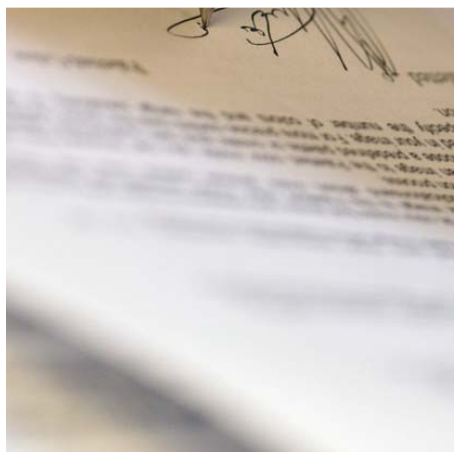


Preparing a Local Plan for Pendle

Process Document



Core Strategy

Statement of
Compliance with the
Duty to Cooperate



Prepared: October 2012
Updated: September 2014



For an alternative format of this
document phone 01282 661330



Contents

	Preface.....	5
1.	Background.....	6
2.	The Pendle Context	9
3.	Collaborative Working, Stakeholder Engagement and Public Consultation	14
	Joint Working	20
	Stakeholder Engagement and Public Consultation	23
	Prescribed Bodies.....	25
	Neighbouring Authorities.....	25
	Environment Agency, English Heritage and Natural England	27
	Other organisations	28
	Homes.....	30
	Jobs	33
	Retail, leisure and culture.....	36
	Infrastructure: highways, transport, telecommunications and utilities.....	39
	Health, education and the community.....	45
	Climate change, the natural and historic environment	48
4.	Conclusions	54
	 Appendix 1: Government Guidance and Legislation on the Duty to Co-operate.....	 56
	Appendix 2: Evidence of Co-operation on Strategic and Cross-boundary Issues.....	58
	Appendix 3: Summary of Consultation with Local Authorities and Prescribed Bodies	80
	Appendix 4: Evidence of Compliance with the Duty to Co-operate	82

Preface

This Statement of Compliance addresses how Pendle Council, in the preparation of its Core Strategy, has sought to meet its legal requirements under the Duty to Co-operate.

The Statement is issued in draft form alongside the Pre-Submission version of the Core Strategy to provide neighbouring authorities, prescribed bodies¹ and any other interested parties with the opportunity to comment on this legal requirement through formal representations, should they wish to do so.

¹ Those bodies listed under Section 33A of the Planning and Compulsory Purchase Act 2004, as amended by Section 110 of the Localism Act 2011.

1. Background

- 1.1 The activities of people and businesses and their impact on economic, environmental and social issues are not confined by administrative boundaries and can only be dealt with at a larger than local scale. For example:
- people travel widely on a daily basis for work;
 - shops attract customers from across a wide catchment area;
 - visitors stay in hotels, visit tourist attractions and use leisure facilities;
 - surface water run-off in one location may present a flooding hazard to communities further downstream ; and
 - water and airborne pollution may have a damaging impact on environmental assets some distance away.
- 1.2 The need to engage with neighbouring authorities to consider cross-boundary issues has been an important aspect of planning for some considerable time, and is embodied in the preparation of the following high level statements of strategic planning priorities:
- Greening the Red Rose County – Working towards an integrated sub-regional strategy 1991-2006 (Lancashire County Council, 1997)
 - Regional Planning Guidance (RPG13) (North West Regional Assembly, March 2003)
 - Joint Lancashire Structure Plan 2001-2016 (Lancashire County Council, March 2005)
 - North West of England Plan: Regional Spatial Strategy to 2021 (Government Office for the North West, September 2008)
 - Future North West (formerly RS2010: Regional Strategy for England’s North West) (4NW, August 2010)²
- 1.3 However, Section 109 of the Localism Act 2011 gave the Government the powers to revoke the eight regional strategies in England, once a strategic environmental assessment for each had been completed. The Regional Strategy for the North West (Revocation) Order 2013 (S.I. 2013/934) finally came into force on 20th May 2013.
- 1.4 To ensure that cross-boundary issues would continue to be addressed Section 110 of the Localism Act 2011 introduced the Duty to Co-operate [“The Duty”],³ with the specific requirements set out in paragraphs 178-181 of the National Planning Policy Framework [“NPPF”].⁴
- 1.5 The Duty requires local planning authorities, such as Pendle Borough Council, to engage constructively, actively and on an ongoing basis with neighbouring local planning authorities, county councils and on **strategic** cross-boundary matters in the preparation of local planning documents.

² Combined the North West Regional Spatial Strategy and the North West Regional Economic Strategy.

³ This added Section 33A into the Planning and Compulsory Purchase Act 2004.

⁴ See Appendix 3

- 1.6 A strategic matter is defined as being the sustainable development or use of land that would have a significant impact on at least two local planning areas, or on a planning matter that falls within the remit of the county council. The NPPF provides further clarity by stating that “public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities set out in paragraph 156”. These strategic priorities are:
- the homes and jobs needed in the area;
 - the provision of retail, leisure and other commercial development;
 - the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
 - the provision of health, security, community and cultural infrastructure and other local facilities; and
 - climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.
- 1.7 The NPPF (paragraph 181) goes on to state that:
- “Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination”.*
- 1.8 It also indicates how local planning authorities can demonstrate evidence of having effectively cooperated to plan for issues with potential cross-boundary impacts when plans are submitted for examination. These include the joint preparation of evidence base documents, strategies and policies; the establishment of joint committees; and the production of a memorandum of understanding to show how the signatories have agreed to cooperate with each other.
- 1.9 The Duty to Co-operate is not a duty to agree. But local planning authorities should make every effort to secure the necessary cooperation on strategic cross-boundary matters before they submit their Local Plans for examination.
- 1.10 In 2011, Pendle Council together with five other local planning authorities published the Pennine Lancashire Spatial Guide non-statutory planning guidance to help guide development across the sub-region, focusing on economic regeneration; rebalancing the housing market; improving accessibility and connectivity and protecting and enhancing green infrastructure.
- 1.11 The strategic priorities established by the Duty to Cooperate, and echoed in the Spatial Guide, have helped to shape the content of the Pendle Core Strategy. They also provide the framework for this Statement of Compliance. The priority afforded to each of these priorities has been influenced by local circumstances and a strategic approach may not always be necessary.
- 1.12 This Statement of Compliance has been produced to accompany the Pendle Core Strategy (Pre-submission Report). It sets out the evidence of how Pendle Borough Council has sought to co-operate with neighbouring authorities and other prescribed bodies in the preparation of this strategic planning document, in respect of any issues with potential cross-boundary impacts. It also demonstrates how these discussions and negotiations have helped to shape policies within the plan.

- 1.13 The preparation of the Core Strategy was at an advanced stage when the NPPF was published in March 2012. As such the production of this Statement of Compliance is considered to be the most appropriate way to provide evidence of the wide range of collaborative work that Pendle Borough Council has carried out in the preparation of this strategic planning document.
- 1.14 The Statement of Compliance supplements the Consultation Statements produced to accompany the formal public consultations in 2008 (Issues and Options), 2011 (Preferred Options), 2012 (Publication) and 2014 (Further Options). As such it should not be considered in isolation.

Nationally Significant Infrastructure Projects [“NSIPs”]

The planning process for dealing with proposals for NSIPs was established by the Planning Act 2008. With the introduction of the Localism Act on 1st April 2012, decisions on ‘infrastructure of national importance’ passed to the Secretary of State. The Planning Inspectorate carries out certain functions related to national infrastructure planning on behalf of the Secretary of State and guidance is contained in a series of National Policy Statements relating to energy, transport, water, waste water, and waste.

2. The Pendle Context

- 2.1 Pendle is one of 12 district councils in the county of Lancashire. Together with Blackburn-with-Darwen, Burnley, Hyndburn, Ribble Valley and Rossendale, it also forms part of the Pennine Lancashire sub-region.
- 2.2 To the south and west Pendle shares a border with the Lancashire districts of Burnley and Ribble Valley. To the north and east lies Craven, which is part of North Yorkshire, whilst to the south-east Bradford and Calderdale are both part of West Yorkshire (Map 2.1). Within these five neighbouring authorities a total of eighteen parish councils also share a border with Pendle.

Map 2.1: Neighbouring Authorities



- 2.3 Pendle itself is made up of 20 electoral wards, represented by 49 councillors. It is fully parished with four town councils and 15 parish councils. To date no formal proposals have been submitted for the production of a Neighbourhood Plan.
- 2.4 As part of a two-tier area, Lancashire County Council is responsible for delivering many public services in Pendle, including education, transport, highways, and social services. It is also the minerals and waste authority.

- 2.5 The Duty to Co-operate applies to all local planning authorities and county councils in England and to a number of other prescribed bodies. Regulation 4 of The Town and Country Planning (Local Planning) (England) Regulations 2012, identifies the bodies that those covered by the Duty 'should have regard to' when preparing local plans and other related activities. Table 1 lists those organisations that are relevant to Pendle in the context of the Duty.

Table 2.1: Duty to Co-operate in relation to the planning of sustainable development

Organisation	Reason for engagement
Lancashire County Council	<ul style="list-style-type: none"> • Relevant authority (Reg. 2) • Highways and transport authority (Reg. 4)
Burnley Borough Council	<ul style="list-style-type: none"> • Relevant authority (Reg. 2) • Neighbouring authority (Reg. 4) • District Council in East Lancashire Sub-Region and part of Pennine Lancashire • District Council in Lancashire
Ribble Valley Borough Council	<ul style="list-style-type: none"> • Relevant authority (Reg. 2) • Neighbouring authority (Reg. 4) • District Council in East Lancashire Sub-Region • District Council in Lancashire
North Yorkshire County Council	<ul style="list-style-type: none"> • Relevant authority (Reg. 2) • Neighbouring authority (Reg. 4)
Calderdale Metropolitan Borough Council	<ul style="list-style-type: none"> • Relevant authority (Reg. 2) • Neighbouring authority (Reg. 4)
Craven District Council	<ul style="list-style-type: none"> • Relevant authority (Reg. 2) • Neighbouring authority (Reg. 4)
Bradford Metropolitan District Council	<ul style="list-style-type: none"> • Relevant authority (Reg. 2) • Neighbouring authority (Reg. 4)
The Environment Agency	<ul style="list-style-type: none"> • Specific consultation body (Reg. 2) • Prescribed body (Reg. 4)
Historic Buildings and Monuments Commission for England ¹	<ul style="list-style-type: none"> • Specific consultation body (Reg. 2) • Prescribed body (Reg. 4)
Natural England	<ul style="list-style-type: none"> • Specific consultation body (Reg. 2) • Prescribed body (Reg. 4)
Civil Aviation Authority ²	<ul style="list-style-type: none"> • Prescribed body (Reg. 4)
Homes and Communities Agency	<ul style="list-style-type: none"> • Prescribed body (Reg. 4)
Primary Care Trust ³	<ul style="list-style-type: none"> • Prescribed body (Reg. 4)
Office of Rail Regulation	<ul style="list-style-type: none"> • Prescribed body (Reg. 4)
Lancashire Local Enterprise Partnership	<ul style="list-style-type: none"> • Prescribed body (Reg. 4)⁴
Lancashire Local Nature Partnership	<ul style="list-style-type: none"> • Prescribed body (Reg. 4)⁴
South Pennines Local Nature Partnership	<ul style="list-style-type: none"> • Prescribed body (Reg. 4)⁴

Reg. = Regulation in The Town and Country Planning (Local Planning) (England) Regulations 2012

¹ English Heritage ² NATS En-route PLC ³ NHS England (Lancashire Area Team)

⁴ Added from 12th November 2012 by SI 2613

Table 2.2: Other organisations relevant to the planning of sustainable development

Organisation	Reason for engagement
Coal Authority	• Specific consultation body (Reg. 2)
Network Rail Infrastructure Limited	• Specific consultation body (Reg. 2)
Highways Agency	• Specific consultation body (Reg. 2)
Parish Councils within Pendle (19 total)	• Specific consultation body: relevant authority (Reg. 2)
Parish Councils adjoining Pendle (18 total)	• Specific consultation body: relevant authority (Reg. 2)
Lancashire Constabulary	• Specific consultation body: relevant authority (Reg. 2)
National Grid	• Specific consultation body (Reg. 2)
British Gas	• Specific consultation body (Reg. 2)
Electricity North West	• Specific consultation body (Reg. 2)
Northern Powergrid	• Specific consultation body (Reg. 2)
Mobile Operators Association (MOA) ¹	• Specific consultation body (Reg. 2)
British Telecom	• Specific consultation body (Reg. 2)
Virgin Media Group Ltd.	• Specific consultation body (Reg. 2)
British Broadcasting Corporation	• Specific consultation body (Reg. 2)
United Utilities	• Specific consultation body (Reg. 2)
Yorkshire Water	• Specific consultation body (Reg. 2)
Canal and River Trust ²	• Specific consultation body (Reg. 2)
Blackburn-with Darwen Borough Council	• Unitary Authority in East Lancashire Sub-Region and part of Pennine Lancashire • Unitary Council formerly part of Lancashire
Hyndburn Borough Council	• District Council in East Lancashire Sub-Region District Council in Lancashire
Rossendale Borough Council	• District Council in East Lancashire Sub-Region District Council in Lancashire
Blackpool Borough Council	• Unitary Council formerly part of Lancashire
Chorley Borough Council	• District Council in Lancashire
Fylde Borough Council	• District Council in Lancashire
Lancaster City Council	• District Council in Lancashire
Preston City Council	• District Council in Lancashire
South Ribble Borough Council	• District Council in Lancashire
West Lancashire Borough Council	• District Council in Lancashire
Wyre Borough Council	• District Council in Lancashire

Reg. = Regulation in The Town and Country Planning (Local Planning) (England) Regulations 2012.

¹ Mono Consultants, on behalf of all mobile telephone operating companies ² Formerly British Waterways

- 2.6 Pendle Borough Council has actively engaged with a number of other bodies and organisations on strategic issues in the preparation of the Core Strategy. Prominent amongst these are the specific consultation bodies identified in Regulation 2(1) of The Town and Country Planning (Local Planning) (England) Regulations 2012, notably private sector utility providers, and those local planning authorities in the Pennine Lancashire sub-region and the county of Lancashire that are not defined as neighbouring authorities (see Table 2).
- 2.7 In addition to being formal consultees at key stages in the preparation of development plan documents, Pendle Council has undertaken a more active programme of engagement with a number of other ‘general consultation bodies’ who have specialist knowledge in key areas. Those of particular note are:
- Pendle Partnership, the borough’s Local Strategic Partnership
 - East Lancashire Chamber of Commerce who along with Pendle Vision, a sub-group of the LSP, represent the interests of businesses in the area.
 - Lancashire Wildlife Trust, who co-ordinated the successful bid for the Lancashire Local Nature Partnership.

