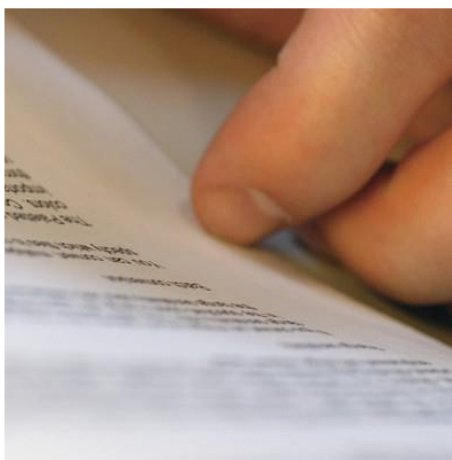
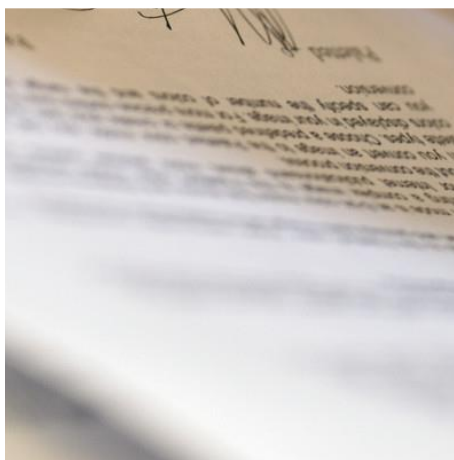
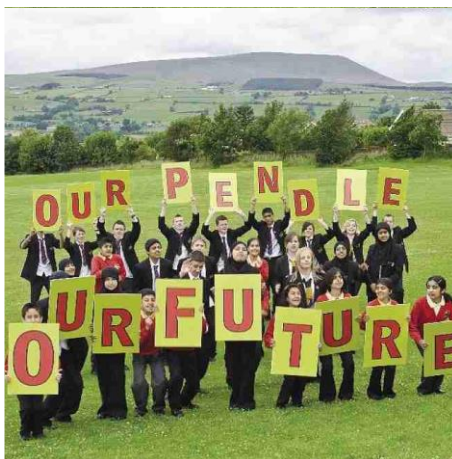
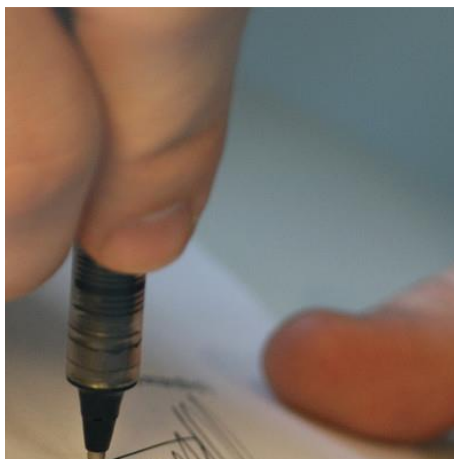


Preparing a Local Plan for Pendle



Core Strategy Schedule of Main Modifications



Issued: 29th May 2015

Contents

Contents.....	3
Preface	5
1. Main Modifications	7
2. Additional Modifications	8
3. Strikethrough Version of the Core Strategy	8
4. What Happens Next?.....	9
5. About the Schedule	9
 Appendix 1: Schedule of Main Modifications.....	 11
Appendix 2: Housing Implementation Strategy.....	12

Preface

Pendle Borough Council formally submitted the Core Strategy to the Secretary of State for Communities and Local Government on Friday 19th December 2014. This date represents the start of the examination period.

The Secretary of State appointed Mr. Mark Dakeyne BA(Hons) MRTPI of the Planning Inspectorate to conduct an independent Examination to determine whether the Core Strategy was legally compliant and sound.

The Inspector formally opened the Hearing Sessions for the Examination of the Pendle Core Strategy at 09:30 on Tuesday 14th April 2015 and closed them at approximately 15:00 on Tuesday 28th April 2015.

A total of thirteen public Hearing Sessions were held over four days and full details of these are available on the Pendle Council website at:

 www.pendle.gov.uk/examination

Further information is available from Yvonne Parker, the Programme Officer for the Examination. She is an impartial officer working solely to the direction of the Inspector and is responsible for dealing with all administrative, procedural and programming matters relating to the Examination. Her contact details are below:

Yvonne Parker
Priory Court
Burnley
Lancashire
BB11 3RH

Tel: 01282 450 522

Mobile: 07813 334 305

Email: posltd@virginmedia.com

1. Main Modifications

- 1.1 This Schedule of Main Modifications contains details of the changes that Pendle Council proposes to make to the submitted Core Strategy (see Appendix 1). These modifications are being proposed by Pendle Council to address issues raised by the Planning Inspector during the Examination of the Core Strategy and in order to ensure that the document is both legally compliant and sound.
- 1.2 A six week public consultation is being held to provide you with an opportunity to comment on the proposed Main Modifications. The consultation will take place between the following times and dates:
- START: 9:00am on Friday 29th May 2015**
- CLOSE: 5:00pm on Friday 17th July 2015**
- 1.3 Pendle Council has not produced an official representation form for this consultation. To have been 'duly made' your comments must be submitted in writing (letter or email) and received by the deadline shown above.
- 1.4 If you wish submit a representation to the Planning Inspector, this should relate to legal compliance and soundness issues associated with the Main Modifications. Your comments should focus on why the proposed modification, as worded, is not considered to be sound (see below). Where possible you should also supply an alternative form of wording that would help to overcome your objection.

What is Soundness?

To be capable of adoption the Core Strategy must be legally compliant and meet the following four tests of soundness:

1. Positively prepared

- based on a strategy which objectively assesses development and infrastructure requirements;
- includes unmet requirements from neighbouring authorities, where it is reasonable to do so; and
- is consistent with achieving sustainable development.

2. Justified

- the most appropriate strategy, when considered against the reasonable alternatives; and
- based on a proportional evidence base.

3. Effective

- deliverable over its period; and
- based on effective joint working on cross-boundary strategic priorities.

4. Consistent with national policy

- enable the delivery of sustainable development in accordance with the requirements of the National Planning Policy Framework.

- 1.5 Please note representations should NOT repeat any issues highlighted at the Submission stage or during the Examination, as these have already been considered by the Planning Inspector. Any comments on the content of the Core Strategy NOT directly related to a Main Modification, or any unsolicited information and evidence not requested by the Planning Inspector may be returned.
- 1.6 Your representation should be sent to the following postal and/or email address, to ARRIVE by the close of the consultation period.
- Post: Pendle Core Strategy Examination
Nelson Town Hall
Market Street
Nelson
Lancashire
BB9 7LG
- Email: ldf@pendle.gov.uk

2. Additional Modifications

- 2.1 In addition to the Schedule of Main Modifications, which addresses issues relating to legal compliance and soundness, Pendle Council has also prepared a Schedule of Additional Modifications.
- 2.2 This schedule addresses minor changes such as spelling mistakes, or amends text in parts of the document that do not affect policy (e.g. the justification text) so that it is consistent with the Main Modifications.
- 2.3 The Schedule of Additional Modifications does NOT form part of the public consultation on the Main Modifications, as its content does not address soundness or legal compliance. However, it is available for inspection as a separate document on the Council's website, and at Nelson Town Hall.

3. Strikethrough Version of the Core Strategy

- 3.1 In addition to the two modification schedules, a strikethrough version of the Core Strategy has been prepared so that it is easier to appreciate what the final version of the Core Strategy (incorporating both the Main Modifications and the Additional Modifications) may look like.
- 3.2 The strikethrough version of the Core Strategy does NOT form part of the public consultation on the Main Modifications, but is available for inspection as a separate document on the Council's website, and at Nelson Town Hall.

