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Date: Monday, 16 February 2015
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Dear Inspector,

Further Questions to the Council on the Pendle Core Strategy

Thank you for your letter of 29th January 2015, including the preliminary Schedule of Matters and Issues for the Examination.

The attachment to this letter offers an answer to those questions included in *italics*, together with clarification on any other matters of fact that are raised, which you indicated would be helpful by Friday 20th February 2015.

I trust that this information adequately 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)

Preliminary Schedule of Matters and Issues for the Examination

1. Pendle Borough Council response to questions highlighted in italics

Matter 1 – Procedural and Overarching Matters (Issue 2)

The Local Development Scheme (LDS) 5th Revision shows the Core Strategy ahead of its estimated dates (page 26). Please explain this discrepancy.

Council Response:

The LDS (5th Revision) was approved by the Council's Executive at its meeting on Thursday 26th June 2014 (Agenda Item 20, Appendix 1). Unfortunately, the document accompanying the Committee Report included an error. Whilst the Gantt Chart on page 42 showed the correct timeline (at that time), the Document Profile on page 26 did not reflect this.

LDS 5th Revision – Reported to Executive on 26th June 2014

Page 26 – Document Profile (incorrect)		Page 42 – Gantt Chart (correct at time)	
Publication	1 st August-12 th September 2014	Preferred Options	August / September 2014
Submission	September 2014	Publication	January / February 2015
PHM	November 2014	Submission	February 2015
Hearings	January 2015	PHM	May 2015
Insp. Report	April 2015	Hearings	June 2015
Adoption	July 2015	Insp. Report	October 2015
		Adoption	December 2015

Based on advice received at an advisory visit from the Planning Inspectorate on Tuesday 1st July 2014, the decision was taken to amend the timetable for the Core Strategy; omitting the second Preferred Options consultation, which had been proposed for August/September 2014. This amendment to the LDS was reported to the Council's Executive on Thursday 18th September 2014 (Agenda Item 15, Appendix 14) and Full Council on Thursday 25th September 2014 (Agenda Item 10, Appendix 14). From this date there has been no discrepancy between the LDS and the timescales for the Core Strategy.

The revised timetable (see below) is that reflected in the LDS that has been available on the Council's website since September 2014, and is the one referenced in the article on the LDS update included in Framework (Issue 29). With the exception of the hearing sessions, which are now scheduled to take place in April 2015, and the corresponding one month delay before receipt of the Inspectors Report, this timetable is still effective.

LDS 5th Revision – Reported to Executive 18th September & Full Council 25th September 2014

Document Profile (Page 26) & Gantt Chart (Page 42)		Update
Pre-submission ¹	10 th October – 24 th November 2014	Achieved
Submission	December 2014	Actual 19 th December 2014
PHM	February 2015	Written notification not PHM
Hearings	March 2015	w/c 13 th April and w/c 27 th April 2015
Insp. Report	July 2015	tbc
Adoption	September 2015	tbc

¹ Re-named to avoid confusion with earlier 'Publication' stage in October/December 2012.

Matter 1 – Procedural and Overarching Matters (Issue 7)

The Proposed Mitigation Measures within Section 4.4 of the Sustainability Appraisal report do not refer to the submission version of the Core Strategy. Have mitigation measures been considered for all the policies within the submission version that would have significant effects?

Council Response:

In Section 4.4, Table 4.2 reflects the iterative process of document preparation. It demonstrates where the sustainability appraisal process has highlighted any significant effects arising from any policy changes made to subsequent versions of the Core Strategy.

As none of the policy changes made between the publication of the Further Options Report (January 2014) and the Pre-Submission Report (September 2014) highlighted any further significant effects, no additional entries were included in Table 4.2.

However, for consistency the significant effects highlighted under the heading 'Further Options' should have been repeated under a new heading 'Pre-Submission', to clearly demonstrate that mitigation measures had been properly assessed for the version of the Core Strategy that was submitted to the Secretary of State for Examination.

If acceptable, this change will be proposed as a Main Modification to be included in the next iteration of the Sustainability Appraisal Report.

Matter 2 – Strategy for the Distribution of Development (Issue 1)

It is noted that the Pendle Sustainable Settlements Study suggested a further tier of 'Rural Hamlets'. Why was this not carried forward?