Key relationships with neighbouring authorities

- 2.8 The following section considers the strategic cross-boundary issues Pendle Council has identified and sought to address in partnership with its five neighbouring authorities and the three districts in the East Lancashire sub-region with which it does not share an administrative boundary. Although specific aspects of joint working may be mentioned briefly within this commentary, the primary evidence for such work is recorded in Chapter 3 and Appendix 2.

Burnley

- 2.9 Pendle’s strongest links are with neighbouring Burnley, which lies immediately to the south. Together with Brierfield, Nelson, Barrowford and Colne in Pendle, it forms part of an extended urban area with a population in excess of 150,000.
- 2.10 The principal transport link between the two boroughs is the M65 motorway. Mainline bus services operate at seven minute intervals during the day and 15-20 minutes in the evening. These use the A56 Corridor, which connects the main town centres in the area. In contrast, the hourly rail service – in either direction – along the single track branch line from Gannow Junction (Burnley) to Colne is less reliable, with late running eastbound trains from Blackpool South often terminating short of Colne at either Burnley Central or Nelson.
- 2.11 A large number of residents from both communities travel into the other for work on a daily basis. In 2011 6,093 people travelled from Pendle into Burnley on a daily basis, with 4,274 moving in the opposite direction. However, the functional economic areas within Burnley and Pendle are largely distinct from one another.
- 2.12 Domestic migration patterns show that in 2011 in-migration from Burnley (790) was almost three times higher than the next seven most significant districts combined and a similar pattern is evident for out-migration.⁵

⁵ Migration Statistics Unit (ONS, 2011)

- 2.13 Pendle residents, particularly in the southern part of the borough are likely to use facilities within Burnley. Burnley town centre is a major draw, as it contains a number of well-known high street stores not present in any of Pendle's shopping centres. Out-of-town leisure facilities, such as the multiplex cinema and Burnley Football Club, also draw a significant number of Pendle residents into Burnley on a regular basis. In the opposite direction, and particularly at weekends, the attractive countryside around Pendle Hill and other tourist hot-spots attract many visitors into Pendle from Burnley and further afield.
- 2.14 Given the high levels of social interaction, it is unsurprising that the two boroughs share a joint housing market area. They also exhibit similarities in terms of the housing stock, with each authority having a high proportion of low value terraced properties.
- 2.15 Pendle Water flows westwards towards its confluence with the River Calder north of Burnley, before passing through Padiham on its way to the River Ribble and the Irish Sea. As it avoids the Burnley urban area, downstream flooding is not regarded as a significant issue, but capacity at the Burnley Waste Water Treatment Works (actually located in Pendle) is a major consideration as it the main facility for both boroughs.
- 2.16 Pendle Water is also an important wildlife corridor and key part of the ecological network in both boroughs. Discussions that have taken place to assist in the preparation of the Burnley Green Infrastructure Strategy (adopted 2014) and the emerging Pendle Green infrastructure Strategy, have identified the need to consider potential cross boundary implications in a number of locations where wildlife corridors either cross or run parallel to the borough boundary.

Ribble Valley

- 2.17 To the north-west, the rural expanse of the Ribble Valley is separated from Pendle by the 557m high Pendle Hill. This imposing physical barrier means that there are limited interactions between the two boroughs. The narrow unclassified road out of Barley offers the most direct link towards Clitheroe (population 14,697), whilst the busy A682 between the M65 (Junction 13) and the village of Gisburn is widely acknowledged as the most dangerous stretch of road in Britain.⁶
- 2.18 Environmental issues are the main focus for partnership working. Management of the Area of Outstanding Natural Beauty (AONB) around Pendle Hill, is co-ordinated by Lancashire Country Council through the Forest of Bowland AONB team based in Dunsop Bridge. Interaction between the housing markets of the two boroughs is minimal and restricted to high value properties in and around the idyllic villages of the AONB.
- 2.19 Stock Beck, which drains the area around Barnoldswick in the north of Pendle, offers the only other notable interaction between the two boroughs, as it flows into the River Ribble near Gisburn.

⁶ The A682 is a primary route popular with tourists travelling into the Yorkshire Dales National Park and is plagued by caravans in the summer months. It connects with the busy A59 at Gisburn and the A65 at Long Preston, offering onward connections to the M6 (Junction 36) near Kendal and the Lake District National Park.

Craven

- 2.20 The large rural area of West Craven, to the north of Foulridge was formerly part of the West Riding of Yorkshire. Whilst many of residents of Barnoldswick and Earby still retain a strong affinity with the White Rose County, the functional links between Pendle and neighbouring Craven are noticeably weaker.
- 2.21 The strongest links are with Skipton, some 10 kilometres to the north-east along the A56 and A59. Travelling eastwards along the A6068 out of Colne, also takes motorists into Craven, passing over the moors and through the villages of Cowling and Cross Hills, before entering Keighley, which falls under the jurisdiction of Bradford Metropolitan District Council.
- 2.22 The market town of Skipton (population 14,313) is approximately 20 minutes travelling time from Pendle. Situated alongside the course of the River Aire it is a popular tourist destination, which promotes itself as the 'Gateway to the Yorkshire Dales'.
- 2.23 Whilst the need to travel outside West Craven for convenience shopping will reduce when the new Tesco supermarket opens in Barnoldswick, Skipton town centre offers a high quality shopping experience, including the closest department store to Pendle (Rackhams). As such, although slightly longer than the journey south towards Colne and Nelson, Skipton is an attractive choice for many shoppers.
- 2.24 Two selective-entrance single-sex grammar schools, Ermysted's Grammar School for boys and Skipton Girls' High School, attract a small number of pupils from across Pendle. The railway station also offers frequent electrified services into Leeds and Bradford.
- 2.25 On a daily basis 448 people from Craven commute into Pendle to access employment, whilst 1,016 travel in the opposite direction. The main destinations for these workers are the Rolls Royce wide-chord fan-blade manufacturing facility in Barnoldswick (Pendle) and the headquarters of the Skipton Building Society in its namesake town (Craven). A number of residents also shop at the large supermarkets in Colne – in preference to similar facilities in Keighley (Bradford) and Skipton (Craven).
- 2.26 Improving transport links between Pendle and North Yorkshire (Craven) is a key priority for Pendle Council, which in principle supports road improvement schemes in the A56 Corridor and the re-opening of the former Colne to Skipton railway line.
- 2.27 Linkages between the housing markets in Pendle and Craven have traditionally been fairly weak, with the prices for comparable properties in the latter markedly higher than those in Pendle. Prior to the onset of the recent economic recession, this discrepancy in price saw Earby increasingly regarded as an affordable village location close to the Yorkshire Dales National Park and Skipton.
- 2.28 Several of the watercourses in and around Earby are prone to flooding. Unlike the rivers and streams in the rest of the borough, they form part of the Aire catchment and drain east towards the North Sea rather than west into the Irish Sea. As a consequence any flood alleviation or mitigation works fall within the remit of the Environment Agency's North East office and Yorkshire Water are responsible for drainage and sewage, rather than United Utilities.

Bradford

- 2.29 At just 3.3km the boundary with Bradford Metropolitan District Council is the shortest with any neighbouring authority. The only direct transport link is the narrow road between the villages of Laneshaw Bridge, two kilometres east of Colne, and Haworth.
- 2.30 Strong associations with the Bronte family mean that tourism has helped to forge links between Haworth and the hamlet of Wycoller in Pendle, the most noteworthy being the establishment of the long-distance Bronte Way footpath.
- 2.31 The interactions between the two areas in terms of housing, employment and retailing are extremely limited. In part this can be attributed to the fact that although Keighley (population 89,870) lies just 13 miles east of Colne, the journey along the A6068 across the moors takes approximately 30 minutes to complete.
- 2.32 Two destinations within Bradford are worthy of further mention. Many Pendle residents travel to the Airedale Hospital near Cross Hills in preference to Burnley General Hospital. In addition, the park and ride facility at Steeton and Silsden station on the Skipton-Leeds railway line (see above) is also well used, as it represents the limit of subsidised rail services within West Yorkshire. All other flows are relatively small and into Pendle. This is reflected in the commuting statistics, which show that 579 people travel into Pendle from the Bradford MDC area for work, but that flows in the opposite direction are negligible.
- 2.33 Once again environmental concerns are the foremost reason for cross-boundary working, in particular the management and stewardship of the internationally important South Pennine Moors (see Calderdale below).

Calderdale

- 2.34 A vast and desolate expanse of moorland sits astride the short boundary (4.1km) between Pendle and Calderdale. As the only neighbouring authority with no direct transport links, it is unsurprising that there is only a small flow of commuters into (123) and out of (482) Pendle, and no discernable interaction between the two housing markets.
- 2.35 Management and stewardship of the South Pennine Moors is the main focus of cross-boundary working. Designated as a Site of Special Scientific Interest (SSSI), it contains internationally important habitats for upland birds and Atlantic blanket bog communities; but areas on the margin, close to Manchester, have proved highly attractive for wind energy.



The South Pennine Moors support populations of European importance for the Golden Plover (right) and other species

East Lancashire Authorities

- 2.36 Pendle is one of six local authorities that make up the East Lancashire sub-region (see Map 2.1), five of whom co-operate on economic and spatial planning matters under the banner of Pennine Lancashire (N.B. Ribble Valley Borough Council is no longer a partner in the umbrella organisation Regenerate Pennine Lancashire).
- 2.37 With a population in excess of 0.5 million, Pennine Lancashire has enormous potential. It enjoys a diverse cultural make-up, beautiful countryside and a growing local economy underpinned by a high-value manufacturing base. Social, economic and environmental features are consistent across the whole area. To the south are a number of historic towns that were key drivers during the industrial revolution, whilst to the north and east a distinctive and coherent rural area emerges, with an identity that transcends local authority boundaries.
- 2.38 In 2011, all six authorities cooperated to prepare the Pennine Lancashire Spatial Guide; a non-statutory planning document that had three main purposes:
- (a) To set out a spatial interpretation of other Pennine Lancashire wide strategies, focussing on the area's geography and the roles of places.
 - (b) To complement the economic focus of the Multi Area Agreement by considering environmental issues and recognising the potential conflict between economic growth and environmental protection.
 - (c) To provide a framework to guide Pennine Lancashire authorities' spatial planning activity and to help align their Local Plans.
- 2.39 To address the challenges and opportunities faced by Pennine Lancashire, the Spatial Guide covers four key areas:
- (i) Economic regeneration;
 - (ii) Rebalancing the housing market;
 - (iii) Accessibility and connectivity; and
 - (iv) A high quality environment – green infrastructure.
- 2.40 These are closely linked, and the interventions and projects in each of the areas will need to be delivered in a coordinated manner to achieve the economic transformation of Pennine Lancashire.



In no particular order housing, transport, employment (including retailing) and the environment are the main focus for cross-boundary working in East Lancashire.

- 2.41 The key cross-boundary issues with Burnley and Ribble Valley have been outlined above. Established transport links westwards from Pendle along the M65 Corridor mean that although the authorities of Hyndburn and Blackburn-with-Darwen do not share an administrative boundary with Pendle, there are relatively strong commuting patterns – with a number of strategic employment sites situated alongside the M65 motorway – and some level of migration in terms of the housing market.
- 2.42 This is reflected in the commuter flows, which show that 739 people travel into Pendle from Hyndburn, whilst 1,076 travel in the opposite direction each day. For Blackburn-with-Darwen the corresponding figures are 638 and 1,697. To a lesser extent this is also true for Rossendale to the south, which is the main gateway to Manchester.
- 2.43 As the largest urban centre in East Lancashire, Blackburn (105,085) also offers a wide choice of shopping and leisure opportunities (e.g. ice rink) not available in the other Pennine Lancashire districts. However, as a consequence of its peripheral location, in relation to the rest of Pennine Lancashire, and its close proximity to the cities of Preston and Manchester, it does not have a pre-eminent role and any such flows from Pendle are not significant.

Summary

- 2.44 Pendle's strongest ties are undoubtedly with neighbouring Burnley (Table 2.3), particularly in terms of housing and employment. However, a number of other issues, notably environmental concerns associated with management of the Forest of Bowland AONB and the South Pennine Moors SSSI, require Pendle Council to work closely with its closest neighbours.

Table 2.3: Relative importance of cross-boundary issues

Local Authority	Housing	Employment	Transport	Environment
Blackburn-with-Darwen	–	○	○	–
Bradford	–	–	–	■
Burnley	■	■	■	■
Calderdale	X	X	X	■
Craven	○	○	■	○
Hyndburn	–	○	○	–
Ribble Valley	–	–	X	■
Rossendale	X	–	○	–

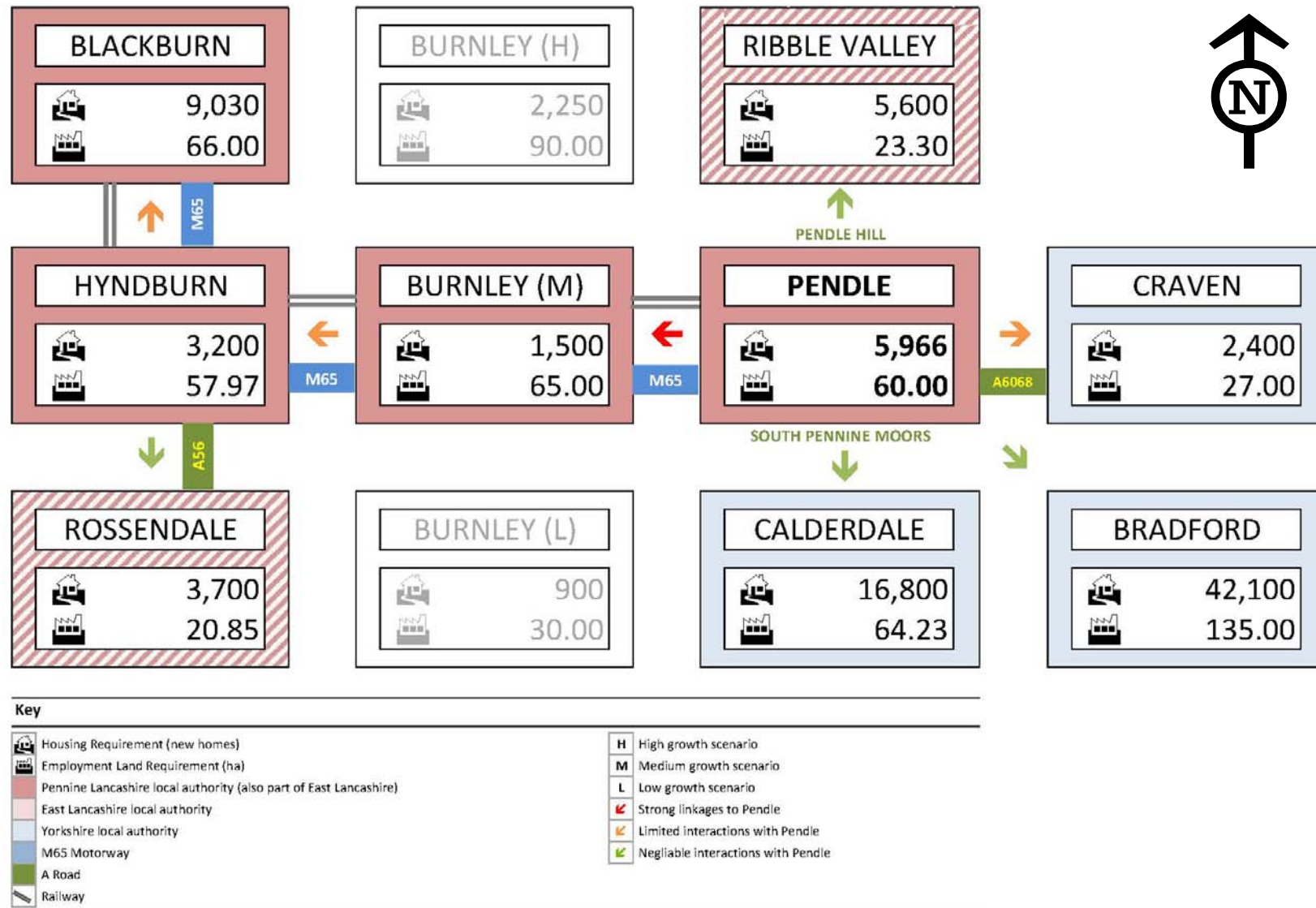
Key ■ Strong ○ Moderate – Weak / Indirect X None identified

Bold = Neighbouring authority

- 2.45 A number of issues are considered across an even wider footprint. For example, strategic decisions on economic development and the accommodation needs of the Gypsy and Traveller community have been addressed at the county level. Environmental management of the internationally important South Pennine Moors is administered through a wide range of sub-groups, requiring engagement with local planning authorities as far afield as High Peak in Derbyshire. In recent years the South Pennines Wind Energy Group has jointly commissioned reports to consider the potential for low carbon energy generation in the area and to assess the cumulative visual impact of small-scale wind turbines in this sensitive landscape. Where these wider relationships exist they have also been highlighted in Chapter 3.

