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Dear Inspector,

**Further Questions to the Council on the Pendle Core Strategy**

Thank you for your letter of 21<sup>st</sup> January 2015, highlighting further questions arising from your initial assessment of the Core Strategy, the evidence submitted in support of this document and the representations made.

I attach a schedule dealing with each of your questions in turn, followed by the Council's response.

I trust that this information addresses the questions you have raised. Should you require any additional information, please do not hesitate to contact me.

Yours faithfully,

**John Halton**

Principal Planning Officer (Policy)

## Separate Documents

**The Government's preference is for a single Local Plan to be prepared for an area. The preparation of a series of development plan documents (DPDs) needs to be clearly justified. Please could you point to the justification for having separate CS, Site Allocations/Development Management Policies (SADMP) document and Area Action Plans? In particular I note that a SADMP ran in parallel with the CS between 2008 and 2010 and, thus, it would have appeared to be feasible to combine the DPDs into a single document post 2010.**

Council Response:

The legislative framework for the preparation of Local Plans in their modern form emanates from the Planning and Compulsory Purchase Act 2004. That provided the legislative framework for producing Development Plan Documents (DPDs) and the adoption of Local Development Schemes. This was accompanied by planning policy guidance. Of particular relevance was the revised Planning Policy Statement 12 ("PPS 12") which was issued on 4th June 2008. This was replaced by the National Planning Policy Framework ("the Framework") in March 2012.

At the same time as the Framework was being introduced changes were made to the Local Development Regulations with the Town & Country Planning (Local Planning) (England) Regulations 2012 coming into force on 6th April 2012, replacing the 2004 Regulations. It was the 2004 Regulations and PPS 12 which framed the Council's initial approach to adopting DPDs, including the Core Strategy.

The requirement, until 2012, was for local planning authorities to adopt Core Strategies with other DPDs being prepared in accordance with the Local Development Scheme (LDS). This in turn had to be kept up to date to ensure it was appropriate for the development needs of the area. The emphasis in guidance up until that point was to have a Core Strategy supported by other DPDs.

The Council adopted the Replacement Pendle Local Plan (2001-2016) in May 2006. Work on the documents for the Local Development Framework began at that time and the first LDS was produced. The delivery of two aspects of the original LDS proved to be unrealistic in practice.

First was to run the production of the Core Strategy, Land Use Allocations and Development Control Principles DPDs closely in terms of timing. When the Council began to prepare the DPDs it soon became apparent that they could not be produced in parallel due to capacity issues and the reliance of the Land Use Allocations and Development Control Principles DPDs on the content of the Core Strategy. Subsequent versions of the LDS set out a more realistic production timeframe, which would deliver the Core Strategy first followed by the other two DPDs.

The second element relates to the production of Area Action Plans ("AAPs"). The then Labour administration introduced the Housing Market Renewal (HMR) Programme in 2002. Pendle, alongside the other East Lancashire councils were selected to be one of the HMR pathfinder areas.

HMR was targeted at transforming identified areas of housing failure into areas with a functioning housing market. That required both housing and non-housing interventions. To achieve this there was a significant capital investment programme. The HMR programme also funded a team of planning and urban regeneration staff to deliver the initiative. In many cases this involved direct intervention with no requirement for land use changes, but in other areas there needed to be a development plan led approach. Three areas of the Borough were identified as priorities and AAPs were proposed for those namely: Bradley (Nelson), South Valley (Colne) and Railway Street (Brierfield).

The original LDS proposed Railway Street (Brierfield) as an AAP. However, as no land use allocation changes were required the decision was taken to prepare a Supplementary Planning Document instead and the LDS was amended accordingly.

The Bradley (Nelson) AAP was the first to come forward. This went through the formal process for preparation and following examination was adopted in 2011.

When the current Government was elected the HMR programme was abandoned and the funding to deliver its objectives ceased. The South Valley (Colne) AAP could not be delivered and hence the Council amended the LDS to remove it from the DPDs it proposed to adopt.

The first LDS envisaged a parallel process for evidence gathering and preparation of the Core Strategy and Land Use Allocations DPDs. As part of preparing the evidence base for the DPDs the Council undertook a consultation on potential land for development in July 2008. The Search for Sites Consultation was carried out to help inform the Land Use Allocations DPD and the preparation of a Strategic Housing Land Availability Assessment (SHLAA).

The national policy position at the time was that a Core Strategy should be produced ahead of any Land Use Allocations DPD. It was at this point that the preparation of the two DPDs was separated and the Council concentrated on gathering the evidence base for the Core Strategy.

The Council consulted on the Core Strategy Preferred Options Report in September 2011 and the Core Strategy Publication Report in October 2012. At the time the policy was still to produce a Core Strategy with other appropriate DPDs. As referred to above national policy guidance and regulations did not alter until 2012. At the time the Core Strategy was at an advanced stage and to have rolled that forward into a single document would have resulted in considerable delay in adopting the Local Plan.

