⁶ In these circumstances, development proposals should continue to accord	Response to AP37 in IN8 To ensure consistency with the national planning policy.

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	Revised and Deleted Text Footnote 62 (footnote 15 as revised) Deleted.	with the spatial strategy settlement hierarchy (Policy SP02) and spatial distribution (Policy SP03) and represent a proportionate response to the scale of the identified any shortfall in supply identified, and meet the requirements of Policies DM21, DM22 and DM23. Footnote 62 (15): See Paragraph 76 of the NPPF (2023)	To provide clarity for effectiveness. Numbering changes (footnotes) consequential of MM36.
MM39	Policy DM20 (now Policy SP04) Supporting Text Previously Paragraph 6.36 (now 4.43) Revised Text	6.36 4.43 Where a consistent supply or delivery of sufficient housing land required to meet the housing requirement cannot be maintained, Policy DM20 SP04 sets out the measures to be undertaken by the Council to rectify any arising shortfall in housing land provision. This includes a review of existing or planned sites for their density and timescales of delivery working with developers to overcome barriers to the delivery of housing , as well as mechanisms of national planning policy such as the Housing Delivery Action Plan, and the implementation of the presumption in favour of sustainable development where required.	Response to AP14 in IN7 Consequential changes to Part 5 of the policy (see MM38). Paragraph numbering changes consequential of MM36.
MM40	Policy DM20 (now Policy SP04) Supporting Text Insert new paragraph after paragraph 6.37 (now 4.44)	<u>4.45 At the time of adoption, sufficient land is identified through the Local Plan Fourth Edition and ‘Made’ Neighbourhood Plans to meet the Borough’s minimum housing requirement in full. As such, there is no requirement for additional housing sites to be identified through any new or revised Neighbourhood Plan. However, Neighbourhood Plans may allocate additional sites provided that they are in general conformity with strategic policies. If requested to do so by a neighbourhood planning body, the Council will provide an indicative figure that would be in general conformity with the strategic policies taking into account factors such as latest evidence of local housing need and the population of the neighbourhood area.</u>	Response to PQ19 in PBC IN2 and AP5(a) / AP5(b) of IN5. To provide clarity to designated neighbourhood plan bodies on the approach the Council will take towards housing delivery through Neighbourhood Plans over the plan period. To ensure consistency with Paragraph 67 of the NPPF.

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			Paragraph numbering changes consequential of MM36.
MM41	Policy DM21 Policy Text Part 3(d) Revised Text	3(d) Be accessible and adaptable, and where possible Meet the optional technical standards of Part M4(2) of the Building Regulations 2010, as amended unless this is not possible for specific reasons such as vulnerability to flooding, site topography or other circumstances which make the site less suitable.	Response to AP16 of IN7. To ensure that the policy is justified and effective.
MM42	Policy DM21 Supporting Text Paragraph 6.45 (now Paragraph 6.25) Revised Text	6.45 6.25 A response to this arising need is the requirement for proposals to ensure that new homes provided as accessible and adaptable. The Pendle Development Viability Study (2020) acknowledges Whilst it is acknowledged that viability is an issue for development in many parts of the borough, the cost of providing homes to the optional technical standards of Part M4(2) of the Building Regulations 2010 is not prohibitive. This Meeting this standard will help to support the changing needs of occupiers over their lifetime, which is increasingly important given an ageing population profile. The provision of new homes to meet optional technical standards of Part M4(3) of the Building Regulations 2010 will help meet the housing needs of the disabled population.	To ensure that the supporting text accurately reflects the approach of policy taking into account the evidence. Paragraph numbering changes consequential of MM36.
MM43	Policy DM23 Policy Text Part 5 Insert text	5. Affordable housing should be provided on site. It and should: (a) Be designed so that it is indistinguishable in its appearance and quality of materials to market housing (tenure blind); and (b) Integrate effectively and feature by featuring throughout the layout of a the development proposal , with proportionate provision provided through all phases of development.	Response to FPQ1 in PBC IN2.1 To provide greater clarity as to how the policy should be implemented.
MM44	Policy DM23 Policy Text Parts 9, 10, 11	Tenures, Types and Sizes 9. A minimum 75% of affordable homes should be provided as should be affordable or social rent, with the remaining 25% delivered as First Homes , unless:	Response to AP16 of IN7 The 2024 NPPF confirms there is no longer a mandatory requirement for

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	Revise and delete text Subsequent policies renumbered.	(a) Robust evidence strongly demonstrates local demand for a different tenure mix. (b) An update of the Pendle HEDNA, or equivalent, indicates otherwise. 10. First Homes should be subject to a discounted rate as set out in Table 7.24 of the 2023 HENA or successor. 11. A combined annual income cap of £35,000 is applicable for First Home purchasers in Pendle. Subsequent parts of Policy DM23 renumbered.	First Homes in affordable housing policies. The HENA confirms tenure needs for affordable housing. The revised wording reflects this position and is required to ensure the policy is justified and effective.
MM45	Policy DM23 Policy Text Part 14 (to be renumbered) Insert text	14. The development of affordable and entry level housing on a rural exception site will be supported where the development: (a) Addresses a genuine local need identified in a Parish Survey or Neighbourhood Plan; (b) Occupies a site no longer than 0.5 hectares, which is not already allocated for development, and adjoins, or is well related to, the settlement boundary of a Rural Service Centre or Rural Village; (c) Consists of 9 dwellings, or fewer; (d) Respects the character and setting of the settlement in terms of its siting, scale, types of dwellings provided, appearance, design and materials; (e) Conserves local landscape quality, the historic environment, and biodiversity; and (f) Offers access to local employment opportunities and services, using sustainable modes of transport.	Response to FPQ1 in PBC IN2.1 To provide greater clarity as to how the policy should be implemented and ensure compliance with the NPPF.
MM46	Policy DM23 Supporting Text Paragraphs 6.65 to 6.68 (Paragraphs	6.65 (6.45) The Government recently expanded the definition of affordable housing to include First Homes. Footnote 78 First Homes are discounted market sale units which: a) Are discounted by a minimum of 30% against the market value. b) After the discount has been applied, the first sale price must be at a price no higher than £250,000.	Response to AP16 of IN7 To reflect changes to Part 9 of Policy DM23 and to national planning policy.