- 2.46 To conclude this section, Pendle Council has demonstrated through its Strategic Housing Land Availability Assessment (2014) and Employment Land Review (2014) that it has sufficient sites to meet the housing and employment land requirements set-out in the Core Strategy within the borough.
- 2.47 In 2013, Ribble Valley enquired about the possibility of Pendle taking some of their housing requirement. The evidence in the Burnley and Pendle SHMA indicated that the two housing markets had little in common. This was agreed at subsequent discussions between officers from the two authorities, which also highlighted that the environmental constraints imposed by the AONB designation in those areas of Pendle closest to Ribble Valley, meant that such provision was not possible.
- 2.48 Correspondence and/or detailed discussions, with the four other local authorities sharing a border with Pendle, have indicated that there is no reciprocal requirement for Pendle to accommodate any of the housing or employment needs identified in their adopted or draft Local Plans. The same is true for the three Pennine Lancashire authorities not immediately adjoining the borough (Figure 2.1). A Memorandum of Understanding confirming this position is included in Appendix 4 where appropriate.

Figure 2.1: Pendle Neighbouring Authorities Housing & Employment Land Requirements



3. Collaborative Working, Stakeholder Engagement and Public Consultation

- 3.1 Pendle Borough Council has established an excellent track record for joint working over a long number of years, not only on planning matters, but throughout the organisation.
- 3.2 As early as the 1980s, the Burnley and Pendle Development Association represented a joint working arrangement with our neighbours, to promote economic development and attract much needed inward investment into the area. In more recent years, sub-regional cooperation on a Pennine Lancashire wide footprint has taken precedence. Alongside these initiatives, Pendle Borough Council has initiated innovative responses to address issues of local concern, including the joint venture with a private sector developer to form Pendle Enterprise and Regeneration Limited (PEARL), which has been successful in driving forward large-scale development and regeneration projects across the area.
- 3.3 In terms of planning the most significant plans and structures in the context of the Duty to Co-operate are set out below.

Joint Working

- 3.4 Many issues have cross-boundary implications, even though these may not be immediately obvious. Significant elements of the evidence underpinning planning policy across Lancashire can be traced back to the preparation of the North West of England Plan: Regional Spatial Strategy to 2021 (2008), particularly in respect of establishing employment and housing requirements (including the needs of the Gypsy & Traveller and Travelling Showpeople communities).
- 3.5 Prior to the introduction of the Duty to Cooperate, Pendle Council had jointly commissioned, or been an active participant in the preparation of a number of studies that address cross-boundary issues (see below). Many of these documents have specifically been produced to form part of the evidence base for the Core Strategy.

- **Joint Lancashire Minerals and Waste LDF: Minimising and Managing Waste in new Developments SPD (August 2007)**

Prepared by Lancashire County Council, in conjunction with the unitary authorities of Blackburn with Darwen Borough Council and Blackpool Borough Council (the Joint Plan area) to detail the benefits of sustainable waste management.

- **North West of England Plan: Regional Spatial Strategy to 2021 (September 2008)**

Prepared by the North West Regional Assembly (later 4NW), to provide a regional level planning framework for North West England.

- **Joint Lancashire Minerals and Waste Local Plan: Core Strategy (February 2009)**

Prepared by Lancashire County Council, this document contains mineral and waste specific policies for use in determining planning applications for waste or quarry developments in Lancashire, including those areas administered by the unitary authorities in Blackburn with Darwen Borough Council and Blackpool Borough Council (the Joint Plan area). Forms part of the statutory development plan, together with any locally produced development plan documents and Neighbourhood Plans.

- **Pennine Lancashire Local Investment Plan (March 2010)**

Pennine Lancashire was one of the first partnerships in the country to sign a Joint Investment Plan and Local Investment Agreement with the North West Development Agency and the Homes and Communities Agency. The document sought to align housing investment more closely with economic priorities.

- **Burnley and Pendle Affordable Housing Site Viability Study (July 2010)**

Burnley and Pendle Affordable Housing Site Viability Study (July 2009)

A report commissioned by Burnley and Pendle Borough Council's to look at the viability of providing affordable housing on a range of sites across the joint housing market area. Annual updates of the Dynamic Viability Model are used to adjust the affordable housing requirement set out in the Core Strategy.

- **South Pennines Renewable and Low Carbon Energy Study (September 2010)**

Report commissioned by a partnership of five South Pennine councils to explore the potential of a range of renewable and low carbon technologies within the study area.

- **Forest of Bowland AONB Renewable Energy Position Statement (April 2011)**

Establishes the Forest of Bowland AONB Joint Advisory Committee's on the siting of renewable energy developments, both within and adjacent to the boundaries of the Area of Outstanding Natural Beauty. This guidance assists in the determination of planning applications submitted to the planning departments of the six local authorities in the AONB partnership.

- **Forest of Bowland AONB Micro Hydro Feasibility Study (October 2011)**

Two stage report: Stage 1 including pre-feasibility detail for 37 identified sites. Stage 2 including full feasibility detail for 5 of the 37 sites, identified as most favourable in terms of economic viability and suitability for development.

- **Taking Forward the Deployment of Renewable Energy (July 2011)**

Report commissioned by Lancashire County Council to carry out deployment analysis and scenario testing for renewable energy capacity in Lancashire by 2020. It includes an assessment of the implications for local planning authorities and recommendations for increasing potential developments in the future.

- **Pennine Lancashire Spatial Guide (August 2011)**

A non-statutory planning document, which seeks to provide a framework to guide the preparation of new planning policy, and day-to-day planning activity, across six local authorities in East Lancashire.

- **Burnley and Pendle Gypsy and Traveller Accommodation Assessment (August 2012)**

Lancashire Sub-Regional Gypsy and Traveller Accommodation Assessment (May 2007)

A report commissioned by Burnley and Pendle Borough Council's to assess the need to provide additional accommodation for the Gypsy and Traveller communities. The findings update those in the county-wide study published in May 2007, by the North West Regional Assembly, on behalf of the twelve district councils and two unitary authorities in Lancashire, which established the basis for pitch requirements identified in the RSS.

The new document looks at the implications recent changes may have had for the Burnley and Pendle housing market area, considered in the wider context of such needs across Pennine Lancashire. The results establish the basis for the pitch requirements identified in Policy LIV3 of the Core Strategy, which considers housing needs in the borough.

- **Landscape Guidance for Wind Turbines up to 60m high in the South and West Pennines (December 2012)**

Report commissioned by a partnership of eight local planning authorities in the South and West Pennines, in recognition of the need to accommodate well-sited and appropriately designed turbines in these landscapes.

- **Joint Lancashire Minerals and Waste Local Plan: Site Allocation and Development Management Policies (September 2013)**

Prepared by the Joint Authorities of Blackburn with Darwen Borough Council, Blackpool Borough Council and Lancashire County Council (the Joint Plan area), to provide site specific policies and allocations and detailed development management policies for minerals and waste. Forms part of the statutory development plan.

- **Burnley and Pendle Strategic Housing Market Assessment (September 2013)**
Burnley and Pendle Strategic Housing Market Assessment (April 2008)

A report jointly commissioned by the Council's in Burnley and Pendle to provide a detailed picture of the need for new types of housing in the joint housing market area. The results inform both the housing land requirement and the affordable housing requirement and help to identify the type and tenure profile required to address any housing market imbalance, where this exists.

The 2013 Joint SHMA, prepared by Nathaniel Lichfield & Partner, completed replaces the 2008 Joint SHMA, prepared by Fordham Research.

- **Pennine Lancashire Investment Plan (November 2013)**

Prepared by Regenerate PL to help public and private sector partners understand the local housing, economic development and infrastructure opportunities within Pennine Lancashire, and how these can support growth. It provides a summary of current investment and an overview of the governance and partnerships which will help to deliver the plan. It also seeks to strengthen linkages with adjacent economies in Preston, Central Lancashire, Greater Manchester and Leeds City Regions.

- **East Lancashire Highways and Transport Masterplan (February 2014)**

Preparation led by transport planners at Lancashire County Council and Blackburn with Darwen Borough Council. The document confirms the commitment of the local authorities in East Lancashire to transform the area's rail, road and cycle networks. It forms the basis for working with Transport for Lancashire – the local transport body for the Lancashire Enterprise Partnership (LEP) – to develop, approve and fund major transport schemes, with a multi-million pound budget to be devolved from central government in 2015/16

3.6 Pendle Council has also commissioned a number of studies that principally address local issues. These are subject to public consultation and subsequently approved either by the Council's Executive or Full Council. They include:

- **Pendle Sustainable Settlements Study (November 2008)**

Report providing contextual and demographical information for each of the borough's rural settlements.

- **Open Space Audit (November 2008)**

Report addressing function and quality of open space provision in the borough and considering if it meets the needs of users by identifying any surpluses or deficiencies, in relation to the quantity and quality of provision.

- **Biodiversity Audit (September 2010)**

Records the current distribution of wildlife habitats, animal and plant species throughout Pendle. The information highlights the need for future improvements, and records any deterioration that has occurred as a result of new development or ongoing efforts to protect and enhance our natural environment.

- **Retail Study (July 2012)**

Pendle Retail Capacity Study (May 2010)

An assessment of the Borough's retail provision, identifying the potential for further development in Pendle. The 2012 update takes account of changes in shopping patterns and retail expenditure following the onset of the economic recession and the increase in shopping on the internet.

- **Development Viability Study (September 2013)**

Considers how the planning policy requirements set-out in the Core Strategy may influence the financial viability of different types of development across the borough. It also helps to inform future site allocations and the scope for introduction of a Community Infrastructure Levy (CIL) in Pendle.

- **Employment Land Review (September 2014)**

Employment Land Review (September 2013)

Employment Land Review (March 2008)

Report assessing the future demand for, and the available supply of, land for employment uses within the Borough. The 2014 update of the 2013 ELR re-based the projections for the 2011-2030 plan period.

- **Habitat Regulations Assessment Screening Report (September 2014)**

Habitat Regulations Assessment Screening Report (September 2013)

Habitat Regulations Assessment Screening Report (September 2012)

Habitat Regulations Assessment Screening Report (December 2010)

Habitat Regulations Assessment Screening Report (April 2008)

Report identifying the likely impacts of the Core Strategy upon a European site, either alone or in combination with other plans and projects, and consider whether the impacts are likely to be significant.

- **Infrastructure Strategy (September 2014)**

Infrastructure Strategy (September 2013)

Infrastructure Strategy (September 2012)

Infrastructure Study (October 2010)

Provides baseline information on existing infrastructure provision in Pendle and highlights known requirements for new infrastructure in the borough.

- **Strategic Housing Land Availability Assessment (September 2014)**

Strategic Housing Land Availability Assessment (September 2013)

Strategic Housing Land Availability Assessment (March 2008)

Report identifying land and premises in the borough with development potential for housing. It provides the basis for the calculation of the five-year housing land supply by assessing the anticipated level of housing provision on these sites and their deliverability. A joint methodology was agreed with Burnley Borough Council, at a meeting on June 20th 2008.

- **Housing Needs Update (September 2014)**

Prepared by Nathaniel Lichfield & Partners to update the housing needs section of the Strategic Housing Market Assessment (SHMA) in light of the new 2012-based Sub-National Population Projections released by the Office for National Statistics on 29th May 2012.

Stakeholder Engagement and Public Consultation

- 3.7 All evidence base studies have required ongoing dialogue with both public bodies and the private sector. Where potential cross-boundary implications have been identified workshops or seminars have been held to help promote meaningful engagement in the preparation process. This has been particularly true for housing, employment and infrastructure. For the latter one-to-one meetings with infrastructure providers have been the preferred method of engagement. The final draft of each report is also subject to a six-week public consultation and adopted by the Council's Executive and/or Full Council.
- 3.8 Existing organisational structures have also been used to consider cross-boundary issues and promote joint working. Their outputs have provided further context for the development of the Core Strategy. The most notable outcome from these activities was the preparation of the Pennine Lancashire Spatial Guide by the Pennine Lancashire Planning Officers Group in 2011.
- 3.9 The regular exchange of information and best practice with colleagues from other local authorities has also proved to be extremely beneficial. Local Plan documents and the key cross-boundary issues within them are regularly discussed at a range of established county-wide and sub-regional planning meetings, helping to identify potential for joint working at the earliest opportunity. When the need arises, planning matters are also considered at meetings attended by the Chief Executives and Leaders of the Council, in order to obtain high-level support and political buy-in on a wider scale. Existing arrangements used to help ensure effective cross-boundary planning include:
- Lancashire Planning Officers Group (LPOG)
 - Lancashire Development Plan Officers Group (DPOG)
 - Pennine Lancashire Leaders and Chief Executive's (PLACE)
 - Pennine Lancashire Planning Officers Group (PL-POG)
 - South Pennines Wind Energy Group
 - Pendle Making Space for Water Group
 - Formal Duty to Co-operate meetings:
 - a. Burnley Borough Council (quarterly)
 - b. Craven District Council (infrequent, on an as needed basis)⁷
- 3.10 Other departments within the Council also have established mechanisms for the consideration of cross-boundary issues. Where appropriate any studies, strategies or action plans, arising from this work, are highlighted in the section on 'Key Cross-boundary Issues' where it has had a significant influence on the strategic direction taken in the Core Strategy.