4. What Happens Next?

- 4.1 Following the conclusion of the public consultation, the Inspector will carefully consider all the representations received, alongside those duly made representations previously received on the Core Strategy.
- 4.2 The Council expects to receive the final Inspector's Report – which may include further modifications to those listed in the schedule – this summer. We will notify interested parties upon receipt of the report and publish a copy on the Council's website.
- 4.3 Thereafter a meeting of the Council will consider the recommendations contained within the Inspector's Report and decide whether to accept them. If the Inspector's recommendations are accepted, the Core Strategy will be amended accordingly and formally adopted by the Council.

5. About the Schedule

- 5.1 The Schedule of Main Modifications (Appendix 1) includes a brief explanation of the reason for the proposed change. More detail will be provided in the Inspector's Report.
- 5.2 Page and paragraph numbers relate to the [Pre-Submission Core Strategy](#) [CD/01/01]. The presentation of the changes themselves uses the following formatting:
 - **Deleted text** is shown as strikethrough e.g. ~~Core Strategy~~
 - **New text** is shown underlined e.g. Core Strategy

Appendix 1
Schedule of Main Modifications

Pendle Local Plan Part 1: Core Strategy – Examination

Schedule of Main Modifications: 29/05/2015

Deleted text is marked with strikethrough e.g. ~~Core Strategy~~

New text is marked with underline e.g. Core Strategy

This schedule presents the Main Modifications proposed by the Council as a result of the Examination.

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
Chapter 1 - Preface					
Chapter 2 - About the Core Strategy					
Chapter 3 - Our Spatial Issues: Pendle Today					
MM068	30	3.97	M	Amend paragraph 3.97 to read: “Pendle is bordered by six other authorities (Figure 3.1), but its strongest links are with neighbouring Burnley, with whom it shares a housing market area. <u>Based on the levels of housing proposed in the Burnley Local Plan Issues & Options Report (February 2014), Burnley Council has indicated that it can accommodate its objectively assessed need within the borough.</u> Pendle and the four other local authorities in the Pennine Lancashire sub-region <u>also</u> share many of the same <u>similar</u> characteristics, in particular a high dependence on employment in manufacturing industries and an oversupply of poor quality terraced housing. <u>Mapping for the Lancashire Ecological Network has progressively been made available between summer 2013 and summer 2014. This has identified those areas of land containing habitats and species of principal importance and helped to establish the key cross boundary linkages for biodiversity.</u> Officers and councillors from each of the authorities meet on a regular basis and collectively they have produced a spatial guide to ensure that the Core Strategies in each local authority complement each other.”	Address issue raised in Hearing Session 1 regarding the ability of Burnley Council to meet its Objectively Assessed Need for housing within its own boundaries. Address issue raised in Hearing Session 3 to include a reference to the natural environment, biodiversity and ecology in relation to cross boundary issues.
Chapter 4 - Our Spatial Vision: Pendle Tomorrow					
MM013	34	4.9	M	Insert additional wording into the Vision: “...growing business sector. <u>The conservation and enhancement of our historic environment has offered a focus for regeneration; helping to maintain local identity and a sense of place; and providing a positive contribution to the borough’s attractive and diverse landscapes and townscapes.</u> A greener urban...”	Response to a request from English Heritage (now Historic England) to include additional wording within the Vision emphasising the importance of Pendle's historic environment.

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
Chapter 5 - Our Strategic Objectives: What We Need To Do					
Chapter 6 - The Key Diagram					
Chapter 7- Our Spatial Strategy: Where and How We Will Deliver					
MM001	42	7.6/Policy SDP1	M	<p>Move paragraph 7.6 into Policy SDP1 to read: <u>“When considering development proposals the decision maker will take a positive approach that reflects the presumption in favour of sustainable development contained in The Framework. They will work proactively with applicants to jointly find solutions, which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</u></p> <p>Planning applications that accord with the policies in the Pendle Local Plan and, where relevant, with policies <u>policies</u> in neighbourhood plans, will be approved without delay, unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:</p> <ol style="list-style-type: none"> 1. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or 2. Specific policies in that Framework indicate that development should be restricted.” 	Response to the Inspector's further questions (C/004), which highlight that this paragraph constitutes policy rather than justification.
MM083 (Supersedes MM070)	45/46	7.23-7.27	M	<p>Amend paragraphs 7.23 to 7.27 to read:</p> <p>“7.23 The core principles in the Framework (paragraph 17) indicate that planning should recognise the intrinsic character and beauty of the countryside and contribute to conserving and enhancing the natural environment. As a consequence development outside of a settlement boundary, as defined on the Proposals Map, will, in most cases, be restricted to help protect the open countryside and the landscapes within it. However, it is recognised that there will be situations where development in the open countryside may be necessary or appropriate. <u>Policies Such uses are identified in the Framework (paragraphs 28 and 55) and other policies in the Core Strategy; and may also be identified in future local plan subsequent planning documents. will set out the exceptions where development in the open countryside is considered to be acceptable. Further guidance is contained in Policy ENV1.</u></p>	<p>Address a matter raised in Hearing Session 2, which highlighted that the reference to the sequential approach was contrary to national policy (¶17 and ¶111).</p> <p>Also addresses a separate issue raised in Hearing Session 2, by referencing the need for a future review of the Green Belt, acknowledged in Policy ENV1).</p>

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
				<p><u>The preparation of the Pendle Local Plan Part 2: Site Allocations and Development Policies will include a review of the defined Green belt and settlement boundaries to determine whether these need to be altered to include additional land for development.</u></p> <p>Site Selection</p> <p>7.24 New development <u>and the allocation of sites will be expected encouraged to make effective use of land by re-use re-using</u> vacant buildings and previously developed land, <u>provided they are not of high environmental value within a defined settlement boundary as the first priority</u>, in order to help recycle land and make a positive contribution to regeneration in the borough. Consideration will be given to the viability of developing such sites in terms of the levels of obligations required. <u>Where appropriate, the Council will look to identify funding and other mechanisms to bring previously developed land back into use.</u></p> <p>7.25 The second priority for development will be other land (Greenfield) within a settlement boundary. However, it is recognised that in order to not unduly restrict development, ensure that the levels of growth proposed in the Core Strategy can be achieved, and take account of prevailing market conditions, it is recognised that the release of some of these Greenfield sites may be necessary in advance of development on previously developed land. This flexible approach will only be supported where such sites are shown to be economically viable, deliverable and in a sustainable location. It will therefore be necessary to balance the priority given to the development of Brownfield and Greenfield sites in order to not restrict development that may bring employment and housing opportunities to the borough. will need to be released for development. Such sites will need to be in sustainable locations which are well related to existing settlements.</p> <p>7.26 The development of land outside a defined settlement boundary will be limited to appropriate rural uses. Qualifying uses are identified in the Framework (paragraphs 28 and 55) and other policies in this Core Strategy. They may also be defined in subsequent local plan documents.</p> <p>7.27 In line with the Framework, the allocation of sites should prefer land of lesser environmental value and should follow the sequential approach. The preparation of the Pendle Local Plan Part 2: Site Allocations and Development Policies will review the defined settlement boundaries to determine whether they need to be altered to include additional land for development."</p>	
MM059 (Supersedes MM002)	47	Policy SDP2	M	<p>Reword the first paragraph of Policy SDP2 to read: "Proposals for development will be supported in the settlements listed below, provided that they are of a nature and scale that is proportionate to the role and function of that settlement, or where they</p>	Response to the Inspector's further questions (C/004), which highlight that the roles of