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	<p>6.45 to 6.48 as revised)</p> <p>Footnotes 78 and 79 (Footnotes 91 and 92 as revised)</p> <p>Deleted Text</p>	<p>c) The home is sold to a person who meets First Homes eligibility criteria. Footnote 79</p> <p>Footnote 78 (91) Introduced by Written Ministerial Statement 24th May 2021 UIN HLWS48</p> <p>Footnote 79 (92) See: Paragraph: 007 Reference ID: 70-007-20210524</p> <p>6.66 (6.46) In addition, to qualify as a First Home, a Section 106 agreement is required to secure the necessary restrictions on the use and sale of the property, and a legal restriction on the title of the property to ensure that these restrictions are applied at each future sale:</p> <p>6.67 (6.47) The Government requires at least 25% of the affordable homes provided on-site should be delivered as First Homes. This requirement is applied through Policy DM23. The Written Ministerial Statement allows local planning authorities to apply local variations to eligibility criteria, where justified in evidence. As evidenced within the HEDNA, lower wages and property prices in Pendle, justify the application of a local standard for discount rate and income threshold through Policy DM23:</p> <p>6.68 (6.48) The NPPF expects 10% of the homes at major developments to be made available for affordable home ownership, unless this exceeds the level of affordable housing required or (would) significantly prejudice the ability to meet the identified affordable housing needs of specific groups (paragraph 65). In Pendle, where viability is a major influence on delivery, this rigid approach is at odds with efforts to ensure the delivery of sufficient new homes to meet the housing requirement. In most cases the requirement for 10% affordable housing would not be viable except for limited circumstances within rural parts of the borough. In addition, the HEDNA demonstrates that most affordable housing need is for social/affordable rent tenure properties. As such the implementation of a requirement which would effectively require all affordable homes built in the borough to be for affordable home ownership which is</p>	<p>Paragraph numbering changes consequential of MM36.</p>

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		inconsistent with local evidence of need. Taking this into account Paragraph 65 of the NPPF is not implemented through the Local Plan.	
MM47	Policy DM27 Policy Text Part 2(b) Revise Text	2. The provision of self-build or custom-build homes will be supported where: (a) The site is: i. Allocated through Policy AL01; ii. Suitable for housing and within a defined settlement boundary; or iii. Located outside but closely related to a defined settlement boundary and its development would not adversely affect settlement character, residential amenity, or access to recreation. (b) The applicant <u>proposal is for an occupier whom:</u> i. Is resident within the borough; or ii. Has a local connection with the settlement or parish where development is to take place.	Response to AP18 of IN7
MM48	Policy DM27 Policy Text Part 4 Insert text	4. Proposals for market housing, delivering 50 dwellings or more, will be expected to promote self-build and custom housebuilding. A minimum of 5% of all new homes provided on these sites will be required for self-build; Self-build plots should: (a) Self-build homes should form a specific phase of the development. <u>Be grouped to a single location of the development site accounting for site safety, access and phasing of construction.</u> (b) Self build areas must be fully serviced and integrated into the wider approved landscaping, drainage, and biodiversity schemes for the development. (c) (b) Self build areas must made available for disposal prior to the full occupation of the wider approved scheme. (d) (c) Self build areas must be marketed for a minimum period of 6 months before reverting to market housing subject to written approval of the Local Planning Authority. (e) (d) Self build areas must be <u>fully serviced and integrated into the wider approved landscaping, drainage, highways and biodiversity schemes for the development; and</u>	Response to FPQ1 in PBC IN2.1 Response to AP18 of IN7 For clarity and effectiveness. To remove duplication and unnecessary text.

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		(e) The position, size and pallet of materials of any self-build homes, must be consistent and compatible with approved plans for the wider development, including site drainage, highways, biodiversity, and landscaping. (f) Detailed planning permission will be required for each self-build plot before construction can commence.	
MM49	Policy DM27 Supporting Text Paragraph 6.110 (now Paragraph 6.86) Revised Text	6.110 <u>6.86</u> An important contribution to self-build will come forward via major sites promoted during the plan period. The threshold for self-build will not be applicable to apartment only schemes. Major development sites can be complex to bring forward for development and the provision of self-build on-site gives rise to potential health and safety, operational and security issues. To address this the policy sets out that self-build areas <u>plots</u> should form a specific phase of a <u>be provided within a specified area of the</u> development, to be and made available for purchase (and development) prior to full occupation of the wider development.	Consequential changes to those set out for Policy DM27. Paragraph renumbering consequential to MM36.
MM50	Policy DM28 Policy Text Part 3 Insert text	3. The diverse housing needs of the people in the borough will be supported by delivering specialist forms of residential accommodation across all tenures. The Council will support new development proposals where they, <u>as relevant:</u> (a) Adapt or extend existing residential properties to meet the needs of older people and those with disabilities...	Response to FPQ1 in PBC IN2.1 To provide clarity in recognition of the broad spectrum of development proposals which might be considered against this policy during the plan period.
MM51	Policy DM31 Policy Text Part 8 Insert, amend and delete text	8. The development of existing open space <u>for other land uses</u> will be granted planning permission where: (a) The proposal includes alternative provision that is equivalent or better in terms of quantity, quality, accessibility and management arrangements; <u>or</u>	Response to FPQ1 in PBC IN2.1 For clarity. To ensure consistency with the NPPF