⁷ Formal Duty to Cooperate meetings are not considered to be necessary with the three remaining neighbouring local authorities, due to the limited nature of the strategic cross boundary issues that have been identified. These matters are dealt with through other established forums such as the South Pennines Wind Energy Group.

Prescribed Bodies

- 3.11 This section considers how Pendle Borough Council has engaged with the bodies prescribed in Regulation 4 of The Town and Country Planning (Local Planning) (England) Regulations 2012, their predecessors where this is applicable, and other bodies as appropriate.
- 3.12 Active participation and engagement has been at the forefront of the preparation of the Core Strategy from the outset. The first interactive workshops were carried out alongside those responsible for preparing the borough's Sustainable Community Strategy. These helped to identify the key issues facing Pendle. These have subsequently been followed up by regular ongoing dialogue with key partners, one-to-one meetings, workshops and presentations, as necessary.
- 3.13 In accordance with the requirements of Regulations 18 and 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 all neighbouring authorities, key partners and statutory undertakings have also been invited to comment during the five formal stages of public consultation that have been held in the preparation of the Core Strategy:
- (a) Identification of key issues (You Choose)
 - (b) Consideration of issues and options
 - (c) Consideration of the preferred options
 - (d) Consideration of the Council's proposed strategy (Publication Report)
 - (e) Consideration of the Council's revised strategy (Further Options Report)
- 3.14 In addition, the prescribed bodies and their predecessors have been fully engaged in the preparation of specific elements of the evidence base (e.g. the Strategic Flood Risk Assessment) and the policies themselves; particularly where they may be impacted by its implementation (e.g. neighbouring authorities) or have relevant expertise that would help to shape a particular policy (e.g. United Utilities).
- 3.15 Details of how the comments raised, in response to the programme of consultation and engagement described below, have been made publicly available in the Consultation Statements published alongside the Core Strategy at the Issues & Options, Preferred Options and Publication stages. A summary of how these comments have influenced the objectives and policies included in the Core Strategy (Publication Report), is set out in Appendix 1 (Columns 6 and 7).

Neighbouring Authorities

- 3.16 As required by the Regulations, the five local authorities and 18 parish council's sharing a border with Pendle, together with Lancashire County Council and North Yorkshire County Council have been consulted on a regular basis during the preparation of the Core Strategy. Where appropriate more active participation and engagement has taken place in the form of joint working, regular meetings, or through attendance at topic based seminars and workshops. This engagement pre-dates the introduction of the Duty to Cooperate.
- 3.17 Since the introduction of the Duty to Cooperate, our ongoing engagement and formal consultation with neighbouring authorities has become more structured. Prior to the introduction of the Duty, a considerable amount of joint working to address spatial planning requirements and gaps in the evidence base had taken place. Pennine Lancashire authorities not adjoining Pendle were not necessarily formal consultees, although they were kept informed about progress on the Pendle Core Strategy via verbal updates at the quarterly meetings of the

Lancashire Development Plan Officers Group (DPOG) and the Pennine Lancashire Planning Officer Group (PL-POG). Engagement with other Lancashire authorities was limited to the consideration of specific issues that were of mutual concern. Now, all authorities in Lancashire are formally contacted to appraise them about matters associated with the preparation of Local Plan documents in Pendle, and regular Duty to Cooperate meetings have been established with neighbouring Burnley with whom our most notable cross-boundary interactions take place.

- 3.18 Those issues requiring cross boundary consideration are highlighted in Chapter 2, with the following section amplifying the specific nature of the active engagement, joint working and formal public consultation that has taken place.
- 3.19 As noted in the introduction to this section, Pendle Borough Council and Burnley Borough Council can demonstrate a long history of working together, particularly on economic development. Since the demise of the Burnley & Pendle Development Association in the late 1980s, the intervening years have witnessed both a formal and informal co-operation with our near neighbours on a wide range of issues. When Burnley Borough Council started work on its Local Plan in March 2012, the previous informal arrangements for considering cross-boundary issues were transformed into formal quarterly meetings to better address the requirements of the Duty to Co-operate.
- 3.20 Links with neighbouring authorities in both Lancashire and Yorkshire are equally well established on matters associated with management issues in the Forest of Bowland Area of Outstanding Natural Beauty (AONB), in the north-west of the borough, and the South Pennine Moors Site of Special Scientific Interest (SSSI) to the south-east. In the case of the latter, officers at Pendle Borough Council instigated the preparation of the South Pennine Renewable and Low Carbon Energy Study. Five local authorities chose to participate in this cross-boundary initiative, whose work has been carried forward by the South Pennines Wind Energy Group. Chaired by Rossendale Borough Council, the group now has a membership of over 15 local authorities and commissioned further studies to consider landscape impact and capacity issues.
- 3.21 Concerns with the management of these highly valued and sensitive landscapes are the main focus of cross-boundary issues with Calderdale, Bradford and Ribbles Valley. Each of these three authorities has been invited to attend a number of topic specific workshops (e.g. the update of the Burnley & Pendle Strategic Housing Market Assessment) and is formally contacted ahead of each formal public consultation carried out in the preparation of the Core Strategy.
- 3.22 Formal linkages with Craven District Council and North Yorkshire County Council are less well developed than those with our Lancashire neighbours. However, to supplement the correspondence announcing formal public consultations and invitations to attend any one-off topic based meetings, the first formal Duty to Co-operate meeting with Craven District Council and their neighbouring authorities took place on 27th November 2012 in Skipton. A meeting to follow-up on Pendle specific issues took place on 19th September 2013.
- 3.23 The main issues affecting Craven to the east are the proposals for transport improvements in the A56 Corridor, which have been the subject of numerous meetings over the years. Careful consideration is also given to the potential cross-boundary implications of proposals for housing, employment, retail, renewable energy and biodiversity. It is the impact on the upland moors of proposals associated with the latter two points that are of greatest concern. Collaborative working on renewable energy has already taken place, with Craven Council providing GIS data to Pendle for applications in their area, which are close to the border. Pendle Council has mapped these on behalf of both authorities, so that the likely cumulative

impact of new proposals can be assessed. This data forms part of the wider mapping of renewable energy projects across the authorities that participate in the South Pennines Wind Energy Group.

- 3.24 At each stage in the consultation process, parish councils both within and adjacent to the plan area have been contacted by email and/or letter, inviting them to comment on the proposals in the latest version of the Core Strategy. At the Preferred Options stage in 2011, the opportunity to receive a presentation from planning officers and discuss the local implications of the Core Strategy in greater detail, at one of their regular Parish Meetings was taken up by 14 of the 19 parish and town councils in the plan area.

Environment Agency, English Heritage and Natural England

- 3.25 The Environment Agency, English Heritage and Natural England, together with the Forestry Commission, are the statutory environmental bodies that deliver the Government's work to protect and improve the natural, built and historic environment.
- 3.26 The Coalition Government has made it clear that these bodies must promote sustainable development and contribute to the creation of a competitive business environment, by considering *"the impact of their decisions upon sustainable economic growth, and the viability of what may be economically significant projects"* and to assist with *"swiftly approving planning consents when it is appropriate to do so"*.
- 3.27 Each of these organisations is a statutory consultee⁸ at key stages in the preparation of local plan documents. Each was consulted before work on the Core Strategy had commenced, to help establish the scope of the Sustainability Appraisal Report. This important document includes the process known as Strategic Environmental Assessment (SEA) required under European Law to assess the likely significant effects a plan may have, alone or in combination, on the environment. The potential for cross-boundary impacts has been an integral part of the sustainability appraisal process from the outset, with the report highlighting any 'trans-boundary' implications.
- 3.28 Each of the statutory environmental bodies has made a significant contribution towards shaping the strategic objectives and policies set-out in the Core Strategy. At each of the formal public consultations representatives have attended workshops or seminars and submitted written representations. Between consultations, regular contact has been maintained with named contacts in each organisation and they have also been provided with regular updates on progress via the Framework newsletter.
- 3.29 The **Environment Agency** plays a central role in delivering the environmental priorities of the Government and has played a major role in the preparation of the Core Strategy. The Agency was a key partner in the preparation of the Pendle Strategic Flood Risk Assessment (ENTEC, 2006), which informs the development of planning policy with respect to local flood risk issues and the location of future development in Pendle. Subsequently, further collaborative work took place in the preparation of the detailed proposals for managing flood risk in the area over the next 100 years, as set-out in the Burnley, Colne and Nelson Draft Flood Risk Management Strategy (Environment Agency, 2010).

⁸ Statutory means that you are legally required to do something. Statutory consultees must be contacted and offered the chance to comment on proposals.

- 3.30 As Pendle lies astride the Pennine watershed, it must liaise with the Environment Agency Offices in Preston and Leeds. The Preston office host a quarterly *Making Space for Water* meeting in Nelson, which is attended by their counterparts from the Yorkshire office together with representatives from Pendle Council (Engineering & Special Services and Planning), Lancashire County Council, the Earby & Salterforth Internal Drainage Board, United Utilities, Yorkshire Water and the Canal and River Trust (formerly British Waterways) to consider how they can best integrate their approaches to drainage and flooding in Pendle. Members of this group were instrumental in helping to draw-up and refine Policy ENV7: Water Management.
- 3.31 **Natural England** is the Government agency that works to conserve and enhance biodiversity and landscapes, promote access to the natural environment, and contribute to the way natural resources are managed so that they can be enjoyed now and by future generations.
- 3.32 As required by Article 6(3) of the Habitats Directive⁹, Natural England, as the appropriate consultation body, was formally approached for their views and comments on the Habitats Regulations Assessment Screening Report for the Core Strategy. This document, considers the potential for impacts to arise from the implementation of the strategy, either alone or in combination with other plans, and the likelihood that these would result in significant effects on the European sites scoped by the screening assessment. Copies of the screening report have been produced at the Issues and Options, Preferred Options and Publication stages.
- 3.33 The Historic Buildings and Monuments Commission for England, is more commonly known as **English Heritage**. It is the Government's statutory advisor on the historic environment and its principal powers and responsibilities are set out in the National Heritage Act (1983). Whilst joint working with English Heritage to address cross-boundary issues has not proved to be necessary in the production of the Core Strategy, they have been a key consultee at all stages, attended workshops and provided a valuable input into policy development associated with design and conservation.



⁹ Transposed into UK legislation through the Conservation of Habitats and Species Regulations 2010, as amended.

Other organisations

3.34 Pendle Borough Council has had no reason to engage with the following prescribed bodies, as they have no impact on the effectiveness with which the activities covered by Section 33A(3) of the Planning and Compulsory Purchase Act 2004, are carried out in Pendle:

- The Mayor of London
- Transport for London
- Integrated Transport Authority
- Marine Management Organisation

3.35 However, many of the other bodies prescribed in Regulation 4 of The Town and Country Planning (Local Planning) (England) Regulations 2012, have played a prominent role in the preparation of the Pendle Core Strategy. In this section, the extent of their involvement is considered under headings which relate to the strategic priorities set out in paragraph 156 of the NPPF (see below):.

- the homes and jobs needed in the area;
- the provision of retail, leisure and other commercial development;
- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- the provision of health, security, community and cultural infrastructure and other local facilities; and
- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.



New homes for Pendle – Clovercroft Mill, Higham

Homes

- 3.36 As Pendle is part of a largely self-contained joint housing market area with Burnley, housing is an obvious cross-boundary issue. Much of our evidence base for housing has been prepared jointly with **Burnley Borough Council**. To date four reports on housing have been prepared through collaborative working; namely two versions each of the Joint Strategic Housing Market Assessment (SHMA) (2008 & 2013) and the Affordable Housing Site Viability Study (AHSVS) (2009 & 2010).
- 3.37 Prior to consulting on the Core Strategy (Preferred Options Report), Burnley Borough Council commented in an email that:
- “whilst we would prefer not to see any increase in your annual (housing) figure because of the potential impact on vacancy rates in Burnley, and continued migration out of the borough, it is not a huge increase (from the figure in the North West Regional Spatial Strategy) and we would therefore not find it unacceptable”.*
- 3.38 This comment was based on a proposed increase in provision from 190 to 200 homes per annum. This was subsequently increased to 225 homes per annum in the Core Strategy (Publication Report), a figure that was still consistent with the Regional Spatial Strategy, but below the 275 proposed in the Burnley and Pendle SHMA (2008). Although concerns about this increase were not raised in Duty to Cooperate meetings between the two authorities prior to consultation on the Core Strategy (Publication Report), Burnley Borough Council submitted a representation challenging the revised housing delivery figure and the currency of the evidence on which it was based. After careful consideration, Pendle Council decided not to submit its Core Strategy for Examination, but elected to commission a new report, in partnership with Burnley Borough Council, to replace the Burnley & Pendle SHMA (2008).
- 3.39 Based on the information in the new Burnley & Pendle SHMA, Pendle Council is proposing to increase its housing requirement to 314 dwellings per annum. Although Burnley Council has yet to confirm its housing figure, it will hopefully reflect a position that can be agreed by the two authorities and has been informed by the suite of emerging Pennine Lancashire position papers.
- 3.40 Another report jointly commissioned with Burnley Borough Council, was an update of the findings of the Lancashire Sub-Regional Gypsy and Traveller Accommodation Assessment for the Burnley and Pendle Housing Market Area. This was published in August 2012 by the Salford Housing & Urban Studies Unit at the University of Salford. The report has not identified a requirement to provide pitches for the Gypsy and Traveller community in Pendle, whilst Burnley Council will address their requirement through the allocation of sites in their emerging Local Plan.
- 3.41 These joint reports have been prepared within the context of the Pennine Lancashire Housing Strategy, which provides the long term vision for all aspects of housing within the sub-region. It reflects the key principles from the former Regional Housing Strategy, namely: quality, quantity and people. The Market Progression Model (MPM) from this strategy, which seeks to promote housing growth, economic competitiveness and inclusion, to achieve a balanced housing market, has had a particular influence on Policy LIV1. The MPM represents a radical shift from targeting interventions purely by housing needs towards a market led approach for sustainable economic and social renewal. It makes the market the most important determinant of investment type and location, to tackle the underlying economic challenges and increasing social mobility allowing partners to plan and move their housing and neighbourhood offer from where it is now to where it needs to be, in support of economic growth.