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
				<p>have been specifically identified in this plan to help meet the strategic growth needs of the borough. <u>The role each settlement category will play in the future growth of the borough is:</u></p> <ul style="list-style-type: none"> • Key Service Centres: these will provide the focus for future growth in the borough and <u>accommodate the majority of new development.</u> • Local Service Centres: these will play a supporting role to the Key Service Centres and <u>accommodate levels of new development to serve a localised catchment.</u> • Rural Service Centres: these settlements will provide the focus for growth in Rural Pendle. • Rural Villages: these settlements will accommodate development primarily to meet local needs. <p>Proposals for new development should be located within a settlement boundary as defined on the Proposals Map. These boundaries may <u>will be amended reviewed</u> as part of the preparation of the Pendle Local Plan Part 2: Site Allocations and Development Policies where there is a need in order to identify additional sites to meet development needs <u>where necessary</u>. Proposals to develop outside of a defined settlement boundary (i.e. within the open countryside) will only be permitted for those exceptions identified in the Framework, or policies in a document that is part of the development plan for Pendle.</p>	<p>settlements and levels of anticipated growth constitutes policy rather than justification.</p> <p>Also addresses a separate issue raised in Hearing Session 2, by referencing the need to review Settlement Boundaries as part of the Site Allocations Plan.</p>
MM071	47	Policy SDP2	M	<p>Amend the wording under the Site Selection heading of Policy SDP2 to read:</p> <p>“In order to encourage the effective use of land and other resources, the selection of sites for new development (including the allocation of sites in the Pendle Local Plan Part 2) should prioritise (in order) the use of the following types of land, provided they are not of high environmental value:</p> <ul style="list-style-type: none"> – Vacant buildings and previously developed land within a defined settlement boundary • Other land within a defined settlement boundary • Land outside of a defined settlement boundary for appropriate rural uses.⁽⁸⁴⁾ <p><u>The selection of sites for new development (including the allocation of sites in the Pendle Local Plan Part 2) should ensure that land and other resources are used effectively. The Council will encourage the reuse of vacant buildings and previously developed land, provided they are not of high environmental value. Where Greenfield land is required for new development, such sites should be in a sustainable location and well related to an existing settlement.</u></p> <p>Footnotes ⁽⁸⁴⁾ Appropriate rural uses are defined in the Framework and other policies in the Core Strategy, with further details to be provided in the Pendle Local Plan Part 2: Site Allocations and Development Policies.”</p>	<p>Address a matter raised in Hearing Session 2, by providing an alternative form of wording for the Site Selection criteria, to make clear that it does not constitute a sequential test, which would be contrary to national policy (¶17 and ¶111).</p>
MM072	56	Policy SDP5	M	<p>Amend Policy SDP5 to read:</p> <p><u>“New retail development should be in scale with the position a settlement holds in the retail hierarchy (see table SDP5a). In particular:</u></p>	<p>Address a matter raised in Hearing Session 8, by including a table to better emphasise the</p>

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change																
				<p>Major retail developments should be located in <u>one of</u> the three main town centres: <u>Smaller-scale retail provision should be located within a town or local shopping centre.</u></p> <ul style="list-style-type: none">• Nelson• Colne• Barnoldswick <p>Retail provision for the towns of Brierfield, Barrowford and Earby should be located within the defined Local Shopping Centres.</p> <p>Table SDP5a: Retail Hierarchy</p> <table><tr><th colspan="2">Town Centres</th></tr><tr><th>M65 Corridor</th><th>West Craven Towns</th></tr><tr><td>• <u>Nelson</u></td><td>• <u>Barnoldswick</u></td></tr><tr><td>• <u>Colne</u></td><td></td></tr><tr><th colspan="2">Local Shopping Centres</th></tr><tr><th>M65 Corridor</th><th>West Craven Towns</th></tr><tr><td>• <u>Brierfield</u></td><td>• <u>Earby</u></td></tr><tr><td>• <u>Barrowford</u></td><td></td></tr></table> <p>In Rural Pendle the provision of new retail facilities, to meet an identified need, will be encouraged. In the first instance rural retail provision should be located in one of the Rural Service Centres (Fence, Trawden, Foulridge and Kelbrook). Where this is not possible the re-use of existing buildings or development on a site within a Rural Village may be considered.”</p>	Town Centres		M65 Corridor	West Craven Towns	• <u>Nelson</u>	• <u>Barnoldswick</u>	• <u>Colne</u>		Local Shopping Centres		M65 Corridor	West Craven Towns	• <u>Brierfield</u>	• <u>Earby</u>	• <u>Barrowford</u>		retail hierarchy.
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• <u>Brierfield</u>	• <u>Earby</u>																				
• <u>Barrowford</u>																					
MM060 (Supersedes MM026, MM038, MM039)	59	Policy SDP6	M	<p>Amend Policy SDP6 to read: “The Council will work with partners to deliver the infrastructure necessary to support development in the borough (<u>Appendix A</u>).</p> <p>Developers will need to carry out early engagement <u>confirm</u> with <u>the</u> relevant utility and other infrastructure providers to ensure that sufficient capacity is available, or can be made available, to allow their scheme to proceed.</p> <p>New development will be expected to provide the necessary on-site infrastructure to facilitate the proposed level of development and to contribute towards the mitigation of any adverse impacts in order to make the development acceptable in planning terms.</p> <p>In addition, subject to individual development viability, contributions may also <u>will</u> be sought towards improving local infrastructure and services, having regard to the needs identified in the Pendle Infrastructure Strategy.</p>	Response to the Inspector’s additional further questions (C/012) and Hearing Session 10 (Issue 2), which both highlighted the need for clear requirements within the policy as required by the Framework (¶154).																

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
				<p>Pendle Local Plan Part 2: Site Allocations and Development Policies will set out the Council's approach to obtaining such funding or provision from developers, including the priority of competing requirements.</p> <p>To allow for future expansion, protect access for operational and maintenance requirements and to avoid potential conflict with neighbouring uses, development will not normally be permitted in the immediate vicinity of infrastructure assets, in particular those operated by a utility company."</p>	
Chapter 8 - Our Foundations for a Sustainable Future: Improving the Environment We Live In					
MM027	69	Policy ENV1	M	<p>Amend the second paragraph of Policy ENV1 to read:</p> <p>"The biodiversity and geological assets of the borough will be protected and enhanced, with specific protection given to those <u>Those sites which have been designated for nature conservation purposes, including areas of ancient semi-natural woodland, aged and veteran trees, should be protected in a manner appropriate to the status of their designation.</u> Where appropriate the Council and its partners will designate new sites to protect natural and geological features. The Council will protect trees through the making of Tree Preservation Orders (TPOs)."</p>	Response to Hearing Session 3 (Issue 1), which highlighted the need to distinguish between different levels of designation for assets valued for their biodiversity and/or geodiversity, as required by the Framework (¶113).
MM082 (Supersedes MM028)	69	Policy ENV1	M	<p>Amend the third paragraph of Policy ENV1 to read:</p> <p>"The impact of new developments on the natural environment (biodiversity and geodiversity) should be kept to a minimum, and in particular should not have an adverse impact on designated sites of international, national or local importance. In exceptional cases where a development, including the extraction of minerals, is deemed necessary in socio-economic terms, but would have a negative impact on the natural environment, the developer will be required to undertake adequate mitigation measures. The Council will require that full compensatory provision is made where mitigation is not possible. Proposals which seek to conserve or enhance biodiversity will be supported in principle.</p> <p><u>Proposals for development (including the extraction of minerals) affecting a protected wildlife or geodiversity site will be considered against the following criteria:</u></p> <p><u>A. International Sites (SPA, SAC, Ramsar and candidate SPAs and SACs)</u></p> <ul style="list-style-type: none"> <u>Development will not be permitted which would be likely to have a significant effect on an International site except where it is directly connected with or necessary to the management of the site, or there is no alternative solution and there are imperative reasons of over-riding public interest.</u> 	Response to Hearing Session 3 (Issue 1), which highlighted the need to ensure that a clear distinction is made between the different levels of sites in the hierarchy and that any requirements are criteria based in accordance with national policy (¶109).