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		<p>(b) Evidence can be provided that the open space site is surplus to requirements <u>and its loss does not lead a deficiency for that open space typology within the Electoral Ward and/or Area Committee area in which it is located. This calculation will be based on evidence in the most up-to-date Open Space Audit or Strategy; and</u></p> <p>(c) Its loss does not lead a deficiency for that open space typology within the Electoral Ward and/or Area Committee area in which it is located. This calculation will be based on evidence in the most up-to-date Open Space Audit or Strategy.</p> <p>(d) (c) The site is not suitable to meet any identified deficiency of another open space typology.</p> <p>(e) The proposal accords with other policies of the Local Plan where they are relevant.</p>	
MM52	Policy DM31 Policy Text Part 12 Amend and delete text	<u>Where required, major Residential developments must assess the potential for likely significant effects</u> that will contribute to recreational pressure on the South Pennine Moors SPA and SAC. will be required to mitigate these effects through provision of new natural green spaces for recreation or to contribute towards improvements to existing open spaces including Suitable Alternative Natural Greenspace (SANG) (see Policy DM08)	Response to PQ10 in PBC IN2 To reflect changes made to Policy DM08.
MM53	Policy DM32 Policy Text Part 1 Amend Text	1. Development proposals which affect an existing <u>cycleway or</u> public right of way should, in the first instance, seek to incorporate this into the development as an exclusive route for walkers and cyclists. Where this is not possible, the proposals should provide an alternative route that is safe and attractive for all users.	Response to AP48 of IN8
MM54	Policy DM33 Policy Text Part 2(c) Delete text	2(c) The proposal is in a ward that is not within the 20% most deprived wards in England 2(d) renumbered to 2(c)	Response to AP22 of IN7 The policy approach is not justified.

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MM55	Policy DM33 Policy Text Part 4(c) Insert Text	4(c) Within designated protected employment areas, town centres, and local frontages, proposals are consistent with the requirements of Policy DM41 <u>(Part 4)</u> , Policy DM42 <u>(Part 6)</u> and Policy DM44 <u>(Parts 3-5 inclusive)</u> .	For clarity.
MM56	Policy DM33 Supporting Text New Paragraph inserted after 6.185 (now 6.161)	<u>6.162 The Hot Food Takeaways and Spatial Planning public health advisory note (Lancashire County Council, 2024) provides data on health trends across Lancashire. It highlights the rate of illness and chronic diseases associated with over-weight and obesity and concern about the increasing number of hot food takeaway outlets; which in Pendle have risen by 30% between 2018 and 2024 (the second highest rate in Lancashire over this period). It recommends that restrictions are placed on new hot food takeaway outlets close to facilities which are used by children and wards with high rates of child obesity.</u>	Response to AP24 of IN7. To ensure that Policy DM33 is justified. Paragraph numbering changes consequential of MM36.
MM57	Policy DM35 Policy Text Part 3 Insert text	3. Any proposal to change the use of a building or land which is already in cultural or community use will be supported where consistent with Policy DM31 as applicable, and: (a) Replacement facilities of a similar scale and function, which maintains or enhances local built character, and is are accessible via sustainable transport links to the community served, are provided; or ; (b) It is evidenced that there is no need or demand for the facility to remain in that use; <u>or</u> (c) The existing use is no longer viable and cannot be reasonably made viable.	Response to FPQ1 in PBC IN2.1 For clarity.
MM58	Policy DM36 Policy Text Part 1(f)	(f) The proposal would not result in unacceptable lasting harm to the historical environment, landscape quality, or the setting and character of a settlement.	To ensure the policy is consistent with national planning policy.
MM59	Policy DM37 Policy Text	16. At supermarkets and other large-scale developments open to the public (e.g. multiplex cinemas) <u>the following facilities should be provided:</u>	Response to FPQ1 in PBC IN2.1

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	Part 16 Amend text	(a) A drop-off zone with under-cover seating should be provided. This should be located as close as possible to the main building entrance and include under cover seating . The minimum dimensions of the setting down/picking up area should be 2.5m x 8m. (b) A minimum of two equipped Fast (32 amp) EV Charging Unit, plus an additional unit per 50 spaces created.	For clarity.
MM60	Policy DM39 Policy Text Part 4 Insert text	4. The installation of new equipment and any supporting structures will normally be permitted provided that the application, <u>where applicable:</u> (a) Offers a reasoned justification for the development, including evidence of a local need...	Response to FPQ1 in PBC IN2.1 The policy lists a series of criteria which are expected to be adhered to for planning permission to be granted. The Council acknowledges that some matters not listed will not always will be applicable depending on the proposal and as such amended wording is proposed to address this.
MM61	Policy DM40 Move policy and supporting text to Strategic Planning Policies as <u>Policy SP05</u>	Policy DM40 <u>SP05</u> Employment Land Requirement and Delivery Supporting Text Paragraphs renumbered <u>4.46 to 4.57</u> .	Response to PQ8 in PBC IN2 To ensure that Strategic Policies of the Local Plan are clearly identified in accordance with Paragraph 21 of the NPPF.