The consultation on the Core Strategy Publication Report concluded in December 2012. The Council received objections highlighting that the SHMA, a key element of the evidence base, was considered to be out-of-date. Cases were emerging that resulted in the Council making a decision that the evidence base would not be adequate and it needed to be updated. This was particularly so as the Regional Spatial Strategy for the North West was to be abolished which had set out housing numbers for the Borough.

The Council was then in a position where it needed to decide whether to continue with the Core Strategy or abandon it and proceed with the preparation of a single Local Plan. After considering all the relevant issues a recommendation was made to and approved by the Council to proceed with the Core Strategy as a separate document.

The pressing needs of the Borough were to identify the level of housing growth and align this with identified employment needs. The early identification of employment land in particular was important as it takes more time and is more difficult to deliver than housing which would be provided on a range of existing and new sites across the whole Borough.

At the same time other options had been put forward as part of the comments on the Core Strategy Publication Report. This included a proposal from Peel Holdings to allocate a strategic housing site.

There was a need to bring forward key developments for the Borough as quickly as possible within the framework of assessing the overall development needs of the Borough, in particular with the revision of the SHMA. A critical issue for the Council was the housing market and the reduction in

the amount of housing that was being delivered due to the economic downturn. That necessitated an understanding of what the quantum and mixture of the housing needs of the Borough were.

The amount of work that would need to be undertaken in the preparation of a single Local Plan would in the Council's view not be deliverable within a short timescale. The update of the evidence base and production of the Core Strategy Further Options Report have been achieved within in a year. This approach has provided a clear local policy framework for delivery of the Borough's development needs in the shortest possible timeframe and will enable the replacement of the existing Local Plan which expires in 2016.

The Core Strategy will bring forward key employment and housing sites at the earliest opportunity and would prevent further delays in the delivery of much needed development. It is also important here to understand the implications of the Local Economic Partnership (LEP). The strategic economic plan of the LEP guides the funding allocations through the Growth Deal, including future infrastructure projects. To secure funding for such schemes requires as much certainty as possible, and a local planning policy framework is a key component of this. The Growth Deal announced in 2014 included a joint commitment on the part of the Government and Lancashire County Council to fund improvements to key junctions along the M65 motorway in the Burnley and Pendle Growth Corridor. This includes Junction 13 which serves both the strategic housing and employment sites identified in the Core Strategy.

The Core Strategy gives certainty on the amount of land to be delivered to meet the Borough's full objectively assessed needs and establishes a framework for delivery taking account of the local market conditions.

Delaying the adoption of a plan would bring more uncertainty, particularly in terms of an adopted housing requirement which governs how the five year supply of land would be calculated for planning applications and appeals.

### **Duty to Cooperate (DTC)**

**I have read the 'Statement of Compliance with the Duty to Cooperate'. I note the examples of joint working contained within the document, in particular the Burnley and Pendle Strategic Housing Market Assessment (SHMA) and the Burnley and Pendle Gypsy and Traveller Accommodation Assessment (GTAA). However, I have a few questions about the DTC arising from my initial appraisal of the evidence.**

### ***Housing Needs***

**Burnley Borough Council indicates in its representation that it has not yet 'approved' the Housing Needs Study 2012-based SNPP Update of September 2014. Is this still the case? I note that Figure 2.1 of the DTC Statement indicates alternative growth scenarios of between 900 and 2,250 dwellings for Burnley. Is this based on the SHMA and September 2014 update? How does it fit with the significantly larger Pendle housing requirement of 5,966 dwellings?**

Council Response:

Please note that there is an error in Figure 2.1 of the DTC Statement: Pendle's housing requirement figure should read 5,662 rather than 5,966 as stated.

The Council wishes to clarify with the Inspector the role and status of the two documents which make up the housing evidence for Pendle.

- The Burnley and Pendle Strategic Housing Market Assessment (SHMA) was prepared by Nathaniel Lichfield and Partners (NLP) in 2013, with the final report being issued to both councils in December 2013. The SHMA establishes the Objectively Assessed Need (OAN) for Housing for the Burnley and Pendle Housing Market Area (HMA) using the 2011-based Sub-National Population Projections (SNPP). Additional work was carried out in 2014 relating to the introduction of an additional employment-led scenario, and a revised version of the SHMA was subsequently issued (the cover date on the document was not changed by NLP, but it has been agreed to add a tagline stating that it was partially updated in August 2014). Discussions with officers indicate that Burnley Borough Council has yet to formally approve the revised SHMA.
- The release of the 2012-based SNPP showed a significantly lower level of population growth in Pendle over the plan period compared to the 2011-based projections. However, for Burnley the difference between the two sets of projections was negligible. In order to ensure that the Pendle Core Strategy is based on up-to-date evidence it was considered necessary to test the on-going validity of the OAN for housing, established in the SHMA, given the new population projections. On this basis Pendle Borough Council commissioned NLP to prepare a separate report (CD.04.02) to update the housing needs element of the SHMA. This report focusses on the housing needs in Pendle but paragraph 1.13 makes it clear that it also takes into account the situation in Burnley in order to consider the whole of the HMA.