Council Response:

The Sustainable Settlements Study (CD.03.01, Chapter 4, page 72) recommended a five tier settlement hierarchy with 'Rural Hamlets' being the lowest tier. The study indicates that these settlements *"have virtually no services or facilities of their own and have very limited access to public transport. New development in the Rural Hamlets will be severely restricted. There will be no planned growth in these settlements"*. The three settlements identified within this tier

(Bracewell, Winewall and Wycoller) are in the Open Countryside as designated under Policy 1 of the Replacement Pendle Local Plan (2001-2016) and do not have a defined settlement boundary. Furthermore Winewall is covered by the Green Belt. These existing policy designations would severely restrict any development or expansion of these settlements.

At the Issues and Options stage (see CD.01.13, Issue 1a) three potential settlement hierarchies were considered based on the findings of the Sustainable Settlements Study. Each option had a final tier of settlements referred to as 'Rural Hamlets' which included the settlements of Bracewell; Winewall; and Wycoller. For each of the hierarchy options it was stated that *"No settlement boundary would be defined for the rural hamlets, placing them in open countryside, severely restricting development to those projects which address a specific and identified need e.g. affordable housing for local people."*

In defining the preferred option for the settlement hierarchy, the Council prepared a proforma to fully appraise the options considered (see CD.01.02, Appendix B, Issue 1a). This brought together an assessment of the consultation responses, the results of the Sustainability Appraisal process and consideration of the plan objectives. The outcome was a proposed settlement hierarchy with five tiers including the 'Rural Hamlets'. However, the commentary indicated that *"Development in the Rural Hamlets (Winewall, Bracewell and Wycoller) would be severely restricted with no planned growth. No settlement boundaries would be defined for these rural hamlets, placing them in open countryside, severely restricting development to those projects which address a specific and identified need e.g. affordable housing for local people"*.

When this approach was taken forward as a draft policy in the Preferred Options report, the 'Rural Hamlets' were not included as a specific tier within the hierarchy as it was considered to be superfluous for the following reasons:

- without a settlement boundary any proposal for development in these locations would be treated as development in the open countryside;
- the Core Strategy was not planning for future growth in any of these three areas as they were not considered to be sustainable locations.

Matter 5 – Housing Needs (Issue 11)

There appears to be a suppressed need from those living in bricks and mortar. Should the Site Allocations Plan (SAP) make provision for a site to meet this suppressed need?

Council Response:

The Burnley and Pendle Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) (CD.04.05) provides the evidence base for Policy LIV3 in relation to the accommodation needs of the gypsy, traveller and travelling showpeople communities.

Chapter 3 (Table 3.4) sets out an estimate of the current size of the gypsy, traveller and travelling showpeople population in Pendle, indicating that there are approximately 18 households or around 79 individuals, all living in bricks and mortar accommodation. Chapter 6 provides further details on how these figures are calculated and the reasons that the population are living in brick and mortar.

Chapter 7 looks at future accommodation and household formation. Paragraph 7.6 (Table 7.2) sets out the movement intentions of the existing gypsy and traveller population in Pendle. It

shows that all of the households interviewed intend to stay in their bricks and mortar accommodation indefinitely. One of the respondents indicated that they would not have moved into a house if a site had been available in the area, but they needed to settle in one place for education reasons. The study suggests that this shows a potential level of suppressed need. However, Chapter 9 sets out the detailed assessment for future accommodation needs for the gypsy and traveller community. Table 9.1 (Row 8) indicates that there is no need generated from movement between bricks and mortar housing and traveller sites i.e. there is no intention from those living in bricks and mortar to move to a site. Although there is anecdotal evidence to suggest a previous need was unmet, the survey work indicates that no members of the current gypsy and traveller population are seeking the provision of a site to relocate to.

The GTAA concludes that there is no quantitative need to provide pitches in Pendle for the gypsy and traveller community. It highlights that the current lack of choice, in terms of accessing a site in the borough, may result in a suppressed need in the future and that this should be monitored going forward.

With the evidence pointing to no current need for pitches in Pendle, the Council does not consider it necessary for the Core Strategy to set out a requirement to allocate a site in the Local Plan Part 2: Site Allocations and Development Policies. However, Policy LIV3 sets out criteria for site selection, which provides a suitable mechanism to provide sites/pitches should the monitoring work identify a need during the plan period.

Matter 6 – How is the Employment Requirement to be met? (Issue 2)

Is there a plan which clearly shows the extent of the Green Belt as it affects the Borough e.g. Local Plan Proposals Map?

Council Response:

The Proposals Map accompanying the Replacement Pendle Local Plan 2001-2016 (Pendle Borough Council, May 2006) clearly shows the full extent of the Green Belt as it affects the Borough of Pendle. A copy of the Proposal Map, which comes in three parts, accompanies this letter.

2. Pendle Borough Council clarification on any other matters raised

Council Response:

Pendle Council is not aware of any matters, which require further clarification, at this time.