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MM62	Policy DM40 (<i>now Policy SP05</i>) Policy Text Part 1 Insert text	Over the plan period (2021-2040), provision will be made to deliver 79,100 sqm of Industrial Floorspace (B2/B8), <u>and 13,200sqm of Office Floorspace (E(g)).</u>	Response to PQ21 in PBC IN2 To ensure that the policy identifies the full employment land requirements as assessed through the HEDNA.
MM63	Policy DM40 (<i>now Policy SP05</i>) Supporting Text Insert new paragraph after paragraph 7.29 (<i>now Paragraph 4.56</i>)	<u>4.57 Sites allocated in Policy AL02 are identified for B2/B8 with supplementary Class E(g) use only. No sites allocated in Policy AL02 are specifically identified for Class E(g) use. This is due to the lack of residual need for new office space taking into account commitments, vacant floorspace, and other floorspace opportunities in Pendle [footnote]. Class E(g) uses fall within the much wider Class E use category. Permitted Development Rights enable movements within Class E without planning permission. This results in increased opportunity for offices at sites in Class E use. It also raises the potential of other commercial uses taking place at employment sites which may erode their economic role within the Borough. These uses have a different intensity and nature of use and users, with potential for adverse effects on uses typically found on employment sites. Mindful of this Council wish to protect employment sites so they primarily remain in Class B2/B8 use, as these uses best reflect the economic structure and strengths of the borough and are only suitable in a limited range of locations. See Policy DM41.</u> <u>Footnote (24): See Authority Monitoring Reports, See also Section 14 of the HEDNA (2023).</u>	Response to PQ21 in PBC IN2 To ensure that the policy approach is justified and consistent with supporting evidence. Paragraph numbering changes consequential of MM61.
MM64	Policy DM41 Policy Text Part 2	2. Sites or premises within a PEA should remain in employment use unless it can be shown that they: (a) Have been vacant and continuously marketed for employment use, at prevailing local market rates, for a period of not less than two years; <u> or</u>	Response to FPQ1 in PBC IN2.1 To clarify that either of the options outlined in the policy

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	Insert text	(b) Are to be used for industrial or commercial training purposes.	are suitable where evidenced.
MM65	Policy DM41 Policy Text Part 4 Insert text	4. Stand-alone Class E and Sui Generis uses may be acceptable, where consistent with paragraph 1 of Policy DM44 and other development plan policies, and where the proposal: (a) Does not undermine or prejudice the operations of existing businesses or the purposes of the PEA designation.; (b) Is compatible with the existing business operations in terms of amenity, air quality, noise, vibration, odour, public safety and security; (c) Does not individually or cumulatively exceed 25% of the total floorspace and/or site area (whichever is smaller) of the PEA.	Response to FPQ1 in PBC IN2.1 For clarity.
MM66	Policy DM42 Policy Text Part 3 Insert Text	3. Primary Shopping Areas are designated for each of the borough's Town Centres and their boundary is defined on the Policies Map. <u>Retail (Use Class E(a)) is the dominant land use in these locations.</u>	Response to AP19 of IN7. Confirms the dominant land use in designated Primary Shopping Areas.
MM67	Policy DM42 Policy Text Part 5	5. Within the Primary Shopping Area, Sui Generis hot food takeaways, public houses, wine bars, (Sui Generis) and proposals falling within Use Class F1 uses may be permitted at a ground floor level where the development:	Response to AP19 of IN7. To ensure that the policy is effective.
MM68	Policy DM44 Policy Text Part 1 Revise Text	1. Beyond the defined boundaries of the Town Centres, District Centres <u>(Policy SP06)</u> and Local Frontages, proposals for new Main Town Centre Uses will not normally be permitted unless supported by a robust Sequential Assessment and, where necessary <u>a proposal exceeds 400sqm, a</u> Retail Impact Assessment.	Response to AP21 of IN7. To ensure that the policy is consistent with national planning policy and reflects supporting evidence.

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			To reflect changes to policy numbering consequential of MM36 and MM61.
MM69	Policy DM44 Policy Text Parts 1(b) and 1(c) Revise Text	1(b) Other accessible locations within settlement boundary subject to compatibility with adjacent uses that are well connected to the town centre 1(c) At locations access to high frequency public transport routes closely related to a settlement boundary.	Response to AP21 of IN7. To ensure consistency with the NPPF.
MM70	Policy DM44 Policy Text Part 5 Revise Text	5. In addition, Sui Generis hot food takeaways, public houses, wine bars (Sui Generis) may be permitted provided that:	Response to AP21 of IN7. To ensure that the policy is effective.
MM71	Policy DM44 Policy Text Part 6 Revise Text	6. Existing retail <u>out-of-centre</u> retail locations are defined on the Policies Map	To ensure consistency of terms used by the policies. To ensure the policy is effective.
MM72	Policy DM44 Policy Text Part 7(a) Insert Text	7(a) Premises in Use Class E can be replaced by another retail or commercial floorspace, mass and height. <u>Any proposal would be subject to the same planning conditions attached to the existing planning permission.</u>	To ensure that the policy is effective and consistent with national planning policy with regard to the sequential approach to retail development and retail impact assessments.