It is Pendle Council's understanding that Burnley Borough Council's representation refers to the updated version of the SHMA (submitted to the Inspector as CD.04.01) rather than the Housing Needs Study Update (CD.04.02).

Burnley's alternative housing growth scenarios, as indicated in the DTC Statement, are taken from Chapter 5 (page 44) of Burnley's Local Plan: Issues and Options report, which was subject to public consultation between 17<sup>th</sup> February and 31<sup>st</sup> March 2014 (see CD.03.04). This document sets out low (50dpa), medium (100dpa) and high (150dpa) housing growth options. The low and medium options are based on the range for Objectively Assessed Need (OAN) set out in the SHMA (see CD.04.01 SHMA, Core Output 5, page 99), whilst the high growth option is based on Burnley Council pursuing a policy that reflects their aspirations for significant jobs growth over the plan period.

The SHMA considers the OAN for the full Housing Market Area (HMA) (i.e Burnley and Pendle). This requirement is then broken down into the respective local authority areas. The SHMA explains that the distribution of housing growth in the HMA should be based on each local planning authority (LPA) seeking to meet their own housing needs (paragraph 5.70, page 98).

In part, this helps to explain the significant difference between the two authorities' housing figures, which stems from the demographic modelling and projections. Burnley's population is projected to grow only slightly up to 2030 with some scenarios showing a population decline. Pendle's population is projected to grow at a more significant rate. The different housing requirement figures sit within this population growth context.

The SHMA indicates that the upper end of the OAN range for the HMA is 7,890 dwellings over the 19 year period (2011-2030). If Burnley was to pursue its high growth scenario of 150dpa this would equate to 2,850 dwellings. Together with Pendle's housing requirement of 5,662 dwellings, this

would result in a total housing provision figure of 8,512 dwellings, marginally higher than the OAN for the full HMA (i.e. 7,890). However, both boroughs have aspirations to pursue economic growth within their respective areas and the associated housing provision figures reflect this aspiration.

Burnley and Pendle are at different stages in the preparation of their Local Plans, however, it is important that as far as possible the housing needs of the joint HMA are met. Paragraph 3.40 of the Duty to Cooperate Statement confirms that the proposed housing figures of both boroughs are acceptable and will address the housing needs of the HMA. However, Burnley is still at a stage where its housing requirement figure may change. Depending on which economic growth scenario is chosen, Burnley will need to make provision for the associated amount of housing. Future Duty to Cooperate meetings will ensure that the impacts on the wider HMA are considered.

### ***Strategic Employment Site***

**Paragraph 3.62 of the DTC Statement indicates that strategic employment sites should be provided alongside the M65 between junctions 3 and 9. But then Policy WRK3 allocates a strategic employment site in the Green Belt near junction 12. What evidence is there that alternative non-Green Belt sites for strategic employment to meet the needs of the Borough have been investigated with adjoining authorities? Green Belt boundaries should only be altered in exceptional circumstances, through the Local Plan.**

Council Response:

The reference to 'strategic employment sites' in the DTC Statement (para 3.62) refers to the wider locational requirements for sites intended to serve the needs of the Pennine Lancashire sub-region. These sites are defined in the report Towards a Sustainable Employment Land Strategy (CD.05.04, paragraph 1.3.1) as being sites of 40 hectares or more.

National planning guidance previously stated that Core Strategies should identify broad locations for future development and "may allocate strategic sites ... considered central to achievement of the strategy." Initial iterations of the Pendle Core Strategy did not include a strategic site allocation. However, following the publication of updates for the Pendle Employment Land Review (ELR) (CD.05.01) and the Burnley & Pendle Strategic Housing Market Assessment (SHMA) (CD.04.01) in 2013, Pendle Council considered that it was necessary to allocate 'strategic sites' for both employment and housing in the Pendle Core Strategy (Further Options Report) in order to demonstrate that the proposed spatial strategy for the borough was both realistic and deliverable.

The strategic site at Lomeshaye is therefore regarded as being strategic in a localised context; in that it will provide a relatively large (16 hectares net) high quality site, close to the motorway in the M65 Corridor, the primary area of need.

Discussions in Duty to Cooperate meetings, with officers from Craven District Council, concluded that in quantitative terms some of Pendle's net employment land requirement (25.02 hectares) could be accommodated within North Yorkshire. However, they recognised that there is little synergy between the employment markets in the two districts. This fact is also borne out in the Pendle Employment Land Review (CD.05.01), which notes that Pendle comprises two largely self-contained property markets (paragraphs 3.17-3.24) with little overlap in the functional property market (paragraphs 3.25-3.27). As such any employment land provision on behalf of Pendle within Craven, would fail to address the employment needs of the borough or represent a sustainable spatial option.