- 3.42 The **Homes and Community Agency (HCA)** was established in December 2008, following a merger of the Housing Corporation and English Partnerships, to work with local partners to meet the needs of local communities; creating new affordable homes and thriving places. Since this date there has been ongoing engagement with the HCA at both the local and sub-regional levels.
- 3.43 The focus of this engagement has been through the local investment planning process and the production of a local investment agreement. The Pennine Lancashire Local Investment Plan (PL-LIP) provides a co-ordinated approach to investment and engagement across the sub-region. It reflects local priorities for action and investment, which will enable and facilitate the delivery of improvements for people and places.
- 3.44 The PL-LIP acknowledges that in order to support economic growth in the area will require strategic housing sites to be brought forward to redress the current imbalance in our housing market, which is dominated by small terraced properties. To facilitate this, a non-statutory Spatial Guide for the area was produced to identify key housing growth sites, alongside strategic transport projects and economic development opportunities. Pennine Lancashire signed off a Local Investment Agreement (LIA) with the Homes and Communities Agency (HCA) in March 2010.
- 3.45 The Core Strategy has had regard to the strategic priorities of the PL-LIP, and this has been reflected in assumptions regarding the scale and location of grant-funded affordable housing provision in Pendle over the plan period. Discussions with, and funding from, the HCA have had a significant impact on the Core Strategy.
- 3.46 The new **Lancashire Local Enterprise Partnership (LEP)** has been tasked with ensuring that the Spatial Guide, which was produced to support the unsuccessful bid for a Pennine Lancashire LEP, is linked to future Joint Investment Plans for the area. This approach aligns with the Governments recent policy to introduce financial rewards based on council tax returns for every new home that is built, and maximise the impact of investment (the New Homes Bonus).
- 3.47 Members of staff in the Council's Housing Regeneration Services also have direct involvement with the HCA. This engagement focuses on two areas of work, housing regeneration and the provision of affordable housing. Policies setting-out our approach to affordable housing provision reflect the prioritisation now given to 'affordable rent' by the HCA; the agreed programme of investment and the future potential to secure additional funding from the HCA.
- 3.48 Originally envisaged to operate over a 10-15 year period, the ending of the Housing Market Renewal (HMR) pathfinder programme after only eight years means that changing the nature of demand and closing the socio-economic gap between HMR areas and those around them remains a challenging ambition. The HMR programme aimed to deliver change on a large scale, working across areas with weak housing markets, irrespective of local authority boundaries.
- 3.49 Pendle Council's HMR team and Elevate East Lancashire were fully engaged in the preparation of the housing policies in the Core Strategy. They also prepared two supplementary planning documents (SPD) and a development plan document (DPD) to support area based housing regeneration initiatives across the borough. These documents were widely consulted upon during the preparation process:
- Brierfield Canal Corridor (Housing) Planning Brief SPD (October 2005)
 - Brierfield Railway Street Area SPD (November 2010)
 - Bradley Area Action Plan DPD (June 2011)

Core Strategy Statement of Compliance with the Duty to Cooperate

- 3.50 Planning Policy officers regularly attended, and reported to, the Pendle Housing Forum, a sub-group of the Local Strategic Partnership (LSP). Unfortunately, this was disbanded following its meeting on 4th September 2008, to be replaced by a series of specialist groups looking at homelessness, the accommodation needs of older people and young people and a landlord's forum and an Annual Housing Conference.
- 3.51 Since the demise of the Housing Forum, consultation has been conducted on an as needed basis and focussed on specific issues. Housing Pendle and other Registered Social Landlords (RSLs) active in the Pendle area have made a valuable contribution to the development of the policy addressing affordable housing; attending workshops and meetings associated with the preparation of the Core Strategy, the Burnley and Pendle Strategic Housing Market Assessment and the Pendle Infrastructure Study.
- 3.52 Other organisations consulted on a regular basis, to provide a perspective on cross-boundary issues associated with housing include: local and national house builders, the Home Builders Federation (HBF), National Federation of Builders, Housing 21 Association, the East Lancashire Landlords Association, Shelter, Advisory Council for the Education of Romany and Other Travellers, Gypsy Council for Health Education and Welfare, National Federation of Gypsy Liaison Groups, National travellers Action Group, Traveller Law Reform Project, The Showmen's Guild and HM Prison Service.
- 3.53 Going forward co-operation with bodies covered under the 'Duty to Co-operate' on matters relating to housing, will normally be carried out on the following basis:

BODY	ENGAGEMENT / CONSULTATION		
	EXCHANGE INFORMATION	FORMAL ENGAGEMENT	PUBLIC CONSULTATION
Burnley Borough Council	✓	✓	✓
Other neighbouring authorities	✓	?	✓
Other Pennine Lancashire authorities	✓	?	✓
Other Lancashire authorities	✓	?	✓
Environment Agency	?	?	✓
English Heritage	?	?	✓
Natural England	?	?	✓
NATS En-Route	X	X	✓
Homes and Communities Agency	✓	✓	✓
East Lancashire Primary Care Trust	?	?	✓
Network Rail	X	X	✓
Lancashire Local Enterprise Partnership	?	X	✓
Lancashire Local Nature Partnership	?	?	✓
South Pennines Local Nature Partnership	?	?	✓

Key



Always



As needed



Not normally

Jobs

- 3.54 The main cross-boundary issues for planning relate to how employment land supply is provided in a way that supports economic development priorities within Pendle, the Pennine Lancashire sub-region and the North West Region.
- 3.55 The Pendle Employment Land Review (ELR) (Pendle Council, 2013) is the primary source of evidence supporting the strategic economic aspects of the Core Strategy and establishes the proposed employment land supply.. It was produced in cooperation with local business organisations, developers, commercial agents and neighbouring authorities.
- 3.56 Integral to the process were two workshops. The first focused on the selection of standard site appraisal criteria to be used in the assessment of the sites. The second considered the continued suitability of the nine existing Protected Employment Areas (PEAs); those sites from Stage 1, outside the PEAs, that it was proposed to include in the new portfolio, potential employment site larger than 5.0 hectares and cross-boundary issues.
- 3.57 The Pendle Employment Land Survey, conducted in September 2012, allowed for an appreciation of the expansion plans local businesses, and allowed these proposals to be compared and contrasted with earlier surveys from 2000 and 2007.¹⁰ The final draft of the ELR was widely consulted upon prior to its adoption.
- 3.58 In calculating an updated employment land requirement, the methodology set-out in the RSS and the long-term economic forecasts, tested in the preliminary work for the emerging Regional Strategy (RS2010), were evaluated to help produce a robust economic context for assessing the scale and type of employment land required. Figures for past-take up and growth have subsequently been amended to take account of the most up-to-date data available and further details can be found in the Employment Technical Paper. The final portfolio of sites selected to meet this overall requirement should represent a flexible supply of employment land of the right type and quality to meet current demand and future needs.
- 3.59 In recognition of the strong functional economic relationship between the six districts in Pennine Lancashire, economic issues are principally addressed on a sub-regional basis and considered within the context of the Pennine Lancashire Local Investment Plan (PLACE, 2010).
- 3.60 Regenerate Pennine Lancashire is the sub-regional economic development company responsible for co-ordinating and promoting economic regeneration activity across the sub-region. Established in 2010 it is unique in that it is owned by Lancashire County Council and the six borough councils of Blackburn with Darwen, Burnley, Hyndburn, Pendle and Rossendale. Its predecessor the Lancashire Economic Partnership (2004-2010), was involved extensively in identifying the key economic issues and drafting early versions of the employment policies in the Core Strategy.

¹⁰ The Pendle Employment Land Survey was updated in 2012.

- 3.61 The study Towards a Sustainable Employment Land Strategy, which was produced by consultants Genecon in 2005 on behalf of the six Pennine Lancashire local authorities, establishes the framework for the delivery of a sustainable and balanced distribution of land uses across the sub-region, helping to minimise the number of trips and journey length. The report concludes that large strategic employment sites should be provided alongside the M65 Motorway, between Junctions 3 (Blackburn) and 9 (Burnley), and that outside this corridor (i.e. Pendle, Rossendale and Ribble Valley) the focus should be on the provision of smaller high quality sites and town centre locations. This is reflected in Policy WRK2.
- 3.62 The Pennine Lancashire Leaders and Chief Executive's Employment Land Group, which was established in April 2007. Its purpose was to further develop and implement the Pennine Lancashire Employment Land Strategy, 2005 and to ensure that Pennine Lancashire offers a quality and appropriate portfolio of employment land. Representatives from both planning and economic development attended these meetings. The results were reflected in the economic development strategy for the sub-region.
- 3.63 The Pennine Lancashire Integrated Economic Strategy 2009-2020 (PLACE, 2008) provides the template within which the various economic development agencies and their partners in regeneration work together to address fundamental deficits in performance and to move towards the goal of a higher performing sub-regional economy. The strategy identifies and recommends strategic interventions to address economic underperformance and exploit the area's strengths and potential, and these have been a key influence in the preparation of Policy WRK1.
- 3.64 In future the **Lancashire Local Enterprise Partnership (LEP)** will provide leadership for the county's economy and will be a catalyst for future job creation and economic growth. It is a Government-endorsed partnership between the private and public sectors, with a board membership comprising representatives from some of Lancashire's biggest employers, the chambers of commerce, local councils and academic institutions. The LEP has been consulted on the economic aspects of the Core Strategy, since the Department for Business, Innovation and Skills confirmed its inception on 13th April 2011. A representative attends the quarterly Lancashire Development Plan Officers Group (DPOG) meetings held at County Hall in Preston.
- 3.65 Prior to this date, Pendle Borough Council engaged with a number of organisations including the North West Development Agency, Regenerate Pennine Lancashire, the Lancashire Economic Partnership, the East Lancashire Chamber of Commerce, Business Link East Lancashire and Pendle Vision. Where these organisations still exist, they continue to be consulted on, or invited to engage in, plan preparation.
- 3.66 The Pendle Core Strategy Policy seeks to help deliver the sub-regional priorities identified by these organisations. Policy WRK1 seeks to building on local strengths in aerospace to promote future growth in advanced manufacturing, whilst policies WRK2 and WRK3 seek to provide the right types of environment for these businesses to grow locally.
- 3.67 The strong work flows between Pendle and neighbouring Burnley are, as noted previously, reflected in a long history of partnership working with **Burnley Borough Council** on economic development. The local economy and in particular the provision of employment land, continues to be a key area for discussion in the regular Duty to Co-operate meetings.

- 3.68 Whilst the Pendle Vision Board, a sub-group of the LSP, has limited direct influence on cross-boundary decisions, its views on such matters are extremely important. The board is where high-tech manufacturers join leaders of retail and service industries, and managers from a number of public agencies, to offer their expertise to Pendle Council on long-term economic development. In recognition of this, at the Issues and Options stage planning officers delivered a presentation on the Core Strategy to their meeting held on 28th July 2008.
- 3.69 Other organisations consulted on a regular basis, to provide a perspective on cross-boundary issues associated with the local economy and employment include: the Federation of Small Businesses, Business in the Community North West, North West Aerospace Alliance, Lancashire County Developments Ltd., Lancashire Rural steering Group, Business Link Lancashire, East Lancashire Chamber of Commerce and Industry and Trust4Business (East Lancashire Enterprise Trust).
- 3.70 Going forward co-operation with bodies covered under the 'Duty to Co-operate' on matters relating to employment, will normally be carried out on the following basis:

BODY	ENGAGEMENT / CONSULTATION		
	EXCHANGE INFORMATION	FORMAL ENGAGEMENT	PUBLIC CONSULTATION
Burnley Borough Council	✓	✓	✓
Other neighbouring authorities	✓	?	✓
Other Pennine Lancashire authorities	✓	✓	✓
Other Lancashire authorities	✓	?	✓
Environment Agency	?	?	✓
English Heritage	X	X	✓
Natural England	?	?	✓
NATS En-Route	X	X	✓
Homes and Communities Agency	?	?	✓
East Lancashire Primary Care Trust	X	X	✓
Network Rail	X	?	✓
Lancashire Local Enterprise Partnership	✓	✓	✓
Lancashire Local Nature Partnership	?	?	✓
South Pennines Local Nature Partnership	?	?	✓

Key ✓ Always ? As needed X Not normally

Retail, leisure and culture

(a) Retail

- 3.71 With the exception of **Burnley Borough Council** and to a lesser extent **Craven District Council** none of the bodies prescribed in Regulation 4 are affected by, or have a remit that directly addresses, the provision of retail, leisure and culture.
- 3.72 The primary source of evidence for retail policy in Pendle is the Retail Capacity Study (Nathaniel Lichfield and Partners, 2007) and its subsequent update (Nathaniel Lichfield and Partners, 2012). Both reports confirm that the retail catchment area for the six town and local shopping centres in Pendle is localised and that few retail destinations draw their clientele from a wider area. The notable exceptions to this is the large Boundary Mill Stores outlet in Colne, and the small concentration of niche high quality independent fashion retailers in the village of Barrowford, which both draw customers from across the north of England.
- 3.73 The towns of Brierfield, Nelson, Barrowford and Colne all have strong relationships with neighbouring Burnley and the more distant city of Manchester, which both draw customers for comparison shopping. In contrast, historic alliances mean that people living in the West Craven towns of Barnoldswick and Earby, formerly part of the West Riding of Yorkshire, are drawn east towards Skipton and Leeds and Bradford.
- 3.74 Early decisions on the retail strategy were influenced by the retail hierarchy established in the Regional Spatial Strategy (4NW, 2008) and the strategic objectives of the Regional Economic Strategy (NWDA, 2007). But, the need for new retail floorspace has been planned on the basis of established and predicted spending patterns within these localised catchments, allowing for differing trade draws between different centres and shared catchments. Recognition is also given to the place that these settlements occupy within the settlement and retail hierarchy.
- 3.75 The Council's Economic & Housing Regeneration team monitors occupancy in the six town and local shopping centres on an annual basis. This information is reported in the three-yearly Retail Survey and helps to inform discussions on cross-boundary issues and inward investment priorities.
- 3.76 Discussions with the LSP (including representatives from the **Primary Care Trust**) about the potential for a policy to reduce the prevalence of hot-food takeaways in shopping centres and close to schools and facilities frequented by young people concluded that this matter would be more appropriately addressed through the *Site Allocations and Development Policies* document. The preparation of such a policy is likely to be subject to further discussion amongst all the local authorities within the East Lancashire PCT.
- 3.77 No other organisations were consulted on a regular basis, to provide a perspective on cross-boundary issues associated with retail activity.

(b) Leisure and Culture

- 3.78 A Sustainable Tourism Strategy for Pendle (L&R Consultants, 1999) has not been updated since it was published. As such strategic guidance on cross-boundary issues relating to leisure and culture has been sought from a number of sources during preparation of the Core Strategy.