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MM73	Policy DM44 Policy Text Part 8 Insert Text	8. Proposals which exceed these thresholds that do not comply with the requirements set out in <u>Part 7</u> will be required to submit a Sequential Assessment and Retail Impact Assessment proportionate to the scale of the proposal.	To ensure that the policy is clear.
MM74	Policy DM45 Policy Text Part 1 Insert new Part 2 Revise Text	1. Proposals relating to tourism facilities, activities and accommodation (including short term lets as relevant) and facilities should: are likely to be supported where they: (a) Facilitate the repurposing of existing structures <u>on site. Where this is not possible or feasible, the provision of new buildings may be acceptable</u> by making them structurally sound and, where possible, enhancing their appearance. (b) Employ sustainable design and construction methods which make effective use of high quality, recycled, locally sourced and/or low carbon materials (Policy DM16). (c) Offer access to local facilities and services via cycle ways, footpaths or regular public transport services. (d) Protect residential amenity. (f)(e) Conserve and where possible enhance the natural, historic and built environment.	Response to AP24 of IN7 To ensure that the policy is justified and effective.
MM75	Policy DM45 Policy Text Insert new Part 2 Insert Text	<u>2. Proposals are likely to be supported where they:</u> <u>(a) Support urban renewal by repurposing existing structures, or making effective use of previously developed land, and, where possible, enhance the quality of the wider built and natural environment, insofar as this is consistent with the wider policies of the Local Plan.</u> (g) (b) Increase the supply of good quality serviced and self-catering accommodation. (h) (c) Do not involve the loss of tourism accommodation unless there is no realistic prospect for its continued use. (i) (d) Support active use along the Leeds and Liverpool Canal, consistent with environmental and amenity factors (Policy DM19). (j) (e) Develop new markets for local produce, particularly those that support land-based industries and cultural assets. (k) (f) Help to promote a year-round tourism industry.	Response to AP24 of IN7 To ensure that the policy is justified and effective.

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MM76	Policy DM45 Policy Text Part 7 Amend and insert text	7. Small scall retail, at an existing facility, including farms, or visitor attractions will support where it is : (a) Located <u>Is located</u> in an existing building, or in a new building which is closely related to the tourist attraction; (b) Enables the purchase of local produce; and <u>and</u> (c) Ancillary <u>Is ancillary</u> to the main permitted use.	Response to FPQ1 in PBC IN2.1 For clarity.
MM77	Policy DM45 Policy Text Part 8 Move text within policy.	Part 8 to be moved to after Part 6.	Response to AP24 of IN7. To ensure the policy is effective.
MM78	Policy DM45 Policy Text Part 9 Delete Text	9. The removal of a condition attached to the original planning permission, restricting the occupation of a dwelling to holiday use, will only be supported where the property is in an sustainable location, unless otherwise permitted through the NPPF.	Response to AP24 of IN7 Removes unnecessary duplication with Part 2 of the Policy.
MM79	Policy DM46 Policy Text Part 2 Insert text	2. The development of equestrian facilities including private stables, tack rooms and hay stores will be permitted where the proposal: (a) Is in close proximity to the established highway and bridleway networks; (b) Is well related to buildings of a permanent nature; (c) Is of an appropriate size and scale, relative to its intended use and the fields concerned; (d) Minimises visual impact and does not adversely affect the landscape by means of location, siting, scale, appearance and design (including external materials, landscaping and boundary treatments); (e) Makes best use of existing infrastructure by using existing vehicular and field access tracks, bridleways, utilities and buildings;	Response to FPQ1 in PBC IN2.1 For clarity.

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		(f) Includes a pasture management plan and keeps ancillary development (maneges, storage facilities, hard standing, access tracks, exercise pens etc.) to the minimum necessary; and (g) Would not result in an intensification of use that could: i. Harm the character of the open countryside by reason of cumulative impact; ii. Create a hazard for highway users; iii. Lead to the deterioration of the bridleway network; iv. Impact on the openness of the Green Belt, or conflict with the purposes of including land within it; v. Adversely affect the amenity of neighbouring properties and the wider area by reason of noise, smell odour , overlooking, or other general disturbance.																				
Site Allocations																						
MM80	Section 8 Paragraph 8.7 Page 250 Amend text	<p>The sites allocated in this Plan are expected to deliver 544550 new homes (planning permission having already been granted for around 1,3301,589 net homes) and 28.3926 hectares of employment land in the plan period up to 2040. This provision is broken down as follows between the spatial areas:</p> <table><tr><th rowspan="2">Spatial Area</th><th colspan="2">Housing</th><th colspan="2">Employment</th></tr><tr><th>Land (ha)</th><th>Dwellings</th><th>Land (ha) (Net)</th><th>Est jobs</th></tr><tr><td>M65 Corridor – Urban</td><td>10.925</td><td>366372</td><td>16.00</td><td>1,296</td></tr><tr><td>M65 Corridor – Rural</td><td>0</td><td>0</td><td>0</td><td>0</td></tr></table>	Spatial Area	Housing		Employment		Land (ha)	Dwellings	Land (ha) (Net)	Est jobs	M65 Corridor – Urban	10.92 5	366 372	16.00	1,296	M65 Corridor – Rural	0	0	0	0	<p>Response to PQ17(b) and PQ21 in PBC IN2.</p> <p>To provide up-to-date figures which reflect the 1st April 2024 base date.</p> <p>To reflect the revised capacity for self and custom build allocation.</p>
Spatial Area	Housing			Employment																		
	Land (ha)	Dwellings	Land (ha) (Net)	Est jobs																		
M65 Corridor – Urban	10.92 5	366 372	16.00	1,296																		
M65 Corridor – Rural	0	0	0	0																		