This conclusion leaves Burnley as the only practicable option for accommodating some, or all, of Pendle's employment land requirement, should the need arise. The DTC Statement (paragraph 3.68) highlights that discussions have taken place with Burnley Council regarding this matter. However, it is clear from the Burnley Local Plan: Issues and Options Report (CD.03.04) that in order to meet its own employment land requirement Burnley Council is already considering the opening-up of sites in the Green Belt to the west of the town. The allocation of an employment site within Burnley would not meet the borough's employment land requirement for the following reasons:

- The allocation of a strategic employment site at Lomeshaye will largely meet the quantitative and qualitative need for employment land over the plan period within Pendle;
- Employment land provision in Burnley would not help to reduce the existing high levels of out-commuting from Pendle, or help to prevent the loss of high value businesses engaged in advanced manufacturing and aerospace.
- Employment sites located to the west of Burnley offer poor accessibility for Pendle residents.

Furthermore, at the Lancashire Development Plan Officer Group, held on Tuesday 3<sup>rd</sup> February 2015, the representative from Burnley Borough Council announced that they would be contacting neighbouring authorities within the next few days to discuss the possibility of bringing forward the proposed review of the Green Belt in Pennine Lancashire, in order to help them deliver their likely development needs.

#### **Period of the CS**

**The CS has a timeframe between 2011 and 2030 with 2011 being the baseline for much of the evidence base. Whilst this is reflected in policies such as LIV1, it should be made more explicit within the CS e.g. on the front cover and in Chapter 2.**

Council Response:

The Council agrees that the timeframe for the Core Strategy should be made more explicit. It recommends the following modifications to the plan:

- Suggested Additional Modification – Add “2011-2030” to the front cover of the plan.

Include the following wording in Chapter 2: About the Core Strategy

- Suggested Additional Modification – Re-word the end of the opening sentence of paragraph 2.1 to read: “... *and growth in Pendle for the period 2011 to 2030.*”
- Suggested Additional Modification – Re-word the end of the opening sentence of paragraph 2.6 to read: “... *which will guide development and growth in Pendle from 2011 to 2030, by setting out:*”

## **Spatial Strategy**

### ***Policy SDP1***

**Paragraph 7.6 should form part of the policy, not its explanation.**

Council Response:

The Council agrees that the wording of this paragraph constitutes policy and should be included in the policy rather than the justification.

- Suggested Additional Modification – Move paragraph 7.6 from the justification into Policy SDP1.

### ***Policy SDP2***

**As the policy deals with the settlement hierarchy and roles it would be appropriate to include the anticipated growth levels from paragraph 7.22 within the policy itself. In terms of site selection has consideration been given to a target for the % of previously developed land that should be brought forward?**

Council Response:

The Council agrees that the roles and anticipated growth levels provided at paragraph 7.22 should be included within the policy.

- Suggested Additional Modification – Move the roles and anticipated growth levels from paragraph 7.22 to the relevant part of Policy SDP2.

In terms of site selection Policy SDP2 does not include a specific target for the amount of previously developed land that should be brought forward.

The evidence base (see CD.07.01 Development Viability Study) indicates that many of the borough's inner urban areas, where the vast majority of the previously developed land is located, suffer from poor site viability. In the short term this is likely to reduce the amount of previously developed land that can be redeveloped. Low land values and the volatility of the market in Pendle have made it necessary for the Council to look towards the use of Greenfield sites in order to help deliver the area's development needs.

The Council has given consideration to the current available evidence and has concluded that it would be difficult to set a realistic and deliverable previously developed land target which would not risk the ability of the area to meet its development needs, given the uncertain economic conditions.

Annual monitoring indicates that Pendle has shown good performance in the past in terms of reusing previously developed land. Even in recent years the percentage of housing development coming forward on PDL has been high albeit in the context of a low number of overall completions (see CD.02.03b 2013 AMR, Indicator HS4, Figure HS04, page 43). The monitoring and delivery table at the end of Policy SDP2 sets a PDL percentage of 50% or less as a trigger point for action to be taken to address the reuse of previously developed land.



The Council believes that if it is to deliver the development needs of the borough then a flexible approach to the use of land will need to be employed, rather than the setting of rigid targets. The trigger point in the monitoring and delivery table provides a useful check on excessive Greenfield development.

#### ***Policy SDP5***

**There is no reference to the capacity for retail floor space in the Borough or how this should be distributed either within this policy or within Policy WRK4. I note that the retail studies show limited expenditure capacity for convenience provision but more capacity for comparison goods floor space during the plan period. Has any provision since 2012, for example convenience floor space in Barnoldswick, made a difference to capacity and needs?**

Council Response:

The Pendle Retail Study update was published in July 2012 (CD.06.02). The conclusions of the capacity for new floor space are contained on page 16. They project that there would be capacity up to 2033 for 1,262m<sup>2</sup> of convenience floor space and 8,889m<sup>2</sup> of comparison floor space. The need for new floor space was identified as being in the north of the Borough – i.e. in the West Craven Towns of Barnoldswick and Earby.