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
				<p>B. <u>National Sites (SSSI)</u></p> <ul style="list-style-type: none"> <u>Development will not be permitted which would likely have an adverse effect on a National site either directly or indirectly unless the benefits of the proposal clearly outweigh the impacts. Consideration will be given to the extent and significance of the potential damage to the special interest of the designated site and the broader impact of the national network of SSSIs.</u> <p>C. <u>Local Sites (LNR, BHS, LGS, LNI)</u></p> <ul style="list-style-type: none"> <u>Development which would be likely to adversely affect the established interest of a Local site either directly or indirectly will only be permitted where the benefits of the proposal outweigh the need to safeguard the nature conservation value of the site.</u> <p>D. <u>Habitats and Species of Principal Importance</u></p> <ul style="list-style-type: none"> <u>The potential effects of a proposed development on species and habitats of principal importance (Footnote: as identified by Section 41 of the NERC Act 2006) will be a material consideration in the determination of planning applications. Consideration will be given to the extent and significance of any adverse effects on the habitats or species concerned.</u> <u>Where there is reason to believe that Species of Principal Importance, or their habitat, are present on a proposed development site, planning applications should be accompanied by a survey assessing their presence and, where appropriate, make provision for their needs.</u> <p><u>In all cases, where development is considered necessary (having regard to the above), adequate mitigation measures and compensatory habitat creation will be required through planning conditions and/or obligations in order to ensure that there is no net loss of biodiversity.”</u></p>	
MM061 (Supersedes MM016)	70	Policy ENV1	M	<p>Amend the final section of Policy ENV1 to read: “Historic environment and built heritage</p> <p>The historic environment and heritage assets of the borough <u>(including Listed Buildings, Conservation Areas, non-designated assets and archaeological remains), including and their settings, will be conserved and where appropriate should be enhanced. This may be through the declaration of conservation areas or other heritage designations, in a manner appropriate to their significance, especially those elements that make a particular contribution to the local character and distinctiveness of Pendle, such as:</u></p> <ul style="list-style-type: none"> <u>The pre-industrial, farming heritage of the 16th-18th century houses and barns;</u> <u>The industrial heritage of the textile industry including the weavers cottages, mills, weaving</u> 	<p>Response to comments from English Heritage requesting that the policy:</p> <ul style="list-style-type: none"> incorporate a reference to those elements that make a particular contribution to the local character and distinctiveness of Pendle; clarify the approach to the conservation and enhance of the historic environment in Pendle; and

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
				<p><u>sheds, chimneys and terraced housing;</u></p> <ul style="list-style-type: none"> • <u>The Leeds and Liverpool canal corridor and its associated assets, including locks, bridges and warehouses;</u> • <u>The sandstone masonry and stone slates of the traditional local vernacular building styles.</u> <p><u>The Council will seek to do this through:</u></p> <ul style="list-style-type: none"> • <u>The declaration of Conservation Areas or other heritage designations;</u> • <u>The preparation and review of Conservation Area Character Appraisals and Management Plans;</u> • <u>The use of Article 4 Directions;</u> • <u>The preparation of a Local List;</u> • <u>Maintaining a record of heritage assets at risk and formulating strategies to protect them;</u> • <u>Identifying grants and funding opportunities for heritage at risk and conservation-led regeneration projects.</u> <p><u>Development proposals should:</u></p> <ul style="list-style-type: none"> • <u>ensure that the significance of any heritage asset (including its setting) is not harmed or lost without clear and convincing justification.</u> • <u>demonstrate an understanding of the significance of the historic environment including the landscape and townscape character. Applicants should refer to relevant local evidence sources such as Conservation Area Character Appraisals, the Lancashire Extensive Urban Survey and the Lancashire Landscape Character Assessment.</u> • <u>where appropriate, prepare a heritage statement (including an archaeological assessment) to assess the significance of assets, the impact of the proposal and any necessary mitigation measures.</u> • <u>follow the design principles set out in Policy ENV2 which provides guidance on the connection between design and conservation.</u> • <u>follow the 'optimum viable use'⁽⁹⁶⁾ approach when re-using historic buildings, with a presumption against demolition.</u> <p><u>In designated conservation areas proposals should have regard to the relevant character appraisal or management strategy.</u></p> <p><u>New development proposals should have regard to the National Heritage List for England, the Historic Environment Record and where appropriate the Lancashire Historic Landscape Assessment and</u></p>	<ul style="list-style-type: none"> • establish the requirements of developers. <p>Also addresses an issue raised in Hearing Session 3, highlighting the need to review the wording of Policies ENV1 and ENV2 to ensure consistency with the Framework (¶126-141) and the statutory test in relation to heritage assets.</p>

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
				<p>Lancashire Extensive Urban Survey, to assess the impact of the development and show how the proposal fits within the landscape and townscape character. Policy ENV2 provides further guidance on the connections between design and heritage.</p> <p>Proposals that are likely to affect a heritage asset and/or its setting (including archaeological assets) should be accompanied by a heritage statement and/or an archaeological assessment. Where harm to, or loss of significance of a heritage asset is permitted (in line with the criteria in the Framework - paragraph 132-135), the developer will be required to undertake appropriate investigation and recording, and make the results of that work publicly available through the Historic Environment Record.</p> <p>Footnotes ⁽⁹⁶⁾ Optimum viable use is a shorthand term for the best use we can put a usable heritage asset to. It will be a viable use that economically supports the asset's conservation, whilst presenting the least threat to what matters about it: its heritage significance."</p>	
MM045	76	Policy ENV2	M	<p>Amend the second paragraph of Policy ENV2 to read: "Good design should be informed by, and reflect, the history and development of a place. The historic and natural environments contribute substantially to Pendle's 'sense of place' and bring enjoyment to many people. Therefore:"</p>	Response to the Inspector's additional further questions (C/012), and to make the policy more concise.
MM020	76/ 77	Policy ENV2	M	<p>Amend the second bullet point of Policy ENV2 to read:</p> <ul style="list-style-type: none"> • "Proposals should contribute to the sense of place by respecting the built heritage and local context, including the townscape and distinct settlement characteristics of the locality and <u>make a positive contribution to the historic environment and local identity and character.</u>" 	Response to a request from English Heritage to highlight the need for development proposals to make a positive contribution to the historic environment, as required in national policy (¶128).
MM021	76/ 77	Policy ENV2	M	<p>Delete the third and fourth point of Policy ENV2:</p> <ul style="list-style-type: none"> • "Proposals should ensure the significance of heritage assets and their settings is not harmed or lost. • The re-use of historic buildings should be considered favourably using the 'optimum viable use' ⁽⁹⁸⁾ approach and a presumption against demolition." 	<p>Response to a comment from English Heritage requesting that the policy make a clearer distinction between the strategy for conserving and enhancing the historic environment (i.e. Policy ENV1) and the approach to achieving good design.</p> <p><i>N.B. These bullet points have been removed from Policy ENV2</i></p>