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		West Craven	6.47	178	42.39 <u>10.00</u>	1,004																				
		Pendle	17.39 <u>42</u>	544 <u>550</u>	28.39 <u>26.00</u>	2,300																				
MM81	Policy AL01 Supporting Text Paragraph 8.10 Table 8.1 Page 253 and Amend text <i>Note: The figures reflect the plan period of the submitted Local Plan (2021/22 – 2039/40).</i>	8.10 The housing land supply position in Pendle, at 31 March 2023 2024 is summarised in Table 8.1. The figures are based on a housing requirement of 148 dwellings per annum (dpa), set out in Policy DM20 SP04, and reflects the supply provided by completions, commitments, allocated sites (including in Neighbourhood Plans) and windfalls anticipated over the plan period. Table 8.1 Residual Housing Requirement Housing Provision Summary at 31 st March 2023 2024 <table><tr><td>A</td><td>Housing Requirement 2021/22 – 2039/40 (140dpa)</td><td>2,812</td></tr><tr><td>B</td><td>Housing delivery during the plan period to 1 April 2023</td><td>570</td></tr><tr><td rowspan="3">C</td><td>Dwellings with planning permission at 31 March 2023 (including 10% lapse rate)</td><td>808</td></tr><tr><td>Anticipated delivery at the strategic housing site (Trough Laithe) to 2039/40</td><td>432</td></tr><tr><td>Small sites windfall allowance (40 dpa)</td><td>560</td></tr><tr><td>D</td><td>Residual Requirement [A-B-C]</td><td>442</td></tr></table> <table><tr><td>A</td><td><u>Housing Requirement 2021/22 – 2039/40 (148dpa)</u></td><td>2,812</td></tr></table>					A	Housing Requirement 2021/22 – 2039/40 (140dpa)	2,812	B	Housing delivery during the plan period to 1 April 2023	570	C	Dwellings with planning permission at 31 March 2023 (including 10% lapse rate)	808	Anticipated delivery at the strategic housing site (Trough Laithe) to 2039/40	432	Small sites windfall allowance (40 dpa)	560	D	Residual Requirement [A-B-C]	442	A	<u>Housing Requirement 2021/22 – 2039/40 (148dpa)</u>	2,812	Response to PQ17(d) in PBC IN2, AP11 of IN5, and AP15 of IN7. To reflect the updated supply position of 1 st April 2024 and updated Housing Trajectory replacing the one at Appendix 1. To reflect the revised capacity for self and custom build allocation. To show the housing land supply position with a 70dpa windfall allowance. To reflect MM36.
A	Housing Requirement 2021/22 – 2039/40 (140dpa)	2,812																								
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		<table><tr><td>B</td><td><u>Housing Completions (2021/22 – 2023/24)</u></td><td><u>690</u></td></tr><tr><td>C</td><td><u>Proposed Site Allocations</u></td><td><u>550</u></td></tr><tr><td>D</td><td><u>Neighbourhood Plan Allocations</u></td><td><u>133</u></td></tr><tr><td>E</td><td><u>Trough Laithe Strategic Housing Site</u></td><td><u>419</u></td></tr><tr><td>F</td><td><u>Commitments (all non-allocated sites)</u></td><td><u>748</u></td></tr><tr><td>G</td><td><u>Windfall Allowance</u></td><td><u>910</u></td></tr><tr><td>H</td><td><u>Total Provision</u></td><td><u>3,450</u></td></tr></table>	B	<u>Housing Completions (2021/22 – 2023/24)</u>	<u>690</u>	C	<u>Proposed Site Allocations</u>	<u>550</u>	D	<u>Neighbourhood Plan Allocations</u>	<u>133</u>	E	<u>Trough Laithe Strategic Housing Site</u>	<u>419</u>	F	<u>Commitments (all non-allocated sites)</u>	<u>748</u>	G	<u>Windfall Allowance</u>	<u>910</u>	H	<u>Total Provision</u>	<u>3,450</u>	
B	<u>Housing Completions (2021/22 – 2023/24)</u>	<u>690</u>																						
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H	<u>Total Provision</u>	<u>3,450</u>																						
MM82	Policy AL01 Supporting Text Supporting Text Paragraph 8.15 Figure 8.1 Page 254	<p>8.15 The Housing Trajectory (Appendix 1) shows how dwellings on sites with an extant planning permission and on allocated sites are expected to come forward over the remainder of the plan period. The trajectory reflects a snapshot in time based on up-to-date monitoring data and evidence of availability and deliverability and the judgement of planning officers. Policy DM20 SP04 defines the steps to be taken by the Council should housing supply and delivery does not meet requirements. A summary of this trajectory is provided in Figure 8.1 below. It demonstrates that the housing requirement will be met in full by committed and allocated supply providing a 272– 638 dwelling surplus against the housing requirement and a 727 1,094 dwelling surplus against the standard method figure of 124 dpa, illustrating that the plan has been positively prepared in its approach to securing sustainable development.</p> <p>Figure 8.1 Indicative Housing Trajectory (Summary)</p>	<p>Response to PQ17(d) in PBC IN2, AP10/AP11 of IN5, and AP15 of IN7.</p> <p>To reflect the updated supply position of 1st April 2024 and updated Housing Trajectory replacing the one at Appendix 1.</p> <p>To reflect the revised capacity for self and custom build allocation.</p> <p>To reflect five-year supply position on adoption (estimated April 2026).</p> <p>To reflect MM36.</p>																					

Main Modification Reference	Plan Location (Policy/Paragraph/Page) Proposed Action	Proposed Changes Strikethrough (deleted text) <u>Bold underline</u> (new or amended text)	Reason(s) for Change
		 <p>The chart, titled 'Local Plan Housing Trajectory', displays housing data from 2021/22 to 2039/40. The left Y-axis represents 'Net dwellings per year' (0-300), and the right Y-axis represents 'Cumulative over supply' (0-800). A horizontal blue line indicates the 'Annual Housing Requirement (148 dpa)'. The orange line shows the 'Cumulative over/under supply', which starts at 0, peaks at approximately 750 in 2034/35, and then declines. The stacked bars represent various housing categories: 'Number of dwellings completed (Net)' (dark red), 'Proposed Allocations' (purple), 'Commitments (5 dwellings or more)' (green), 'Commitments (1-4 dwellings or less - including windfall allowance)' (light blue), and 'Neighbourhood Development Opinions with a recommendation' (dark blue). A large red X is superimposed over the chart area.</p>	