The table below shows the amount of committed retail floor space that has been approved since the study was published as well as an additional 1,869m<sup>2</sup> in the pipeline for an out of town retail site between Nelson and Colne. Comparison goods at the Barnoldswick and Colne (Lidl) sites have been separated out whereas the Retail Study includes them as convenience expenditure as they are in a single store format.

<b>Location</b>	<b>Date</b>	<b>Comparison (m<sup>2</sup>)</b>	<b>Convenience (m<sup>2</sup>)</b>
Barnoldswick	01/10/2012	253	1,854
Colne (Boundary Mill)	Awaiting S106	4,530	1,619
Colne (Lidl)	08/12/2014	193	1,093
Nelson (Farm Foods)	07/08/2013		350
Barrowford (Morrison's )	25/02/2013		272
<b>Totals</b>		<b>4,976</b>	<b>5,188</b>
Colne (Asda - application pending)	-	1,869	
<b>Totals</b>		<b>6,845</b>	<b>5,188</b>

The amount of convenience floor space provided has exceeded the amount detailed in the Retail Study. There are two reasons for this. First is that there has been a commitment in Barnoldswick so there has been an increase in market share there. Second is that the retail impact assessments that have been undertaken for these new stores, show that they are predominantly competing against each other and not against the borough's town centres. Consumer choice has therefore been increased, but with no unacceptable impact on town centres.

The need that was identified in the Retail Study was for convenience floor space in the north of the Borough. This was to address the lack of choice in Barnoldswick and the significant amount of shopping leakage out of the town for primary weekly shopping trips. This need has now been accounted for by the granting of planning permission for a new supermarket in Barnoldswick.

Two appeals have been heard and dismissed for further retail development in Barnoldswick. One was for a Tesco store and the other for Aldi. Any further floor space provision would have an unacceptable impact on the vitality and viability of Barnoldswick.

The commitments for new floor space for both convenience and comparison goods will satisfy the need for new convenience floor space which was in the north of the Borough. The capacity that was identified for convenience products up to 2033 has now been reached as has the capacity for comparison goods up to 2023. There is a small amount of capacity for comparison goods from 2023 to 2033 of 2,044m<sup>2</sup>.

## Housing

**There is no reference within Policy LIV1 as to how the housing requirement will be met. For example what proportion of provision will need to come from new allocations or existing allocations/permissions? What contribution will be made from empty homes? How will demolitions be taken into account? It is understood that specific windfall sites are incorporated into the 5 year land supply so an allowance within the policy would not be appropriate as they are not a dependable source of supply. The housing requirement within Policy LIV1 should be expressed as a minimum.**

Council Response:

The third paragraph of Policy LIV1 explains that a Strategic Site has been allocated to ensure early delivery of the housing requirement and that the Site Allocations and Development Policies DPD will be used to allocate other specific sites to meet the remainder of the requirement.

It is acknowledged that the policy does not set out the proportions of housing that will come from new allocations or existing commitments (permissions). It is considered that the amount of land required to be allocated for new housing will change before work restarts on the Site Allocations and Development Policies DPD and that it would be more appropriate to use the AMR to set out the current progress in delivering the housing requirement (i.e. taking account of completions since the start of the plan period and existing commitments going forward).

Empty homes have the potential to make a significant contribution towards meeting the housing requirement in Pendle. Evidence from the SHMA shows that in 2012 there were 2,554 vacant dwellings in the borough, equivalent to 6.7% of the housing stock. The housing requirement scenarios in the SHMA assumed that this vacancy rate would remain constant over the plan period.

A stated objective of Policy LIV1 is to bring back into use empty homes and reduce the vacancy rate. Given that the housing requirement is based on a high vacancy rate it is legitimate to count the reoccupation of empty properties as an element of new housing supply. The Council has used its Empty Homes Strategy and Action Plan to bring back into use 748 empty properties over the last three years. The Council is currently updating its strategy and action plan to ensure that further progress is made in reducing the vacancy rate.

The housing requirement figure is expressed as a “net” figure meaning that it is over-and-above the replacement of any dwellings lost through demolition or conversion to non-residential uses i.e. they are net dwelling gains. The abolition of the Housing Market Renewal initiative has reduced the funding available to the Council for regeneration activities. There is now no approved clearance programme in place and there is no reliable evidence to indicate the number of dwellings which will be lost through demolition. An allowance for demolition has not therefore been included in the

housing requirement calculation. However, annual monitoring will record losses and make the relevant adjustments to the housing requirement going forward.

Taking account of the above it is clear that the policy could be improved by clarifying how the housing requirement will be met. In order to provide a policy base going forward for the allocation of housing sites, the Council proposes that the following table and wording, which sets out the housing requirement and land supply position at the present time, is inserted into the justification text.