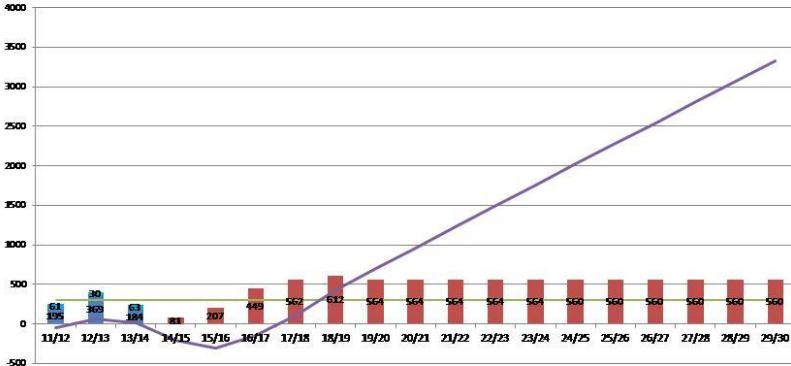
Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
					<i>and incorporated into Policy ENV1 (see MM016).</i>
MM062 (Supersedes MM047, MM029, MM048)	77/ 78	Policy ENV2	M	<p>Amend the following part of Policy ENV2 to read:</p> <p>“Designing development to move towards a low carbon future</p> <p>As part of the response to climate change mitigation and adaption, new New development should make a positive contribution towards meeting UK climate change targets by being designed in a way that is consistent with the Government’s zero-carbon buildings policy.</p> <p>Developers will be required to meet the national standards for carbon reduction measures through on-site carbon compliance. In order to work towards a zero carbon development, they are also encouraged to achieve further on-site carbon reduction. Where they consider this not to be cost effective a contribution towards allowable solutions will be necessary to offset the development’s remaining carbon emissions.</p> <p>New development should work towards carbon compliance by addressing the following two stages:</p> <p><u>All new developments should meet the appropriate national standards for a building’s sustainability as they are introduced. The Council encourages developers to work towards zero-carbon by using the following methods:</u></p> <p>A. Carbon compliance</p> <p>1. Fabric Energy Efficiency</p> <p>New development should be designed <u>Seek to design new development</u> to the highest possible levels of sustainability by:</p> <ul style="list-style-type: none"> • using materials that reduce energy demand (e.g. insulation etc.) / increase the energy efficiency of the building. • using natural systems to maximise comfort in and around buildings. This should include consideration of passive solar design, natural ventilation and shading as appropriate. <p>2. On-site low-carbon heat and power</p> <p>New development should <u>Seek to</u> incorporate on-site low carbon or zero carbon heat and power technologies, in order of preference:</p> <p>a. The installation of, or connection to, an on-site decentralised energy network.</p> <p>The Council will encourage new development to connect to an existing decentralised energy network where one exists on-site and capacity is sufficient or can viably be increased.</p>	<p>Response to the Inspector’s additional further questions (C/012) and in order to make the policy more concise.</p> <p>Address a matter raised in Hearing Session 3 (Issue 4), requesting that the wording referring to a low carbon future be amended to ensure that the Council is not requiring anything higher than the national standards, which would be likely to contravene national policy (¶174).</p>

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
				<p>Where no on-site network exists the preference will be for their creation - where technically feasible and commercially viable. The development of decentralised energy networks, which utilise renewable or low carbon technologies, will be encouraged.</p> <p>b. The on-site installation of renewable technologies.</p> <p>Where the scale or density of the proposed development is not sufficient to support the creation of a decentralised energy network, or connection to one does not make the development carbon compliant it will be necessary where technically feasible and commercially viable consideration should be <u>given</u> to installing RLC generation equipment on-site. This element of the proposal will also be assessed against Policy ENV3.</p> <p>B. Allowable solutions</p> <p>Allowable Solutions are essentially carbon reduction projects (such as improving the energy efficiency of an existing building or installing renewable technologies off site) that are able to deliver CO₂ savings equivalent to those remaining on the new building, thus ensuring that the net CO₂ emissions resulting from the new building are zero.</p> <p><u>Where carbon compliance measures do not lead to a zero-carbon development, with the exception of small sites qualifying for the exemptions (to be set out in the new national zero carbon standard), any developers looking to meet the zero carbon standard may wish to consider the use of allowable solutions.</u></p> <p>Developers will have total flexibility in deciding which projects to finance, where these are and through which organisation. However, it is encouraged that Allowable Solution contributions should be used in the borough. The Council will provide a list of suggested allowable solution projects which applicants could use and will update this list in the AMR."</p>	
MM063 (Supersedes MM049, MM022)	84	Policy ENV3	M	<p>Amend Policy ENV3 to read:</p> <p>"To help reduce our carbon footprint, increase energy security and reduce levels of fuel poverty the <u>The Council will encourage new developments that are appropriate to their setting and make a positive contribution towards increasing levels of renewable and low carbon energy (RLC) generation in Pendle.</u></p> <p>By supporting a mix of appropriate schemes the Council will aim to achieve the following generation figures by 2020:⁽¹⁰¹⁾ 15.4 MW of electricity 11.8 MW of heat</p>	<p>Response to the Inspector's additional further questions (C/012), which highlight that the policy should be more concise and make reference to recognised designations.</p> <p>Also addresses a request from English Heritage, to note that proposals for renewable energy should not harm the significance</p>

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
				<p>The Council will support proposals for all RLC technologies where the proposal is of an appropriate scale for its setting, and where the development will not <u>result in an unacceptable impact on:</u></p> <ul style="list-style-type: none"> have an unacceptable level of impact on the landscape and visual character of an area, either on its own or cumulatively, or result in an unacceptable impact on the value of any ecological or heritage assets, or to residential amenity. <ul style="list-style-type: none"> A recognised designation (Policy ENV1); The landscape and visual character of an area, either on its own or cumulatively; Ecological, biodiversity or geodiversity assets; Heritage assets and their settings (including archaeological remains); Residential amenity. <p>All proposals must be accompanied by appropriate supporting evidence which can include landscape, visual, noise and environmental assessments. Applicants must demonstrate that satisfactory mitigation measures can be employed to offset any potentially negative impacts that are identified, or that the positive benefits of the scheme outweigh these impacts.</p> <p>Footnotes ⁽¹⁰¹⁾ These are not fixed 'targets' but a positive generation aim. There are no minimum or ceiling figures set for individual or collective technologies."</p>	of heritage assets or their settings in accordance with national policy (¶128).
Chapter 9 - Place Shaping					
Chapter 10 - Living: Creating a Vibrant Housing Market					
MM084	114	10.33		<p>Amend paragraph 10.33 to read:</p> <p>"This level of new housing is based on one of the economic scenarios tested in the SHMA and HNS Update. This scenario takes account of the plan's aspirations to support growth in particular sectors of the local economy and is aligned to the Council's economic growth strategy. The figure <u>of 298dpa</u> sits towards the upper end of the OAN range and meets <u>lies above</u> the latest population projections (ONS 2012-based SNPP). Although the requirement figure does not align with the latest household projections (CLG 2011-based (interim)), these are due to be replaced in late 2014. The HNS Update suggests that the housing figure resulting from these new projections is likely to be lower than the chosen figure of 298dpa. It also sits above the dwelling requirement which is likely to result from the <u>CLG 2012-based Household Projections and therefore meets the demographic growth needs of the borough.</u> This amount of new housing represents a step change when compared to the previous housing requirement of 190dpa and will significantly boost the supply of new housing in the borough."</p>	To reflect the updated position following the release of the CLG 2012-based Household Projections in March 2015.