Main Modification Reference	Plan Location (Policy/Paragraph/Page) Proposed Action	Proposed Changes Strikethrough (deleted text) <u>Bold underline</u> (new or amended text)	Reason(s) for Change
		<p>Local Plan Housing Trajectory (April 2024)</p> <p>Legend:</p> <ul style="list-style-type: none"> Proposed Allocations (all) Neighbourhood Plan Sites (all) Trough Laithe Strategic Housing Site Commitments (Excluding Trough Laithe) Windfall Allowance Number of dwellings completed (Net) Proposed Annual Housing Requirement (148 dpa) Cumulative over/under supply 	
MM83	Policy AL01 Supporting Text New Paragraph / Table	<p><u>8.16 The NPPF requires local planning authorities to maintain a specific deliverable supply sufficient to provide five years' worth of housing. At adoption (April 2026) the Housing Trajectory (Appendix 1) shows a deliverable supply of 992 dwellings. This is sufficient to demonstrate a 5.57 year land supply. Table 8.2 provides a summary of this calculation. The Council will continue to monitor and update its five year land supply position annually throughout the plan period.</u></p>	<p>Response to AP38 of IN8</p> <p>To ensure the Local Plan is consistent with national planning policy.</p>

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		<p><u>Where a five year land supply cannot be demonstrated the presumption in favour of sustainable development will apply (see Policy SP04, Part 5).</u></p> <p><u>Table 8.2 Five Year Supply Position on Adoption (April 2026)</u></p> <table><tr><td><u>A</u></td><td><u>Annual housing requirement</u></td><td><u>148</u></td></tr><tr><td><u>B</u></td><td><u>Applied Buffer (20%)</u></td><td><u>30</u></td></tr><tr><td><u>C</u></td><td><u>Annual Five Year Requirement (A+B)</u></td><td><u>178</u></td></tr><tr><td><u>D</u></td><td><u>Five Year requirement (Cx5)</u></td><td><u>888</u></td></tr><tr><td><u>E</u></td><td><u>Deliverable Supply:</u> <u>Local Plan Allocations (202)</u> <u>Neighbourhood Plan Allocations (16)</u> <u>Trough Laithe Strategic Housing Site (200)</u> <u>Other Sites with Planning Permission (294)</u> <u>Windfall Allowance (280)</u></td><td><u>992</u></td></tr><tr><td><u>F</u></td><td><u>Five Year Land Supply (E/C)</u></td><td><u>5.57</u></td></tr></table>	<u>A</u>	<u>Annual housing requirement</u>	<u>148</u>	<u>B</u>	<u>Applied Buffer (20%)</u>	<u>30</u>	<u>C</u>	<u>Annual Five Year Requirement (A+B)</u>	<u>178</u>	<u>D</u>	<u>Five Year requirement (Cx5)</u>	<u>888</u>	<u>E</u>	<u>Deliverable Supply:</u> <u>Local Plan Allocations (202)</u> <u>Neighbourhood Plan Allocations (16)</u> <u>Trough Laithe Strategic Housing Site (200)</u> <u>Other Sites with Planning Permission (294)</u> <u>Windfall Allowance (280)</u>	<u>992</u>	<u>F</u>	<u>Five Year Land Supply (E/C)</u>	<u>5.57</u>	<p>To confirm the housing land supply position at adoption.</p> <p>To reflect MM36</p>																	
<u>A</u>	<u>Annual housing requirement</u>	<u>148</u>																																				
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<u>F</u>	<u>Five Year Land Supply (E/C)</u>	<u>5.57</u>																																				
MM84	Policy AL01 Policy Text Table AL01c	<p>Table AL01c Housing site allocations in neighbourhood plans</p> <table><tr><th>Ref</th><th>Site Name and Location</th><th>Typology</th><th>Area (ha)</th><th>Units</th></tr><tr><td>CNDP6/4</td><td>Buck Street, Colne</td><td>Brownfield</td><td>0.29</td><td>10</td></tr><tr><td>CNDP6/6</td><td>Shaw Street, Colne</td><td>Greenfield</td><td>0.55</td><td>18</td></tr><tr><td>CNDP6/9</td><td>Thomas Street, Colne</td><td>Brownfield</td><td>0.15</td><td>8</td></tr><tr><td>CNDP6/15</td><td>Bankfield Street (Bunkers Hill), Colne</td><td>Greenfield</td><td>1.87</td><td>34</td></tr><tr><td>KS HOU 1</td><td>Dotcliffe Yard, Kelbrook</td><td>Brownfield</td><td>0.16</td><td>3</td></tr><tr><td>KS HOU 2</td><td>Land at Cob Lane, Kelbrook</td><td>Greenfield</td><td>0.68</td><td><u>9 10</u></td></tr></table>	Ref	Site Name and Location	Typology	Area (ha)	Units	CNDP6/4	Buck Street, Colne	Brownfield	0.29	10	CNDP6/6	Shaw Street, Colne	Greenfield	0.55	18	CNDP6/9	Thomas Street, Colne	Brownfield	0.15	8	CNDP6/15	Bankfield Street (Bunkers Hill), Colne	Greenfield	1.87	34	KS HOU 1	Dotcliffe Yard, Kelbrook	Brownfield	0.16	3	KS HOU 2	Land at Cob Lane, Kelbrook	Greenfield	0.68	<u>9 10</u>	<p>To reflect the scale of the planning permission at Cob Lane, Kelbrook</p>
Ref	Site Name and Location	Typology	Area (ha)	Units																																		
CNDP6/4	Buck Street, Colne	Brownfield	0.29	10																																		
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		TFNP 009	Land North of Dean Street, Trawden	Brownfield	0.70	20	
		TFNP 011	Land adjacent to 37 Hollin Hall, Trawden	Greenfield	0.18	6	
		TFNP 012	Land to rear of Black Carr Mill, Trawden	Brownfield	0.14	10	
		TFNP 015	Part Black Carr Mill, Trawden	Brownfield	0.42	14	
				Totals:	5.19	132 133	
MM85	Policy AL01 Policy Text Table AL01d	Table AL01d Self-build and custom housebuilding site allocations					To reflect the scale of the planning permission at Bamford Street, Nelson.
		Ref	Site Name and Location	Typology	Area (ha)	Units	
		P107	Land at Mansfield Crescent, Brierfield	Brownfield	0.08	2	
		P311	Land at Bamford Street, Nelson	Brownfield	0.21	54	
		P327	Land at Wickworth Street, Nelson	Brownfield	0.15	2	
				Totals	0.36	98	
MM86	Policy AL02 Policy Text Table AL02a and the site-specific policy boxes	<p>1. In addition to the strategic employment site at Lomeshaye, between Nelson and Brierfield (16 hectares), to To help meet the employment land requirement set out in Policy DM40 SP05, the following sites are allocated for industrial (B2) and warehousing (B8) uses.</p> <p>2. The boundary of each site allocation is defined on the Policies Map.</p>					<p>Response to PQ21 in PBC IN2</p> <p>To reflect the net developable area of each site, provide clarity and ensure that the</p>