- Suggested Main Modification: Insert the following table and wording into the Justification text:

Table LIV1

<b>Pendle Housing Requirement 2011 to 2030</b>			
A	Overall housing requirement (2011-2030)	(298 x 19)	5,662
B	Completions (2011/12-2013/14)	(From AMR)	154
C	Reduction of empty homes (net) (2011/12-2013/14)		748
D	Residual requirement		4,760
E	Strategic Housing Site Allocation		500
F	Existing commitments (permissions)	(From AMR)	908
G	Allowance for the reduction of empty homes (2015-2030)		0*
<b>H</b>	<b>Remaining requirement to be met through housing site allocations</b>		<b>3,352</b>

\*The Empty Homes Strategy and Action Plan show the Council's commitment to reducing the number of empty homes in the borough. It is anticipated that the reoccupation of empty homes will continue to contribute to meeting the housing requirement over the plan period. However, no specific allowance has been made at the present time for a further reduction in the number of empty homes as the evidence to support such a figure is currently being updated. The AMR will monitor progress and provide an adjustment to the housing requirement as necessary.

*"Table LIV1 sets out the housing requirement for the borough over the plan period. It provides the current position as of 31<sup>st</sup> March 2014 taking account of completions and the reoccupation of empty homes. This leaves a residual requirement of 4,760 dwellings to be met through; the development of the Strategic Housing site; existing permissions; a further reduction in empty homes; and the allocation of sites in the Local Plan Part2."*

- Suggested Main Modification: Amend point i. of the third paragraph of Policy LIV1 to read:  
*"i. specific sites to meet the remainder of the housing requirement (Table LIV1) and;"*

The Council agrees that the housing requirement in Policy LIV1 should be expressed as a minimum. Paragraph 10.32 already takes this approach and this should be reiterated in the Policy text.

**In terms of delivery of housing there will be a need to set out a housing implementation strategy, including how a 5 year supply of housing will be maintained. Where is this provided?**

Council Response:

A separate housing implementation strategy has not been prepared at this time. As Policy LIV1 explains, a five year supply of housing land will be maintained through the annual monitoring process (including an update to the housing trajectory) together with a review of the Strategic Housing Land Availability Assessment (SHLAA) to identify additional sites where necessary.

The Council intends to produce a separate housing implementation strategy, and will include this as an additional Appendix to the Core Strategy.

**The affordable housing target for the Borough is 40% but most developments will not make a significant contribution to provision (Policy LIV4 refers). I appreciate this is because of viability issues but there is an unassailable gap between the target and likely provision so the target does not seem to be deliverable. The threshold of 5 dwellings for Rural Pendle is below that recommended in the latest iteration of the PPG, unless a designated rural area.**

Council Response:

Policy LIV4 seeks to address the borough's affordable housing issues in the most practical way. The SHMA suggests that an indicative target of up to 40% would be appropriate in order to meet a substantial proportion of the borough's affordable housing needs (see CD.04.01 SHMA, Policy Advice, page 158). This 'needs' figure is included in Policy LIV4 as an overall target which the Council aspires to achieve over the lifetime of the plan. However, the policy qualifies that a fixed target is not sufficiently flexible to respond to changing economic conditions i.e. that it will not always be deliverable. Table LIV4a establishes the current, viable targets for affordable housing at different thresholds for different parts of the borough. This provides a flexible, market facing response which aims not to threaten short-term viability or place unnecessary burdens on a particular development proposal.

It is the intention of the policy that the targets set-out in Table LIV4a will change over time as the evidence on viability is updated. However, a footnote explaining this is missing from the Policy text. The footnote should read: *"These targets are derived from the Pendle Development Viability Study. It may be necessary over time to make changes to these targets as new economic information becomes available. The Local Authority's Monitoring Report will provide updated targets where appropriate"* (this footnote was included in the Core Strategy Further Options report but inadvertently omitted from the Pre-Submission report). The intention of the policy is to revise the affordable housing targets upwards as the viability of sites in the borough improves, thereby helping to achieve a greater proportion of the affordable housing need.

The Council acknowledges that the 40% affordable housing needs target is not currently deliverable. However, the policy should reflect the level of need that exists and provide a mechanism to help achieve this taking account of market conditions.

It is important to establish the overall level of need in order to provide the context for the targets set out in Table LIV4a. To resolve the discrepancy between the 'needs' figure and the 'deliverable/viable' targets the Council proposes the following amendments to the policy wording:

- Suggested Main Modification: Amend the first paragraph of the policy to read: *"Proposals for new (general market) housing of 10 dwellings or more will be required to incorporate an element of affordable housing of up to 40%, subject to viability, in order to contribute towards meeting the affordable housing needs of the borough."*
- Suggested Main Modification: Amend paragraph 10.115 to read *"Policy LIV4 uses the findings of the SHMA to set out the amount of affordable housing that will be required from new residential developments. This level of affordable housing will help to meet the housing needs of the borough's population. However, the SHMA recognises that such a high level of affordable housing will be challenging to deliver in the current economic conditions and that the viability of sites in the borough must be taken into account when determining the realistic amount to be provided."*

- Suggested Main Modification: Insert the following text as a footnote to Table LIV4a: *“These targets are derived from the Pendle Development Viability Study. It may be necessary over time to make changes to these targets as new economic information becomes available. The Local Authority’s Monitoring Report will provide updated targets where appropriate.”*

Policy LIV4 was prepared before the revised guidance relating to affordable housing thresholds was published. The Council agrees that the thresholds in the Core Strategy (Table LIV4a) should be amended in accordance with the new guidance.