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MM003	114	10.33	M	<p>Insert Table LIV1:</p> <table><tr><th colspan="3"><u>Pendle Housing Requirement 2011-2030</u></th></tr><tr><td><u>A</u></td><td><u>Overall housing requirement (2011-2030)</u></td><td><u>(298x19)</u></td><td><u>5,662</u></td></tr><tr><td><u>B</u></td><td><u>Completions (2011/12 – 2013/14)</u></td><td><u>(From AMR)</u></td><td><u>154</u></td></tr><tr><td><u>C</u></td><td><u>Reduction of empty homes (net) (2011/12 – 2013/14)</u></td><td></td><td><u>748</u></td></tr><tr><td><u>D</u></td><td><u>Residual requirement</u></td><td></td><td><u>4,760</u></td></tr><tr><td><u>E</u></td><td><u>Strategic Housing Allocation</u></td><td></td><td><u>500</u></td></tr><tr><td><u>F</u></td><td><u>Existing commitments (permissions)</u></td><td><u>(From AMR)</u></td><td><u>980</u></td></tr><tr><td><u>G</u></td><td><u>Remaining requirement to be met through housing site allocations</u></td><td></td><td><u>3,280</u></td></tr></table>	<u>Pendle Housing Requirement 2011-2030</u>			<u>A</u>	<u>Overall housing requirement (2011-2030)</u>	<u>(298x19)</u>	<u>5,662</u>	<u>B</u>	<u>Completions (2011/12 – 2013/14)</u>	<u>(From AMR)</u>	<u>154</u>	<u>C</u>	<u>Reduction of empty homes (net) (2011/12 – 2013/14)</u>		<u>748</u>	<u>D</u>	<u>Residual requirement</u>		<u>4,760</u>	<u>E</u>	<u>Strategic Housing Allocation</u>		<u>500</u>	<u>F</u>	<u>Existing commitments (permissions)</u>	<u>(From AMR)</u>	<u>980</u>	<u>G</u>	<u>Remaining requirement to be met through housing site allocations</u>		<u>3,280</u>	Response to the Inspector's further questions (C/004) and additional further questions (C/012), which highlight the need to provide clarity in demonstrating how the housing requirement will be met.
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MM004	114	10.33	M	<p>Insert a new paragraph after 10.33 and Table LIV1 as follows: “<u>Table LIV1 sets out the housing requirement for the borough over the plan period. It identifies the position as of 31st 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; and the allocation of sites in the Local Plan Part 2.</u>”</p>	Response to the Inspector's further questions (C/004) and additional further questions (C/012), which highlight the need to provide clarity in demonstrating how the housing requirement will be met.																															
MM051	113/ 114	10.33	M	<p>Insert a new paragraph: “<u>No specific allowance has been made for the reoccupation of empty homes going forward. However, the AMR will monitor any future change in empty homes (positive or negative) and this will be reflected in the updated housing requirement position.</u>”</p>	Response to the Inspector's further questions (C/004) and additional further questions (C/012), which highlight the need to explain how empty homes will be counted against the housing requirement.																															
MM052	113/ 114	10.33	M	<p>Insert a new paragraph: “<u>The Framework indicates that an allowance may be made for windfall sites where there is compelling evidence that they will continue to provide a reliable source of supply. Although windfall sites have provided a source of housing land supply in the past, the comprehensive nature of the site assessment work in the SHLAA has reduced the likelihood that a significant amount of housing will come forward from the development of such sites in the future. Therefore, no allowance has been made for windfalls in the Core Strategy (Table LIV1).</u>”</p>	Response to the Inspector’s additional further questions (C/012), which highlight the need to provide details of how windfalls are considered in the housing land supply.																															
MM085	114	10.37	M	<p>Delete paragraph 10.37: "As a result of these issues Policy LIV1 sets out a staggered approach to the delivery of the housing requirement. This approach sets a lower level of delivery in the early years of the plan, in order to give the market time to respond to the increase in the housing requirement and to take account of the prevailing economic conditions. However, this does not restrict the potential for higher delivery rates should the economy improve faster than anticipated."</p>	Removed at the Inspector’s request, in response to the outcome of discussions in Hearing Sessions 5 and 13.																															

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
MM086	114	10.39	M	Insert new paragraph after 10.39: <u>“During the interim period between the adoption of the Core Strategy and the preparation of the Local Plan Part 2: Site Allocations and Development Policies, those sites included as part of the five year supply in the SHLAA will be considered for new housing development. This will help to ensure that the Council can continue to demonstrate a five year supply of housing land.”</u>	A consequential amendment arising from MM065.
MM064 (Supersedes MM030)	114	10.41	M	Delete paragraph 10.41: “To ensure that new housing is delivered in a timely manner and that the Council achieves the housing targets set out in Policy LIV1, applicants will be required to submit a statement demonstrating the deliverability of their proposal⁽¹¹⁷⁾. The purpose of this statement is to provide an assurance to the Council that the proposed scheme is viable and will be delivered. It also helps to determine the level of affordable housing which can be provided (see Policy LIV4). As part of this statement applicants should provide details of the estimated build and land acquisition costs, in order for the economic viability of the scheme to be assessed. This information will remain confidential between the applicant and the Council. Where necessary the Council will employ independent specialists to evaluate the viability assessment and this will be paid for by the applicant.”	Response to the outcome of discussions in Hearing Session 5 (Issue 13), which concluded that the proposed requirement was considered too onerous in respect of national policy set out in the Framework (¶173 and ¶174).
MM087	115	10.42	M	Amend paragraph 10.42 to read: <u>“The Framework (paragraph 47) requires local planning authorities to illustrate the expected rate of housing delivery through a housing trajectory. Information from the SHLAA has been used to show the projected number of dwellings which could be completed on the stock of deliverable and developable sites over the plan period. The housing trajectory for 2014/15 is shown in Figure LIV1a and explained below. Appendix TBC sets out the Housing Implementation Strategy for the Plan Period”</u>	Response to Inspector’s further questions (C/004), which highlights the need to prepare a Housing Implementation Strategy as required by national policy (¶47, bullet point 4).
MM088	115	Figure LIV1a	M	Insert new Figure LIV1a: Housing Trajectory:	To provide an updated position with regard to empty homes and reflect amendments to the Strategic Housing Land Availability Assessment (SHLAA).