- 3.79 In respect of tourism, the Lancashire and Blackpool Tourist Board (now Marketing Lancashire) and the Lancashire Enterprise Partnership have been foremost amongst these bodies.
- 3.80 The focus of sub-regional activity in recent years has been the East Lancashire Regional Park, which is seen as an exciting way of linking culture, heritage and the arts with the natural environment, helping to forge a positive new identity for the area. The Regional Park is the first of its kind in the North West and was managed by the Lancashire Economic Partnership until its demise in 2010.
- 3.81 Pendle Borough Council was a key partner in delivering the Living Places programme, which was closely aligned with the Regional Park and the Housing Market Renewal initiative.¹¹ It sought to ensure that all communities, particularly those experiencing housing-led growth and regeneration, would benefit from cultural and sporting opportunities. Through collaborative working the various partners sought to ensure that culture would be embedded in the development of the villages and towns throughout Pennine Lancashire, alongside other key areas of provision such as healthcare and transport.
- 3.82 One of the main outputs of the Living Places programme was the development of the Culture and Sport Planning Toolkit (CSPT), which sets out a five-stage process that is fundamental to successful culture and sport planning. Although not referenced directly, the CSPT process is reflected in Policy SUP 1 of the Core Strategy.
- 3.83 Much of the work carried out by the Living Places programme is embedded in the Pennine Lancashire Cultural Plan 2011-14 (PLACE, 2011). The strategy acknowledges that Pennine Lancashire has a number of established and developing cultural assets and activities. It seeks to create an enhanced quality of life for those living in living in the area and a stronger economy through the attraction of more visitors to Pennine Lancashire. But, in recognition of impending budget cuts, it proposes new forms of collaboration between local authorities, other public agencies, and the private and third sectors. By co-ordinating activity, and joining everything together, there is an aspirational opportunity to make Pennine Lancashire “more than the sum of its parts.”
- 3.84 Pendle Borough Council and Pendle Leisure Trust are working with a range of partners, such as Sport England, to upgrade the Open Space Audit and create the borough’s first comprehensive Green Infrastructure Strategy. This new document will incorporate the former Recreation and Outdoor Sports strategies, bringing together the assessment of the recreational and ecological functions of all green spaces and water environments regardless of ownership and consider a wide range of possible functions for them.
- 3.85 The identification of an ecological network is one of the key outputs of the study, which will help to identify existing gaps in provision, corridors or areas where sites need to be protected and/or created and any potential cross-boundary issues that need to be addressed. The steering group has been liaising with TEP Consultants of Warrington, who are at an advanced stage in preparing a similar strategy for neighbouring Burnley, to ensure that any cross-boundary issues are properly addressed.

¹¹ The Living Places programme was a formal working arrangement between five of the leading cultural agencies – Arts Council England, the Commission for Architecture and the Built Environment (now Design Council CABE), English Heritage, the Museums, Libraries and Archives Council (MLA) and Sport England – and their sponsoring government departments, namely the Department for Culture, Media and Sport (DCMS) and the Department for Communities and Local Government (DCLG).

- 3.86 The Leeds and Liverpool Canal was once a major transport artery, but today its primary role is as a leisure facility and tourist attraction. It is also a key component in our ecological network and is designated as a Biological Heritage Site or site of Local Natural Importance along its entire length through the borough. Its exploitation and management is the subject of regular discussions with the Canal and River Trust, Marketing Lancashire, and the other local authorities through which it passes, including **Burnley Borough Council, Craven District Council**, Hyndburn Borough Council and Blackburn-with-Darwen Borough Council. A new joint study looking at the potential for establishing 'string of pearl' destinations along the canal to act as the catalysts for development across the Pennine Lancashire sub-region is currently in preparation.

- 3.87 The management of the Forest of Bowland Area of Outstanding Natural Beauty (AONB) is coordinated by Lancashire County Council. Regular management meetings involve representatives from Pendle Borough Council, **Ribble Valley Borough Council**, Wyre Borough Council, Preston Borough Council and Lancaster City Council as well as representatives from the **Environment Agency, United Utilities and Natural England**. These meetings address a wide range of issues ranging from tourism and leisure to stewardship and land-use. The outcomes of this joint working are primarily addressed through Policy ENV1 in the Core Strategy, although a number of other policies (e.g. ENV2, LIV5, WRK6 and SUP4) address matters associated with the need for high quality design in sensitive landscapes.

- 3.88 Similar arrangements for the South Pennine Moors are the responsibility of the Southern Pennines Rural Regeneration Company Limited (Pennine Prospects) a partnership of the area's local authorities, together with other key public, private and voluntary sector bodies. These include **Lancashire County Council, Bradford Metropolitan District Council, Calderdale Metropolitan Borough Council, Environment Agency, United Utilities, Yorkshire Water and Natural England**.

- 3.89 Although Pendle Borough Council withdrew from membership when the subscription arrangements changed in 2004, officers of the Council still engage regularly with the remaining members of Pennine Prospects on matters of mutual significance, recognising that future economic and cultural prosperity depends upon protecting and valuing the past whilst finding new ways to create a 'living landscape' for the 21st century. For whilst its distinctive landscape is rich in social and industrial heritage and the moorlands are recognised as being of international importance for wildlife, this is the only upland area in the country that is not a designated landscape – such as National Park or Area of Outstanding Natural Beauty (AONB) – with the added protection and resources that this brings. It is therefore important to coordinate regeneration activity, in order to conserve and enhance the landscape and heritage, whilst improving opportunities for people to enjoy and appreciate the area.

- 3.90 Other organisations consulted on a regular basis, to provide a perspective on cross-boundary issues associated with retail leisure and culture include: major retailers (with a presence in the Borough), the Association of Inland Navigation Authorities, the Cyclists Touring Club and the Theatres Trust.



- 3.91 Going forward co-operation with bodies covered under the 'Duty to Co-operate' on matters relating to retail, leisure and culture will normally be carried out on the following basis:

BODY	ENGAGEMENT / CONSULTATION		
	EXCHANGE INFORMATION	FORMAL ENGAGEMENT	PUBLIC CONSULTATION
Burnley Borough Council	✓	✓	✓
Other neighbouring authorities	✓	?	✓
Other Pennine Lancashire authorities	✓	?	✓
Other Lancashire authorities	✓	?	✓
Environment Agency	X	?	✓
English Heritage	X	X	✓
Natural England	X	?	✓
NATS En-Route	X	X	✓
Homes and Communities Agency	?	X	✓
East Lancashire Primary Care Trust	X	X	✓
Network Rail	?	?	✓
Lancashire Local Enterprise Partnership	?	X	✓
Lancashire Local Nature Partnership	?	?	✓
South Pennines Local Nature Partnership	?	?	✓

Key



Always



As needed



Not normally



Lower Ogden Reservoir, Barley; part of the Forest of Bowland Area of Outstanding Natural Beauty

Previous page: A diagrammatic representation of the route of the Leeds & Liverpool Canal through Pendle

Infrastructure: highways, transport, telecommunications and utilities

- 3.92 Most development, large or small, will individually or cumulatively impact on transport and travel patterns, sometimes across a wide geographical area. These can be used positively to help shape future patterns of land-use and should not unreasonably frustrate the need for new development (NPPF §32).

(a) Road

- 3.93 The **Highways Agency** is not responsible for the management of any stretches of road in Pendle. The M65 motorway from Junction 8 to its terminus at Junction 14 in Colne is managed by Lancashire County Council and the A59 in the north of the borough was de-trunked as long ago as 2003. However, it is recognised that development and growth within Pendle could lead to increases in the volume of traffic entering the strategic road network, so the Highways Agency have been consulted at key stages in the preparation of the Core Strategy.
- 3.94 **Lancashire County Council (LCC)** is both the Highways Authority and Transport Authority for the area. A representative attends the quarterly Lancashire Development Plan Officers Group (DPOG) meetings held at County Hall in Preston. Pendle Council was a key partner in the preparation of the Local Transport Plan 2011-2021 (LTP3).
- 3.95 A number of studies sit within the framework established by LTP3. Lancashire County Council (LCC) is leading on the preparation of a series of Highways and Transport Masterplans across the county, to establish an evidence base for transport infrastructure requirements on an appropriate footprint with which local plans can be aligned.
- 3.96 The East Lancashire Highways and Transport Masterplan outlines how the road, rail and cycle networks can be transformed in the future; capturing the cumulative infrastructure requirements arising from proposed development across Pennine Lancashire. And the Councils in the area are working with LCC and the Lancashire Enterprise Partnership (LEP) to develop, approve and fund major transport schemes using a multi-million budget, which will be devolved by central government from 2015/16.
- 3.97 This represents the first step towards making sure the area has the right transport network to boost economic growth by supporting new businesses and homes while promoting healthy lifestyles and avoiding gridlock on the roads. Consultation on a draft plan took place at the end of 2013 across the East Lancashire area, and the published version features changes as a result of feedback received. The Pendle Core Strategy reflects the priorities of the Masterplan, which has set in motion detailed work needed to justify investment in new schemes that will:
- improve rail connections between East Lancashire and the growth areas of Preston and Central Lancashire, Manchester and Leeds.
 - reduce congestion and improve connectivity in the key M65 and M66 gateway corridors.
 - ensure routes into key growth sites continue to function well and support future development.
 - ensure that the needs of people who live in remote and rural locations to access work; education and health opportunities are met, making best use of funding likely to be available in future.
 - Build an effective cycle network linking towns, employment sites and communities.
 - improve local links in the community so that everyone can get to the services and opportunities that they need, from education and employment to leisure and health.

- 3.98 The County Council has a longstanding proposal to construct a new, modern standard single carriageway road between the terminus of the M65 and the Lancashire / North Yorkshire boundary to the north of Earby. This would remove a significant volume of through traffic from Colne and the villages of Foulridge, Kelbrook and Earby, although traffic movements between the M65 and West Yorkshire via the A6068 would continue to use the existing route along the North Valley in Colne. The need for the M65 to Yorkshire Corridor Study (2013) was identified in Lancashire County Council's Local Transport Plan (LTP) Implementation Plan 2012/13-2014/15 and consultants Jacobs were appointed shortly thereafter to carry out the work.
- 3.99 Historically, much of the work previously undertaken started from the premise that a bypass of Colne and the villages of Foulridge, Kelbrook and Earby was the most appropriate solution. It was anticipated that the A56 Villages Bypass scheme would benefit the local communities in terms of improved road safety, reduced noise, improved air quality and reduced severance, and would enable the introduction of priority measures for public transport along the old road, together with improved facilities for cyclists.
- 3.100 The rationale for the M65 to Yorkshire Corridor Study is two-fold:
1. Identify and assess whether there are smaller scale interventions that the County Council and other agencies could introduce to mitigate traffic and environmental problems in Colne that are affordable and deliverable in advance of any bypass or if a bypass in this corridor does not emerge as a priority for major scheme funding,
 2. Undertake a desk based review of the existing proposals for an A56 Villages Bypass scheme and potential alternative options and alignments, including an assessment of engineering and environmental constraints and the provision of cost estimates using appropriate assumptions and sources of information. Any recommended bypass scheme should not prejudice the potential future reinstatement of the Colne to Skipton railway line.
- 3.101 The key transport proposal within the Core Strategy is to safeguard the route of the former railway between its present terminus at Colne and Skipton in North Yorkshire. A second alignment to the west of Earby is also protected, so that any new road would bypass the urban area. **Craven District Council** has submitted a representation at the Preferred Options stage indicating its support for the proposal. Further support was provided by Pendle Vision at its board meeting on 13th April 2010, when it issued a statement in support of transport improvements in the M65/A56 Corridor saying: "Pendle Vision supports, as its first priority, the construction of the A56 Villages Bypass. Although it supports in principle the re-opening of the Skipton-Colne (railway) line, it would wish to see a stronger economic case being made."



Lancashire Country Council has recently commissioned new motorway and transport corridor studies, to address connectivity with, and within, Pendle.

(b) Rail

- 3.102 The **Office of Rail Regulation** is the independent economic and safety regulator for the rail industry. It promotes economy and efficiency, with much of its work focussing on Network Rail as the owner and monopoly provider of the national rail network, including track, signalling, bridges, tunnels and stations. As a result it has no direct impact on the activities within Section 33A(3) of the Planning and Compulsory Purchase Act 2004, and consequently the focus for engagement has been with Network Rail (Strategic Infrastructure), the East Lancashire Community Rail Partnership, Northern Rail and Lancashire County Council.
- 3.103 The key rail proposal within the Core Strategy is to safeguard the route of the former railway line between its present terminus at Colne and Skipton in North Yorkshire. The project is advocated by the Skipton-East Lancashire Rail Action Partnership (SELRAP), and has widespread support both locally and from high profile patrons throughout the country. A number of studies have been published over the years considering the potential for re-opening the railway line, but as yet a strong economic case has yet to be put forward. **Craven District Council** submitted a representation at the Preferred Options Stage indicating its support for the proposal.
- 3.104 Pendle Borough Council has also indicated its support for the reinstatement of the Todmorden Curve. If connections with the hourly service from stations in Pendle are properly integrated, this project should help to provide a fast and efficient rail service to Manchester.

(c) Air

- 3.105 The **Civil Aviation Authority (CAA)** is consulted with through NATS (formerly National Air Traffic Services) a public private partnership between the Airline Group (a consortium of seven airlines), UK airport operator BAA Limited and the government which holds a 49% golden share.
- 3.106 Subsidiary NATS (En Route) plc (NERL) is regulated and operated under licence from the Civil Aviation Authority. The terms of the licence require NATS to be capable of meeting on a continuous basis any reasonable level of overall demand. They are charged with permitting access to airspace on the part of all users, whilst making the most efficient overall use of the airspace over Britain.
- 3.107 To ensure that development proposals in Pendle do not conflict with airspace requirements both NATS (En-route) plc and the Ministry of Defence have been consulted at key stages in the preparation of the Core Strategy.

(d) Telecommunications

- 3.108 At the Issues and Options stage a series of infrastructure workshops were held. In collaboration with neighbouring Burnley Borough Council, these were subsequently followed up with more targeted one-to-one meetings with individual organisations.
- 3.109 The Mobile Operators Association (MOA) represents the four UK mobile network operators – EE (the company that runs EE, Orange and T-Mobile in the UK), O2, Three, and Vodafone – on radio frequency (RF), health and safety, and related town planning issues associated with the use of mobile phone technology. They provide information on these issues to policy-makers national and local level throughout the UK and issue an annual roll-out plan, which is displayed on the Council's website. Some services are delivered through Mono Consultants, who offer total corporate, and infrastructure support services for communication network users, such as the mobile phone operators and emergency services.

- 3.110 Access to the internet opens up a wide range of opportunities for individuals and businesses, helping to improve operational efficiency, quality of life and offering up cost savings.
- 3.111 It is estimated that around 7 million people in the UK cannot access the internet. The majority are likely to be older people, those in the lowest socio-economic groups and those living in deprived areas. In Lancashire, 27% of households don't have access to the internet.
- 3.112 Pendle Council's Economic & Housing Regeneration team has liaised closely with Lancashire County Council who, in collaboration with BT, launched Superfast Lancashire, an initiative which seeks to bring fibre optic broadband to 97% of homes and businesses across the county by the end of 2015. The installation of cables throughout Pendle was completed at the end of 2014, providing much faster network connectivity, with upload and download speeds of up to 80Mbps and 20Mbps respectively. The new broadband is a step up from ADSL broadband, offering businesses the ability to host much more data on their servers.