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	Amend text	<div>Table AL02a Strategic Employment Site</div> <table><tr><th>Ref</th><th>Site name and location</th><th>Typology</th><th>Area (ha)</th><th><u>Floorspace (sqm)</u></th></tr><tr><td></td><td>Lomeshaye Industrial Estate Extension, Nelson</td><td>Greenfield</td><td>32.59 16.00 <u>(gross)</u> <u>(net)</u></td><td><u>53,000</u></td></tr><tr><td colspan="3">Total</td><td>16.00</td><td></td></tr></table> <div>Table AL02b Employment Land Allocations</div> <table><tr><th>Ref</th><th>Site name and location</th><th>Typology</th><th>Area (ha)</th><th><u>Floorspace (sqm)</u></th></tr><tr><td>P013</td><td>West Craven Business Park Extension, Earby</td><td>Greenfield</td><td>10.87 7.00 <u>(gross)</u> <u>(net)</u></td><td><u>28,000</u></td></tr><tr><td>P309 (Part)</td><td>Land at Jackdaw Road, Barnoldswick</td><td>Brownfield / Greenfield</td><td>5.39 (gross) <u>(gross)</u> <u>(net)</u> 3.00</td><td><u>12,000</u></td></tr><tr><td colspan="3">Total</td><td>12.39</td><td></td></tr></table> <div>2. <u>The boundary of each site allocation is defined on the Policies Map.</u></div>	Ref	Site name and location	Typology	Area (ha)	<u>Floorspace (sqm)</u>		Lomeshaye Industrial Estate Extension, Nelson	Greenfield	32.59 16.00 <u>(gross)</u> <u>(net)</u>	<u>53,000</u>	Total			16.00		Ref	Site name and location	Typology	Area (ha)	<u>Floorspace (sqm)</u>	P013	West Craven Business Park Extension, Earby	Greenfield	10.87 7.00 <u>(gross)</u> <u>(net)</u>	<u>28,000</u>	P309 (Part)	Land at Jackdaw Road, Barnoldswick	Brownfield / Greenfield	5.39 (gross) <u>(gross)</u> <u>(net)</u> 3.00	<u>12,000</u>	Total			12.39		<p>policy reflects and clearly responds to the supporting evidence.</p> <p>To reflect MM61.</p>
Ref	Site name and location	Typology	Area (ha)	<u>Floorspace (sqm)</u>																																		
	Lomeshaye Industrial Estate Extension, Nelson	Greenfield	32.59 16.00 <u>(gross)</u> <u>(net)</u>	<u>53,000</u>																																		
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Appendix 1: Housing Trajectory			
MM87	Appendix 1	Various, as detailed Pendle Local Plan Fourth Edition Modified Tracked Changes Version.	<p>Response to PQ17(b) in PBC IN2, AP11 of IN5 and AP15 of IN7.</p> <p>To provide a more recent account of housing land supply to inform the Examination.</p> <p>Provides clarity.</p>
Appendix 9: Glossary			
MM88	Appendix 9	Various, as detailed Pendle Local Plan Fourth Edition Modified Tracked Changes Version.	<p>Response to PQ22 in PBC IN2, and AP20 of IN7.</p> <p>To ensure that the definitions set out in the Local Plan are consistent with those used in the 2024 NPPF, as updated in February 2025.</p>
Appendix 11: Superseded Policies			

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MM89	Appendix 11 (new) Insert new Appendix	Various, as detailed Pendle Local Plan Fourth Edition Modified Tracked Changes Version.	Response to PQ4 in PBC IN2 The policy provides necessary clarity to set out which policies of the Statutory Development Plan for Pendle are replaced by the adoption of the Local Plan Fourth Edition and how. This detail is required by Regulation 8 (5) of the Town and Country Planning (Local Planning) (England) Regulations 2012.