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				<div><table><tr><th></th><th>11/12</th><th>12/13</th><th>13/14</th><th>14/15</th><th>15/16</th><th>16/17</th><th>17/18</th><th>18/19</th><th>19/20</th><th>20/21</th><th>21/22</th><th>22/23</th><th>23/24</th><th>24/25</th><th>25/26</th><th>26/27</th><th>27/28</th><th>28/29</th><th>29/30</th></tr><tr><td>Requirement</td><td>298</td><td>298</td><td>298</td><td>298</td><td>298</td><td>298</td><td>298</td><td>298</td><td>298</td><td>298</td><td>298</td><td>298</td><td>298</td><td>298</td><td>298</td><td>298</td><td>298</td><td>298</td><td>298</td></tr><tr><td>Empty Homes reoccupied</td><td>195</td><td>369</td><td>184</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>New completions (net)</td><td>61</td><td>30</td><td>63</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Supply - SHLAA</td><td></td><td></td><td></td><td>81</td><td>207</td><td>449</td><td>562</td><td>612</td><td>564</td><td>564</td><td>564</td><td>564</td><td>564</td><td>560</td><td>560</td><td>560</td><td>560</td><td>560</td><td>560</td></tr><tr><td>Cummulative over/under supply</td><td>-42</td><td>59</td><td>8</td><td>-209</td><td>-300</td><td>-149</td><td>115</td><td>429</td><td>695</td><td>961</td><td>1227</td><td>1493</td><td>1759</td><td>2021</td><td>2283</td><td>2545</td><td>2807</td><td>3069</td><td>3331</td></tr></table><div><div>Start of housing needs calculation: Pre-adoption.</div><div>Years 1-5</div><div>Years 6-15</div></div></div>		11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	Requirement	298	298	298	298	298	298	298	298	298	298	298	298	298	298	298	298	298	298	298	Empty Homes reoccupied	195	369	184																	New completions (net)	61	30	63																	Supply - SHLAA				81	207	449	562	612	564	564	564	564	564	560	560	560	560	560	560	Cummulative over/under supply	-42	59	8	-209	-300	-149	115	429	695	961	1227	1493	1759	2021	2283	2545	2807	3069	3331	
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MM089	115	10.45	M	<p>Amend paragraph 10.45 to read:</p> <p>“The trajectory also illustrates that in recent years the number of actual completions (<u>light blue</u> columns) has been <u>low</u>, below the (staggered) annual requirement figure. <u>Between 2011/12 and 2013/14 there was a cumulative deficit of 504 dwellings. In accordance with the NPPG, this under delivery will need to be addressed in the ensuing five year period. However, the reoccupation of long-term vacant dwellings (dark blue columns) has helped to meet some of the borough's housing needs during this period.</u>”</p>	Reflects changes made to the Housing Trajectory.																																																																																																																								
MM065 (Supersedes MM058, MM005, MM031)	117	Policy LIV1	M	<p>Reword Policy LIV1 to read:</p> <p>“Over the 19 year period from 2011 to 2030 provision will be made to deliver <u>a minimum of 5,662</u> (net) dwellings, equating to an average of 298 dwellings per annum. Where evidence of further need or demand is identified additional dwellings will be provided. <u>The delivery of the housing requirement will be staggered over the plan period, as outlined in Table LIV1a.</u></p> <p>Table LIV1a Staggered housing requirement</p> <table><tr><th>Period</th><th>Minimum number of dwellings per annum ⁽¹²⁰⁾</th></tr><tr><td>2011/12 – 2014/15</td><td>220</td></tr><tr><td>2015/16 – 2019/20</td><td>250</td></tr><tr><td>2020/21 – 2029/30</td><td>353</td></tr></table>	Period	Minimum number of dwellings per annum ⁽¹²⁰⁾	2011/12 – 2014/15	220	2015/16 – 2019/20	250	2020/21 – 2029/30	353	<p>Response to the Inspector’s further questions (C/004), requesting clarification:</p> <ul style="list-style-type: none">that the housing requirement, as expressed, represents a minimum figure, andon how the housing requirement will be met. <p>Also addresses a separate matter raised in Hearing Session 5,</p>																																																																																																																
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				<p>The housing requirement should be delivered in accordance with the distribution set out in Policy SDP3.</p> <p>To ensure significant and early delivery of the housing requirement a Strategic Site has been allocated in the Core Strategy (see Policy LIV2). The Pendle Local Plan Part 2: Site Allocations and Development Policies will be used to allocate:</p> <ol style="list-style-type: none"> specific sites to meet the remainder of the housing requirement (<u>Table LIV1</u>) and; potential reserve sites to provide increased flexibility. <p>Proposals on other, non-allocated, sites will be supported where they are sustainable and make a positive contribution to the five year supply of housing land.</p> <p><u>To further encourage significant and early delivery of the housing requirement, proposals for new housing development will also be supported where they accord with other policies of the Core Strategy and are on:</u></p> <ul style="list-style-type: none"> <u>Non-allocated sites within a Settlement Boundary where they are sustainable and make a positive contribution to the five year supply of housing land;</u> <p><u>And until such time that the Council adopts the Pendle Local Plan Part 2: Site Allocations and Development Policies</u></p> <ul style="list-style-type: none"> <u>Sustainable sites outside but close to a Settlement Boundary, which make a positive contribution to the five year supply of housing land, including those identified in the Strategic Housing Land Availability Assessment (SHLAA).</u> <p>The delivery of new housing will be monitored in the Authority's Monitoring Report (AMR). The Housing Trajectory will be updated along with the Strategic Housing Land Availability Assessment (SHLAA) to help maintain a five year supply of housing land. Where monitoring shows a significant deviation away from the housing trajectory or where evidence shows that there has been a significant change to the housing requirement, an early review of the plan will be considered.</p> <p>To demonstrate the deliverability of their proposal applicants should provide a statement outlining details of the availability, suitability and achievability of the scheme.⁽¹²⁴⁾ This statement should also include a financial viability assessment, which will be used to help determine the amount of affordable housing to be provided (Policy LIV4).</p> <p>Proposals should use land in a sustainable way by following the site selection approach outlined in Policy SPD2.</p>	<p>seeking clarity in terms of what sites can come forward in the period between the adoption of the Core Strategy and the Site Allocations Plan.</p> <p>Response to the outcome of discussions in Hearing Session 5 (Issue 13); removing the reference to the need for developers to provide a deliverability statement, as this was considered too onerous in respect of national policy set out in the Framework (¶173 and ¶174).</p>

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				<p>Proposals should respond to the requirements set out in Policy LIV5 relating to the types and sizes of dwellings in order to meet the demands and aspirations of the people in the borough.</p> <p>Support will be given to bringing empty properties back into use in addition to the provision of new housing. In-line with Policy LIV4, and where appropriate, empty properties could be brought back into use as part of the affordable housing supply.</p> <p>Proposals within or adjacent to a Housing Regeneration Priority Area⁽¹²²⁾, must demonstrate that they will not jeopardise the success of any Council project that is planned or underway in that area, and should ideally show how they will complement the regeneration work being undertaken. This could be done by explaining how the proposal meets the needs of the local community in terms of the sizes, types and tenures of the housing to be provided.</p> <p>Footnotes ⁽¹²⁰⁾ The figures in this table establish minimum requirement levels for the specified period. They do not restrict the provision of additional dwellings should the performance of the market improve. ⁽¹²¹⁾ Paragraph 47 of the National Planning Policy Framework defines 'deliverable'. ⁽¹²²⁾ Housing Regeneration Priority Areas are broadly defined on the Key Diagram. The five key areas which have been identified are: i) Brierfield Canal Corridor, ii) Railway Street area, Brierfield, iii) Whitefield, Nelson, iv) Bradley, Nelson, and v) South Valley, Colne. More details of the regeneration work that is planned for these areas, and their precise boundaries, can be found in the associated Masterplans, Supplementary Planning Documents (SPDs) or Area Action Plans (AAPs). Other regeneration priority areas may be identified in the future (e.g. in the Pendle Local Plan Part 2: Site Allocations and Development Policies) and this policy will also apply to those areas."</p>	
MM075	122	Policy LIV2	M	<p>Amend the second bullet point of Policy LIV2 to read: "early engagement between the applicant and infrastructure providers is carried out to address any capacity issues and ensure the relevant <u>physical and social</u> infrastructure (e.g. utilities, open space, <u>education</u> etc.) is provided (policy SDP6);"</p> <p>Amend the fifth bullet point of Policy LIV2 to read:</p> <ul style="list-style-type: none"> • "the development will provide up to 20% affordable housing on-site <u>unless an up-to-date viability assessment indicates that this cannot be delivered;</u>" 	<p>Address an issue raised in Hearing Session 5, which recommended that the policy should also refer to education provision.</p> <p>Address a matter raised in Hearing Session 5, noting that the development of the Strategic Housing site will provide 20% affordable housing on-site, unless a viability assessment indicates that this cannot be achieved.</p>