(e) Utilities

- 3.113 Engagement with the National Grid, electricity and gas providers is principally carried out through formal public consultation.
- 3.114 Whilst there is local support for renewable and low carbon energy, wind generation has become an increasingly sensitive issue, although no wind farms are present in the area. Pendle Council has carried out significant joint working with neighbouring authorities and those across Lancashire to highlight potential across the area (see Climate Change below).
- 3.115 The **Environment Agency** has been a key player in coordinating local actions on surface water and fluvial flooding through the quarterly *Making Space for Water* group meetings, which are attended by representative from a number of prescribed bodies (see ¶3.25). One of these is **Lancashire County Council** is the Sustainable Urban Drainage Systems (SuDS) Approval Body for the area. Once this role is implemented any planning permission for new homes that is granted at the district level will not be capable of being implemented until approval from the County Council has been obtained.
- 3.116 As noted previously, Pendle lies astride the Pennine watershed and must liaise with both United Utilities and Yorkshire Water on matters relating to the management of the regulated water and waste water network in the borough. A number of one-to-one meetings have been held with United Utilities to assist in the preparation of both the Core Strategy and the Infrastructure Study. These, together with targeted correspondence with Yorkshire Water and the regular exchange of information at the quarterly *Making Space for Water* meetings, have helped to identify potential capacity issues at a number of waste water treatment works in the borough up to 2015 and established an agreed approach for surface water runoff. The policies concerned with housing and employment land distribution have been amended to reflect this, although this approach has met with some resistance from developers.
- 3.117 The cumulative impact of growth in Pendle and Burnley on long-term capacity at the Burnley Waste Water Treatment Works (situated in Pendle), was expressed as a possible concern by United Utilities. However, at this time the aspirations of Burnley Council have not yet been quantified, as they only commenced preparation of a new Local Plan in 2012.

- 3.118 United Utilities also expressed their concern that in divorcing strategic planning policy from the allocations process, the planning system now made it difficult for them to plan for infrastructure projects with the degree of certainty required if limited financial resources are to be committed to a project. These problems are two-fold: should development work commence on an allocated site before the waste water network has been upgraded there is the potential for surcharging; whereas if the infrastructure is upgraded ahead of development and this does not take place, the waste water network may cease to function efficiently due to lack of sufficient flow. This appears to be a Catch 22 situation, which cannot be easily resolved by the planning system.

(f) Minerals and Waste

- 3.119 Waste is collected locally, but the vast majority is disposed of outside the borough, at the Whinney Hill facility in nearby Hyndburn. This interdependence has seen local authorities in Lancashire working jointly for a number of years.
- 3.120 **Lancashire County Council** is the Minerals and Waste planning authority and the Joint Lancashire Minerals and Waste Development Framework (MWDF) contains mineral and waste specific policies for use in determining planning applications for waste or quarry developments in the borough.
- 3.121 Other organisations consulted on a regular basis, to provide a perspective on cross-boundary issues associated with infrastructure include Sustainability Northwest, Combined Heat and Power Association and the Earby and Salterforth Internal Drainage Board.
- 3.122 Going forward co-operation with bodies covered under the ‘Duty to Co-operate’ on matters relating to infrastructure, will normally be carried out on the following basis:

BODY	ENGAGEMENT / CONSULTATION		
	EXCHANGE INFORMATION	FORMAL ENGAGEMENT	PUBLIC CONSULTATION
Burnley Borough Council	✓	✓	✓
Other neighbouring authorities	✓	✓	✓
Other Pennine Lancashire authorities	✓	✓	✓
Other Lancashire authorities	✓	?	✓
Environment Agency	✓	✓	✓
English Heritage	X	X	✓
Natural England	✓	✓	✓
NATS En-Route	✓	X	✓
Homes and Communities Agency	?	?	✓
East Lancashire Primary Care Trust	?	X	✓
Network Rail	✓	?	✓
Lancashire Local Enterprise Partnership	✓	✓	✓
Lancashire Local Nature Partnership	?	?	✓
South Pennines Local Nature Partnership	?	?	✓

Key  Always  As needed  Not normally

Health, education and the community

(a) Health

- 3.123 As part of the Government's major programme of structural reforms to the health service, associated with the implementation of the Health and Social Care Act 2012, the governance structures for health have recently emerged from a process of transition.
- 3.124 **NHS England** is responsible for the health outcomes for people in England and places the patients and the public at the heart of its work. The intention is for the new NHS to be – open, evidence-based and inclusive, to be transparent about the decisions it makes, the way it operates and the impact it has.
- 3.125 From April 2013, NHS England has taken on many of the functions of the former PCT with regard to the direct commissioning of primary care health services, as well as some nationally-based functions previously undertaken by the Department of Health.¹²
- 3.126 **NHS England (North)** is one of four regional teams across the country. Working via a single operating model it provides clinical and professional leadership, coordinating, planning, operational management and emergency preparedness. It also works with other directorates to provide co-ordination and oversight of Local Area Teams, management and delivery of specialised commissioning, performance oversight and stakeholder engagement.
- 3.127 The **NHS England Lancashire Area Team** is based in Preston. Its core responsibility is to provide oversight of the NHS system to ensure that the 1.46 million citizens of Lancashire receive high quality care, now and in the future. The team works in partnership with the eight Lancashire **clinical commissioning groups** (CCGs) as co-commissioners of health services within Lancashire and works closely with the local authorities of Lancashire, the unitary authorities in Blackpool and Blackburn-with-Darwen and their respective Health and Wellbeing Boards to ensure services are developed to meet the needs of local people.
- 3.128 Like all area teams, it has direct commissioning responsibility for primary care. Across Lancashire it commissions around 240 general practices, 250 dental practices, 240 opticians and 350 pharmacies and is responsible for regulation of those who provide these services.
- 3.129 The area team also commissions public health immunisation and screening programmes; public health services for people in places of detention, health visitors and Family Nurse Partnerships. The Lancashire area team has established five strategic aims:
1. To develop with our partners a clear and coherent health and care strategy to deliver improved outcomes, high quality, safe and sustainable services while reducing variation over the next five years;
 2. To build strong working relationships through effective communication and innovative ways of working to ensure the Area; Team and its partners are successful in delivering a Lancashire Strategy, the NHS Mandate, NHS Constitution, NHS Outcomes Frameworks, Putting Patients First and financial sustainability;
 3. To be an excellent organisation focused on the needs and assets of the people of Lancashire building a culture of valuing, engaging and developing our colleagues and working positively with our partners;

¹² Primary care is the first point of contact for most people and is delivered by a wide range of independent contractors, including General Practitioners (GPs), dentists, pharmacists and optometrists.

4. To support the development of CCGs and direct commissioning to be effective and intelligent commissioners; and
 5. To be ambitious to improve health outcomes across all the services we commission and deliver high quality health care across Lancashire, including those within the criminal justice system across the North West.
- 3.130 Associated with these reforms Pendle Council has established a **Health and Wellbeing Group**, including representatives from Pendle Council; the clinical commissioning group; other health professionals; and private, community and voluntary sector representatives.
- 3.131 Much of the preparatory work for the Core Strategy pre-dates these changes. As such consultation and engagement took place with a wide number of organisations, which no longer exist.
- 3.132 The **National Health Service (NHS)** was previously divided into primary and secondary care.¹³ **NHS East Lancashire** established on 1st October 2006, was the local Primary Care Trust (PCT), serving a population of 381,100 residents from the five boroughs of Burnley, Hyndburn, Pendle, Ribble Valley and Rossendale. It then clustered with four other PCTs in Lancashire; Blackburn with Darwen Care Trust Plus, NHS Blackpool, NHS Central Lancashire and NHS North Lancashire.
- 3.133 For many years NHS East Lancashire employed a consultant to co-ordinate liaison with key partners including Pendle Council. Aidan Kirkpatrick, who held the position for many years, was consulted extensively on those planning policies that would have a direct or indirect influence on the health of local residents.
- 3.134 Pendle Council also consulted the East Lancashire Hospitals NHS Trust, which provided a full range of acute and emergency hospital services.
- 3.135 A workshop, held with local health professionals on 28th June 2010, indicated a move away from the centralised delivery of healthcare services towards home-based delivery. As such, in the longer term cross-boundary issues will be reduced as access to health facilities outside the borough will no longer be required.

(b) Education

- 3.136 There are few cross-boundary issues with regard to education. The most notable is the lack of a Higher Education facility in the borough. The nearest provision is the joint Burnley College/University of Central Lancashire (UCLAN) facility in Burnley. Situated adjacent to the railway station, access to this facility by public transport is relatively straightforward from most settlements in Pendle.
- 3.137 The education team at **Lancashire County Council** has had a major input into the preparation of Policy SUP3. Following significant changes in the funding arrangements, LCC provided a detailed response was provided at the Preferred Options stage and the policy was amended to reflect these comments.

¹³ Secondary care, also known as acute healthcare, could be elective or emergency care. Elective care referred to planned specialist medical care or surgery, usually following referral from a primary or community health professional such as a GP.

- 3.138 Up to the Preferred Options stage, the heads of all local primary and secondary schools were sent a consultation letter and range of publicity materials, highlighting the purpose of each public consultation. No cross-boundary issues were identified through this engagement, but the limited level of response from both staff and pupils means that the level of consultation with local schools was reduced for subsequent consultations for the Core Strategy and will be reviewed for future DPDs.
- 3.139 The Pendle Pupil Parliament, which involves 12 Primary Schools in Pendle, meets every few months. Each school has two representatives, with the purpose of the meetings to discuss issues that affect areas around our schools and in Pendle. This was considered as a possible vehicle for debating planning policy, but the issues were considered too complex. As such Planning Aid was approached to convene a similar meeting for Secondary School pupils. As preparation of the Core Strategy was at an advanced stage, and pupils would have had little opportunity to influence the strategy going forward, it was decided to pursue this option in the preparation of the second part of the Local Plan, which will allocate sites for future development.



Pendle Vale College (Opened September 2008) and Whitefield Primary School (Opened September 2014)

(c) Community

- 3.140 None of the community initiatives addressed within the Core Strategy are considered to have significant cross-boundary impacts.
- 3.141 Lancashire Constabulary, the Lancashire Fire and Rescue Service and the Ambulance Service, by way of the Primary Care Trust, were all invited to comment during formal public consultations and invited to attend focussed workshops and one-to-one meetings to assist the preparation of both the Core Strategy and the Infrastructure Study. Reporting progress through the Local Strategic Partnership was also particularly useful in helping to cut down the 'consultation overload' for these and other community organisations.
- 3.142 Other organisations consulted on a regular basis, to provide a perspective on cross-boundary issues associated with the community include: Burnley, Pendle and Rossendale CVS, Pendle Disability Forum, Ethnic Minorities Development Association, Lancashire-wide Network for Minority Ethnic Women.

- 3.143 Going forward co-operation with bodies covered under the 'Duty to Co-operate' on matters relating to the provision of community facilities and services, will normally be carried out on the following basis:

BODY	ENGAGEMENT / CONSULTATION		
	EXCHANGE INFORMATION	FORMAL ENGAGEMENT	PUBLIC CONSULTATION
Burnley Borough Council	✓	✓	✓
Other neighbouring authorities	✓	X	✓
Other Pennine Lancashire authorities	✓	X	✓
Other Lancashire authorities	✓	X	✓
Environment Agency	X	X	✓
English Heritage	X	X	✓
Natural England	X	X	✓
NATS En-Route	X	X	✓
Homes and Communities Agency	X	X	✓
East Lancashire Primary Care Trust	X	X	✓
Network Rail	X	X	✓
Lancashire Local Enterprise Partnership	✓	X	✓
Lancashire Local Nature Partnership	X	?	✓
South Pennines Local Nature Partnership	X	?	✓

Key ✓ Always ? As needed X Not normally



Pendle Heritage Centre, Barrowford – a major tourist attraction and home of the Heritage Trust for the North West.

Climate change, the natural and historic environment

(a) Climate Change

- 3.144 The Climate Change Act 2008 establishes a legal framework that underpins the UK's commitment to tackling climate change, including reducing CO₂ emissions and addressing potential risks. The Sustainability Appraisal highlights the scale and type of carbon mitigation required where adaptation is a priority and where collaborative working on cross-boundary issues is a priority.
- 3.145 In 2010, Pendle Borough Council was one of five local planning authorities – **Burnley Borough Council**, Rossendale Borough Council, **Calderdale Metropolitan Borough Council**, Kirklees Metropolitan Borough Council and **Bradford Metropolitan District Council** – each having part of the South Pennine Moors Site of Special Scientific Interest (SSSI) within their boundary, which jointly commissioned Maslen Environmental to produce a study looking at the potential for generation of energy from renewable and low carbon sources in the area. A separate study, prepared by Julie Martin Associates, considered the landscape impact of wind developments in the area.¹⁴
- 3.146 The South Pennine Wind Energy Group evolved out of these two studies. Group meetings are held in Halifax on a quarterly basis to exchange information, share examples of best practice and discuss the latest developments. A memorandum of understanding prepared and signed by all participants is included at Appendix 3.
- 3.147 Pendle Borough Council was also a partner in the **Lancashire County Council** led consortium, which commissioned a study from SQW Consultants and Maslen Environmental in March 2011, to look at the potential for taking forward the deployment of renewable energy in the county. Supported by the Climate Change Local Support Programme (CLASP) and the North West Improvement and Efficiency Partnership (NWIEP) the report was published in July 2011.
- 3.148 Planning policy officers at Pendle have collaborated with the team at Lancashire County Council, responsible for the Forest of Bowland Area of Outstanding Natural Beauty (AONB) on a wide range of issues. These range from assessing the potential for small scale hydro-electric schemes in the AONB through to policies that address the capacity and sensitivity of the landscape in accommodating new development (see below). In respect of the Core Strategy, the most significant collaboration was in the preparation of the Forest of Bowland AONB Renewable Energy Position Statement 2011, which says that small scale wind energy developments should not be sited on a skyline or close to a prominent feature. This is guidance is reflected in Policy ENV3.
- 3.149 Pendle forms part of the Calder catchment includes the main River Calder which originates from the moorlands surrounding Nelson, Burnley, Colne and Accrington, before joining the River Ribble below Whalley. Historically this area was heavily industrialised and much of the Calder and its tributaries (such as Pendle Water and Colne Water) were altered and impacted by industrial and urban development. The catchment is predominantly urban.
- 3.150 The Calder Catchment forms part of the wider Ribble catchment which drains an area of 860 square miles and is home to over 1.25 million people, which places a wide range of pressures and impacts on our water environment from everyday activities.

¹⁴ Pendle Borough Council has relied on the findings of an earlier study *Landscape Sensitivity To Wind Energy Development In Lancashire*, prepared in 2005 by Lovejoy Associates for Lancashire County Council.