#### **Has any consideration been given to the need for self-build housing?**

Council Response:

At the time of preparing the Core Strategy no specific consideration was given to the need for self-build housing. However, since the public consultation on the Pre-Submission report Pendle Council has successfully applied to be a Right to Build vanguard, as part of the government’s Supporting Custom and Self Build programme.

The Council is currently seeking to establish the level of interest in self-build, identifying those areas where people would wish to build and any potential barriers to development. The evidence so far suggests that there is little interest from the local population in self-build in the borough. Indeed the current expressions of interest stand at 15 enquiries; all for single plots of land.

The Core Strategy does not specifically mention self-build as a housing delivery option. However, it is supportive of proposals for housing on other, non-allocated sites where they are sustainable and make a positive contribution to the five year supply of housing land. This could include self-build projects.

#### **Does the % split in terms of property type and size in Policy LIV5 reflect the large supply of existing affordable terraced housing, the requirements for lower density in certain areas and the objective of providing aspirational/higher value housing?**

Council Response:

Chapter 10 of the SHMA (CD.04.01) provides the evidence used to support the approach taken in Policy LIV5 regarding the provision of different types and sizes of dwelling required to meet the needs of the borough’s population. In particular paragraphs 10.17 – 10.19 of the SHMA discuss the outcomes of the modelling and survey work used to justify the proposed percentages. This work takes account of the needs and aspirations of the population and also the profile of the current housing stock. The balanced, indicative forward requirement for house types and sizes indicates that only 10% of new properties should be terraced with the majority being semi-detached (35%) or detached (25%). This reflects the survey results, which shows both the needs and aspirations of the population. The higher percentage requirement for semi-detached and detached properties is also linked to the lower density requirements as such properties are often developed at lower densities. The intention is that this mix will help to diversify the housing choice on offer and rebalance the housing market, reducing the overall percentage of terraced properties in the borough.

Policy LIV5 is clear that the percentages provided in Table LIV5a and LIV5b are an indicative guide which could be used by developers to help design a housing scheme to meet the needs and aspirations of people living in Pendle. This approach is supported by paragraph 10.16 of the SHMA which indicates that a rational, balanced approach needs to be taken, by using the modelling work to guide rather than dictate the proposed mix of units.

## Employment

**There is a shortfall in supply of employment sites of 25 ha. It may be helpful to make this explicit in Policy WRK2 and that new allocations will seek to provide at least this figure based on the typology set out in the policy. That said if the strategic site comes forward this would be equivalent to the 25 ha so other allocations may not be required. Is this a correct reading of the position?**

Council Response:

The quantitative shortfall in the employment land supply for Pendle is 25.02 hectares, as shown in Table WRK2a (page 154). It is accepted that it would be useful to make this explicit within the policy itself.

Whilst the footprint of the proposed strategic employment site allocation at Lomeshaye is 30.59ha, topographical, environmental, landscape and flood risk constraints mean that the net developable area is approximately 16ha. If allocated this site would address much of the quantitative shortfall for employment land in Pendle. It would also address qualitative issues reflected in the demand for sites for B2 (General Industry) and B8 (Storage and Distribution) in the M65 Corridor.

Whilst the Pendle Employment Land Review indicates that there is a small surplus of employment land in West Craven (paragraph 7.49), the demand for higher quality sites across the borough, and the need to help balance the commercial property market in West Craven, will require a further site allocation in the north of the borough. This site will be identified and allocated in Pendle Local Plan Part 2: Site Allocations and Development Policies. Together these two site allocations will address both the quantitative and qualitative needs for future employment growth in Pendle over the plan period.

The Council recommends the following modifications to the plan:

- Suggested Additional Modification: The Council will seek to identify and allocate at least 25.02 hectares of employment land over the lifetime of the plan, this figure representing the current shortfall from the projected requirement.

**Exceptional circumstances need to be demonstrated to support the strategic employment site allocation under Policy WRK3. The justification that it is essential for the economic regeneration of the Borough needs to be substantiated within the Plan. See also the earlier reference to the DTC. On the basis that a large green field site in the M65 corridor will be needed is Green Belt land the only option? I assume that the site is capable of being accessible by public transport, walking and cycling.**

Council Response:

The proposed allocation of a strategic employment site has followed a detailed appraisal of the economic needs of the Borough and careful consideration of the realistic options available for site provision. This has included discussions with neighbouring Burnley Borough Council.

Pendle's economy is heavily dependent on manufacturing. Employment opportunities range from highly skilled jobs in aerospace and advanced engineering to unskilled manual labour. The Council carefully assessed the employment needs of the borough in its Employment Land Review (ELR) (CD.05.01). The employment market in Pendle is typified by companies leaving obsolete business

premises and moving to more modern premises within the Borough. Recent examples of highly successful local companies having to move out of the Borough to access suitable premises highlights the need to provide new opportunities for business relocations and inward investment.

The manufacturing sector includes a number of low-skilled and low-paid jobs. In line with the Lancashire LEP Economic Growth Plan, which recognises the importance to build on the aerospace industry in East Lancashire, the provision of new employment space would lead to higher paid job opportunities. This is recognised in the funding that has been allocated in the Growth Deal to improve the infrastructure on the M65 at Junctions 12 and 13, which will service the proposed site allocation.

The ELR clearly articulates the quantitative and qualitative need for new employment land provision. It also assesses existing sites that would contribute to the future supply of sites.

The employment needs of the Borough will not be fulfilled by the provision of new employment sites in areas that have little or no functional relationship with Pendle. The demand for sites in Pendle is largely generated by indigenous growth and the movement of local businesses. Provision of a strategic employment site in for example Blackburn would not fulfil the local needs of Pendle. A site, or sites in Burnley may help to meet the employment needs of the Borough, but they are themselves looking to extend employment sites into Green Belt.

Having established a need, and in noting the Framework requirement that the authority's full needs must be met, the Council carried out an assessment of sites that could fulfil this requirement. A detailed appraisal of all the sites that could provide the required land, including sites put forward by developers, was undertaken. This included an analysis of the impact on Green Belt set against the five purposes set out in the Framework. This included assessing the transport and sustainability characteristics of each site. The assessment (CD.05.02) forms part of the evidence base.

Of the five potential employment sites only one was situated outside the Green Belt; that at Foulridge to the north of Colne. This site would require a by-pass to be constructed if it was to realistically serve the needs of the M65 Corridor. Although the bypass is included in the East Lancashire Highways and Transport Masterplan, which will inform future Growth Deal investment, it will not be deliverable until at least 2022. The site also has major landscape implications.

The combination of the need for employment land; the need to provide for the full employment needs of the Borough; and the lack of other suitable sites, in or outside the Borough, that would serve those needs; are, in the Council's view, the exceptional circumstances that justify the allocation.

## Health and Well Being

There is reference to a poor open space provision in some parts of the Borough, particularly some of the densely built up areas along the M65 corridor. Although Policy LIV5 refers to provision for open space being made in new developments there is no mechanism within the CS as to how much is to be sought. In addition consideration should be given to what provision is required in specific areas to make up deficits be this through developer contributions or public sector intervention.

### Council Response:

The Council anticipates that the mechanism for the amount of open space to be provided as part of new developments will be the subject of a specific policy in the Pendle Local Plan (Part 2): Site Allocations and Development Policies DPD. This policy will set out more detailed criteria relating to open space standards and funding mechanisms.

Policy LIV5 explains that in determining the level of open space to be provided consideration should be given to the existing amounts and types of open space in the area. The justification text (paragraph 10.157, footnote 131) indicates that areas that are deficient in open space will be identified through the Pendle Green Infrastructure Strategy.

The Pendle Open Space Audit (CD.08.10) is currently used to identify areas that are deficient in open space provision. It is the Council's intention to replace this document with a Green Infrastructure Strategy, which will include a new assessment of the need and demand for open space in the borough. This new document will be used to highlight what provision and action is required to address specified deficits in a particular area. The policy in the forthcoming DPD will use this evidence to establish the appropriate contributions required from developers.

In the interests of clarity the Council proposes that Policy LIV5 is reworded to explain how deficiencies are identified and the council's preferred approach to the provision of open space.

- Suggested Main Modification – Replace the 6<sup>th</sup> paragraph of Policy LIV5 to read:

*“Provision for open space and/or green infrastructure should be made in all new housing developments in order of priority:*

- 1. On-site provision;*
- 2. Contribution to off-site provision;*
- 3. Enhancement of existing facilities in the area.*

*When determining the amount and type of open space / green infrastructure to be provided consideration should be given to:*

- *the size of the proposed development*
- *the existing levels of provision<sup>1</sup> (amount and type) within the area<sup>2</sup>;*
- *addressing any identified deficiencies<sup>1</sup> in the area<sup>2</sup>;*
- *the density of the existing housing.*

<sup>1</sup> *The Pendle Green Infrastructure Strategy (including the Open Space Audit) provides details of the existing amounts and type of open space / green infrastructure in the borough. It also identifies the current deficits and surpluses of open space for each area.*

<sup>2</sup> *The ‘area’ refers to the ward/locality in which the development site is located.”*



## **Evidence Base**

**The document 'How Pennine Lancashire can contribute to the Economic Objectives of the Lancs LEP' (January 2014) needs to be included in the Core Document List/Evidence Base (CD/05/12).**

Council Response:

This document has now been added to the Core Document List and the website has been updated accordingly.