- 3.151 The Ribble catchment covers a varied landscape that has been shaped by a variety of activities, including livestock farming in the upper part of the catchment to the industrialised urban areas such as Blackburn in the middle part of the catchment. These activities have all had an impact upon the water quality and quantity of the Ribble. Historically, the landscape has also been modified as watercourses and wetlands were altered to improve land drainage. The main issues within the catchment are:
- Pollution
 - Water abstraction
 - Modifications to physical habitat
 - Invasive non-native species
- 3.152 Ribble Life is a DEFRA funded pilot scheme aimed at exploring better ways to engage with people and organisations to help improve the water environment at a local catchment level. It is part of a new catchment-based approach to river basin management to help deliver the EU Water Framework Directive (WFD). The Ribble Rivers Trust is working in partnership with the Environment Agency to support the delivery of a holistic approach to catchment management, including the sustainable use of the catchment's rivers, as well as the habitats and species they support.
- 3.153 The **Environment Agency** and Pendle Council worked closely with consultants ENTEC (now AMEC Environmental & Infrastructure UK Ltd.) to help draw-up the Strategic Flood Risk Assessment and Flood Risk Management Strategy for Pendle. This has been supplemented more recently by the publication of the Draft Burnley, Nelson and Colne Flood Risk Management Strategy (Environment Agency, 2011) and the Draft Lancashire and Blackpool Local Flood Risk Management Strategy (Lancashire County Council, 2013).
- 3.154 From the date of implementation of the SuDS¹⁵ Approval Body (SAB) under Schedule 3 of the Flood and Water Management Act 2010, Lancashire County Council will be responsible for ensuring that any developments allow for the collection, storage and treatment of surface water to help reduce flood risk. This requirement for new developments will be completely separate from the requirement to gain planning permission. The Department for Environment, Food and Rural Affairs (DEFRA) has consulted on their proposed procedures for SuDS approval and the County Council is awaiting further announcements from DEFRA on implementation, including the commencement date. Until the County Council's duties commence Pendle Council, as the local planning authority, will remain responsible for providing advice for and issuing the approval of drainage proposals associated with a development.
- 3.155 The main vehicle for cross boundary working on matters associate with fluvial flooding and surface water runoff in the Pendle area are the quarterly Making Space for Water Partnership meetings. Chaired by Pendle Council (Engineering & Special Projects), these meetings are attended by representatives from the planning department, the Environment Agency (NW and NE Offices), United Utilities, Yorkshire Water, the Earby & Salterforth Internal Drainage Board and the Canal & River Trust and have proved to be extremely useful in helping to coordinate the local actions carried out by these various organisations.

¹⁵ SuDS is the abbreviation for Sustainable (Urban) Drainage Systems.

(b) Natural Environment and Biodiversity

- 3.156 Natural assets such as rivers, moorland and woodland rarely acknowledge local authority boundaries. Furthermore the direct, or cumulative impacts of development, can sometimes have a negative effect on natural assets or habitats some distance away. Where compensatory measures are required to facilitate development, it may be appropriate to deliver 'biodiversity offsetting' measures outside the immediate area.
- 3.157 Once again the Sustainability Appraisal process provides a consistent framework within which the scale and relative likelihood of adverse environmental impacts can be assessed. The Habitat Regulations Assessment assesses the sensitivity that any European Sites, in particular the South Pennine Moors, may have to different forms of development.
- 3.158 The emerging **Local Nature Partnership (LNP)** will become the focal point for recording information and identifying local priorities and assets. The Lancashire bid was coordinated by the Wildlife Trust for Lancashire, Manchester and North Merseyside, and they have been fully engaged in the preparation of the Core Strategy, attending meetings on the environment and submitting representations in response to each of the formal public consultations held at key stages in the preparation of the Core Strategy.
- 3.159 Pennine Prospects prepared the bid that secured LNP status for the South Pennines in 2012. This recognition by Government to deliver the objectives of the Natural Environment White Paper (2011) recognises that the South Pennines is the only significant upland landscape in England that is not designated as a National Park or Area of Outstanding Natural Beauty. The South Pennines LNP will underline and emphasise the value and importance of this unique landscape and raise the profile of the South Pennines in local decision-making processes. The boundary of the LNP follows the outline of National Character Area 36; operating across administrative boundaries in order to reflect natural habitats and respond to the opportunities and challenges presented by the landscape. This lack of a single administrative unit means that a partnership approach is required in order to provide a coordinated response to the opportunities, benefits and pressures on the landscape.
- 3.160 As one of the three pillars of sustainable development, engagement on matters concerning the environment, and biodiversity, has been integral from the outset. Joint public consultation on the Core Strategy and Sustainable Community Strategy commenced in Summer 2007 under the 'You Choose the Future of Pendle' banner. The 'Caring for the Environment' workshop was attended by 22 representatives from a wide range of organisations, and this helped to establish the basis for the environmental policies in the Core Strategy.



Left to Right: South Pennine Moors (Atlantic Bog), Reed Bunting and Damey's Cottage in Barley

- 3.161 On 15th November 2010, a meeting was held with the Biodiversity sub-group of the LSP to take a detailed look at the first draft of Policy ENV1. A total of 18 people attended the meeting, representing Pendle Borough Council, the Lancashire Wildlife Trust, Lancashire Environment Record Network, Lancashire Biodiversity Partnership, East Lancashire Ornithologists Club, Friends of Greenfield LNR, Pendle Parks Forum and Friends of Victoria Park. Although concerns were expressed about the level of detail in the policy only two of the attendees provided feedback. Some of the concerns raised may have been allayed had Policy ENV1 been viewed alongside other policies in the Core Strategy.
- 3.162 Although Pendle Borough Council no longer subscribes to services offered by the **Lancashire County Council** Ecology Service, their advice and that of the Lancashire Environment Record Network (LERN) was invaluable in pulling together information for inclusion in the Pendle Biodiversity Audit (September, 2010). The audit is first document of its kind in Lancashire and has proved to be extremely useful. The document pulls together a wide range of disparate information on the local environment from reliable sources; recording the occurrence and extent of natural species, habitats and landscapes across the borough. It has provided a useful baseline and source of information for work on the Core Strategy and will help to inform the preparation of a new Green Infrastructure Strategy. However, a popular misconception amongst local environmentalists is that the document represents the Council's strategy for the local environment which, as the title of the document implies, was never the intention.
- 3.163 The audit was considered necessary as much of the published information on biodiversity revealed conflicting results. More detailed environmental assessments will be carried out as sites are considered for inclusion in any future site allocations document. Although it can only represent a snapshot in time, the extensive use of links to websites hosted by reputable organisations such as Natural England and Lancashire County Council, means that the reader can access up-to-date information for many of the subjects covered by the audit. However, the development of LERN, which was in its infancy when the Pendle Biodiversity Audit was produced, means that the Pendle Biodiversity Audit remains the only document of its kind in Lancashire.
- 3.164 The Forest of Bowland AONB Landscape Character Assessment prepared by **Lancashire County Council** in 2009, considers the area of outstanding natural beauty around Pendle Hill, setting out guidelines for managing landscape change. This document builds on the Lancashire Historic Landscape Characterisation (HLC) Programme, which was carried out between January 1999 and October 2000. This considered the county of Lancashire and the unitary authority areas of Blackburn with Darwen Borough Council and Blackpool Borough Council. The work was carried out by the Archaeology Service of the County Council's Environment Directorate, with the support of English Heritage. The aim of the Lancashire programme was to characterise the distinctive, historic dimension of today's urban and rural environment in Lancashire.
- 3.165 Pendle Council attends meetings of the AONB Partnership Management Group and has actively participated in a number of joint initiatives initiated by the group, most recently the Small Scale Hydro Study referred to previously. The focus for the group's activities is the Forest of Bowland AONB Management Plan, which describes the special qualities of the area and their contribution to the national significance of the landscape. The Plan identifies the major trends and opportunities for the area, provides a policy framework and identifies a five-year programme of actions (April 2014 - March 2019) to help guide the work of the AONB partnership organisations working together to achieve the purpose of this plan – i.e. to conserve and enhance the natural and cultural beauty of the Forest of Bowland landscape.

(c) Built Heritage

- 3.166 **English Heritage** has had a significant input in the regeneration of Whitefield in Nelson and the preparation of two supplementary planning documents, where housing design was a significant element:
- Conservation Area Design and Development Guidance SPD (August 2008)
 - Design Principles SPD (December 2009)
- 3.167 English Heritage has also made an important contribution to the development of wider conservation objectives established through the Core Strategy. They have been contacted in writing ahead of each formal six-week public consultation to provide them with an opportunity to comment on any issues they may have, and on each occasion they have submitted comments. In particular these comments have influenced the development of Policies ENV1, ENV2, ENV3 and SUP4.
- 3.168 In contrast to many organisations, it was possible to maintain contact with a single representative at English Heritage from the outset right up to the Publication Stage. Although recently retired, the officer in question is a Pendle resident and has indicated a willingness to continue to help the Council shape its conservation and heritage policies for the area.
- 3.169 Other organisations contacted on a regular basis, to provide a perspective on cross-boundary issues associated with the natural environment and built heritage include: Forestry Commission England, RSPB Northern England, North West Environment Link, Natural Economy North West, Lancashire CPRE, Friends of the Earth, Lancashire Community Recycling Network, Garden History Society, National Trust, Council for British Archaeology, Design Council CABE, The 20th Century Society, Civic Trust/Civic Voice, Victorian Society, and Heritage Trust for the North West.
- 3.170 Going forward co-operation with bodies covered under the ‘Duty to Co-operate’ on matters relating to climate change, the natural and historic environment, will normally be carried out on the following basis:

BODY	ENGAGEMENT / CONSULTATION		
	EXCHANGE INFORMATION	FORMAL ENGAGEMENT	PUBLIC CONSULTATION
Burnley Borough Council	✓	?	✓
Other neighbouring authorities	✓	?	✓
Other Pennine Lancashire authorities	✓	?	✓
Other Lancashire authorities	✓	?	✓
Environment Agency	✓	✓	✓
English Heritage	✓	✓	✓
Natural England	✓	✓	✓
NATS En-Route	X	X	✓
Homes and Communities Agency	?	?	✓
East Lancashire Primary Care Trust	X	X	✓
Network Rail	X	X	✓
Lancashire Local Enterprise Partnership	?	?	✓
Lancashire Local Nature Partnership	✓	✓	✓
South Pennines Local Nature Partnership	✓	✓	✓

Key ✓ Always ? As needed X Not normally

4. Conclusions

- 4.1 The government is committed to strategic planning for issues that need to be addressed at a larger than local scale. In the context of 'localism', the form of this co-operation is not prescribed, but at the discretion of the local planning authority.
- 4.2 The Duty does not apply to local plans submitted before the Localism Act came into force on 15th November 2011, but does apply to all those submitted from that day onwards, including the Pendle Core Strategy.
- 4.3 The Duty to Co-operate requires council's and public bodies to engage constructively, actively and on an ongoing basis in relation to the planning of sustainable development. Local planning authorities should work together to meet development requirements which cannot wholly be met within their own areas and should consider entering into agreements on joint approaches, or prepare joint evidence base documents and local plans.
- 4.4 To be found sound local plans must demonstrate that they have addressed any strategic issues in a proper and timely manner. This statement is intended to demonstrate that Pendle Council has embraced the spirit of partnership working on strategic cross-boundary issues from the outset; that this co-operation has helped to increase the effectiveness of our final strategy to promote development and growth; and helped to reduce the overall cost of plan preparation.
- 4.5 The extent to which co-operation should take place has been an area of debate. Whilst Shona Dunn, Head of Planning at the Department for Communities and Local Government (DCLG), emphasised that it is "a duty to co-operate, not a duty to agree" Keith Holland a group manager at the Planning Inspectorate with responsibility for development plans, described this statement as "opaque" and said that it had to be "effective co-operation" and that talks without any agreement would not suffice.
- 4.6 Much of the preparatory work on the Core Strategy had been completed prior to the Duty coming into force, and before some of the prescribed bodies came into existence. However, in preparing this strategic planning document, sub-regional and strategic cross-boundary issues have been properly and adequately addressed by Pendle Borough Council – through a continuous process of engagement with the relevant local authorities and prescribed bodies, or their predecessors – from the identification of the key issues to be addressed by the Core Strategy and Sustainable Community Strategy, through to the publication and submission of our proposed strategy for spatial planning. Where possible and appropriate this co-operation has resulted in the preparation of joint strategies and evidence base documents and the establishment of arrangements for joint working to ensure that any strategic cross-boundary issues can be adequately addressed in future years.
- 4.7 This Statement of Compliance with the Duty to Cooperate demonstrates that Pendle Borough Council has carried out a high level of co-operation and engagement with local authorities and other public bodies in the preparation of its Core Strategy. Where appropriate this has involved the joint preparation of evidence and been confirmed by drawing up of a Memorandum of Understanding (Appendix 4).

- 4.8 Appendix 2 provides a summary of the collaborative work Pendle Borough Council has carried-out to address the cross-boundary issues that have been identified in the preparation of the Core Strategy, the organisations that have been involved in this work, the key issues that have been identified and how the plan has been influenced by these findings.

Appendix 1

Government Guidance and Legislation on the Duty to Co-operate

Localism Act 2011

The Duty to Co-operate came into effect with the introduction of the *Localism Act 2011* on 15th November 2011. The Act requires that local planning authorities should co-operate on “strategic matters” and defines these as being the “sustainable development or the use of land that has or would have a significant impact on at least two planning areas”. It also provides the definition of public bodies to whom the Duty to Co-operate applies.

- Part 6: Planning / Chapter 1: Plans and Strategies / Section 110: Duty to Co-operate in relation to planning of sustainable development

Section 110 actually forms new section in of the *Planning Compulsory Purchase Act 2004*, to be inserted in Part 2: Local Development after Section 33:

- Section 33A: Duty to co-operate in relation to planning of sustainable development

National Planning Policy Framework (NPPF)

The *National Planning Policy Framework* came into effect on 27th March 2012. In paragraphs 178-181 it makes it clear that public bodies have a Duty to Co-operate on planning issues that cross administrative boundaries.

- | | |
|------|--|
| 178. | Public bodies have a Duty to Co-operate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities set out in paragraph 156. The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities. |
| 179. | Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in individual Local Plans. Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of this Framework. As part of this process, they should consider producing joint planning policies on strategic matters and informal strategies such as joint infrastructure and investment plans. |
| 180. | Local planning authorities should take account of different geographic areas, including travel-to-work areas. In two tier areas, county and district authorities should cooperate with each other on relevant issues. Local planning authorities should work collaboratively on strategic planning priorities to enable delivery of sustainable development in consultation with Local Enterprise Partnerships and Local Nature Partnerships. Local planning authorities should also work collaboratively with private sector bodies, utility and infrastructure providers. |
| 181. | Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Cooperation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development. |

Town and Country Planning (Local Planning) (England) Regulations 2012

Further information on the Duty to Cooperate is included in Part 2 of the *Town and Country Planning (Local Planning) (England) Regulations 2012*, which identifies the bodies prescribed for the purposes of Section 33A(1)(c) of the Planning and Compulsory Purchase Act 2004.