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
MM053	126	10.85	M	<p>Insert a new paragraph after 10.85:</p> <p><u>“Self-build housing</u> <u>The government is looking to enable more people to build their own home. The Planning Practice Guidance suggests that surveys should be undertaken to establish the level of demand for such housing. The Council has been selected to be a Right to Build vanguard and has carried out some preliminary survey work. This work indicates that there is little interest in self-build in the borough.”</u></p>	Response to the Inspector’s additional further questions (C/012) and to ensure compliance with the Framework (¶150) by addressing the housing needs of different groups of people and the potential contribution from self-build housing.
MM054	127	10.96	M	<p>Insert a new paragraph after 10.96:</p> <p><u>“Self-build housing</u> <u>The Council will continue to work with those people wishing to build their own home to find suitable sites / plots within the borough as part of the vanguard work. As little need or demand for this type of housing has been identified, applications will be considered against the relevant policies in the Local Plan.”</u></p>	Response to the Inspector’s additional further questions (C/012) and to ensure compliance with the Framework (¶150) by addressing the housing needs of different groups of people and the potential contribution from self-build housing.
MM055	129	Policy LIV3	M	<p>Reword the final paragraph of Policy LIV3 to read:</p> <p>“Proposals for the development of Gypsy and Traveller or Travelling Showpeople sites, pitches or plots should follow the guidance set out in the DCLG Good Practice Guide on Designing Gypsy and Traveller Sites or its replacement. In addition, proposals should:</p> <ul style="list-style-type: none"> <u>• Where appropriate, for social rented sites, follow the guidance set out in the DCLG Good Practice Guide on Designing Gypsy and Traveller Sites (or its replacement).</u> <u>• Avoid those areas where poor environmental conditions exist (e.g. pollution (Policy ENV5) and flood risk (Policy ENV7)).</u> • Be located in places which have access to employment, facilities and services including shops, schools, and health care provision. • Be located and designed to respect the amenity of the existing settled community. • Ensure that any potential impacts on the environment can be avoided or adequately mitigated and have regard to the requirements relating to protecting the natural and built environment set out in Policy ENV1.” 	Response to the Inspector’s additional further questions (C/012), to ensure that full consideration is given to the environmental quality of proposed sites and specify the circumstances when the DCLG guidance on designing gypsy and travellers sites should be used.
MM090	132	10.115	M	<p>Amend paragraph 10.115 to read:</p> <p>“Policy LIV4 sets an overall, borough wide percentage target for affordable housing need out the Council's approach to providing affordable housing. This target was recommended by the SHMA as a practical target which would help to meet the housing needs of the borough's population. However, the <u>The SHMA indicates that a target of 40% would help to meet the affordable housing needs of the</u></p>	A consequential amendment arising from MM066, to ensure that the 40% affordable housing target is expressed as an aspiration rather than a policy

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
				<u>borough, but also</u> acknowledges that it is important to establish a balance between housing need requirements and the viable delivery of housing sites. <u>The targets set out in the policy must reflect the current economic conditions and likely levels of viability. As such the 40% target can only be considered as a longer term aspiration.</u>	target.
MM091	133	10.117	M	Amend paragraph 10.117 to read: “This method provides a ‘broad-brush’ approach to setting affordable housing targets in an area. However, the Council recognises that for each site a different set of circumstances will affect its viability. The <u>Where the relevant target cannot be met, the</u> Council will require applicants to submit a financial appraisal of their scheme in order to assess its viability and to calculate the appropriate amount of affordable housing to be provided.”	A consequential amendment arising from MM066, to clarify when a financial viability assessment will be required.
MM092	133	10.117	M	Insert new paragraph after 10.117: “ <u>In those areas where the current target is zero the Council will encourage developers to provide affordable housing if it is viable to do so, in order to help meet the housing needs of the borough. In addition, the Council will also look to review the affordable housing targets within three years of the adoption of the plan to reflect any changes in economic conditions and viability.</u> ”	A consequential amendment arising from MM066, to encourage developers to provide affordable housing where it is viable to do so, in order to help meet the housing needs of the borough.
MM093	134	10.118	M	Delete paragraph 10.118: “ To ensure that the maximum amount of affordable housing is provided, without impeding the delivery of new (general market) housing, the Council will require the viability of schemes to be retested where development has not commenced within two years of the permission being granted. Should the economic conditions have changed the level of affordable housing will be renegotiated. This provides a flexible approach to housing delivery, which reflects the prevailing economic conditions. Whilst in some circumstances it may result in a reduction in the amount of affordable housing that can be provided, in other situations it may increase the amount. Overall, it will ensure that the delivery of new housing is not unduly restricted by the requirement to provide affordable housing. ”	A consequential amendment arising from MM066.
MM066 (Supersedes MM006, MM007, MM008, MM009, MM056)	134/ 135	Policy LIV4	M	Reword Policy LIV4 to read: “Proposals for new (general market) housing <u>which meet the relevant thresholds</u> will be required to incorporate an element contribute towards the provision of affordable housing in order to contribute towards the achievement of a borough wide affordable housing needs target of 40% over the lifetime of the plan. It is recognised that a fixed target is not flexible enough to respond to changing economic circumstances and site specific viability issues. Current viability information ⁽⁴²⁶⁾ shows that the Council can reasonably expect to seek levels of affordable housing within the target ranges set out in Table LIV4a. To ensure that the deliverability of new housing is not restricted by efforts to secure the	Response to the Inspector’s additional further questions (C/012), and to address a matter raised in Hearing Session 6, requiring: <ul style="list-style-type: none"> The removal of the 40% aspirational target from the policy text and its placement within the reasoned justification.

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change																																																		
				<p>maximum amount of affordable housing, these target ranges will be used as the basis for negotiation with the applicant, to help determine the appropriate amount of affordable housing to be provided. As part of the negotiation process, the Council will take account of the financial viability of the proposal⁽¹²⁷⁾, which may result in a requirement to provide more or less affordable housing than indicated by the target ranges.</p> <p>Table LIV4a – size threshold and area based affordable housing targets</p> <table><tr><th></th><th>M65 Corridor</th><th>M65 Corridor North</th><th>West Craven Towns</th><th>Rural Pendle</th></tr><tr><td><5 dwellings</td><td>0%</td><td>0%</td><td>0%</td><td>0%</td></tr><tr><td>5-14 dwellings</td><td>0%</td><td>0%</td><td>0%</td><td>15-30%</td></tr><tr><td>15-49 dwellings</td><td>0%</td><td>0%</td><td>0-10%</td><td>20-30%</td></tr><tr><td>50-99 dwellings</td><td>0%</td><td>0%</td><td>0-5%</td><td>20-25%</td></tr><tr><td>100+ dwellings</td><td>0%</td><td>0%</td><td>0-5%</td><td>20-25%</td></tr></table> <p>Table LIV4a sets out the area based affordable housing targets for different site thresholds which should be met. In areas where the current target is zero the Council will, where market conditions or site specific assessments indicate that it is viable, encourage applicants to provide affordable housing in order to meet the housing needs of the borough. The Council will look to review the targets within 3 years through a Partial Review of the Plan to take account of changing economic conditions.</p> <p>Table LIV4a – size threshold and area based affordable housing targets</p> <table><tr><th><u>Site Threshold</u></th><th><u>M65 Corridor</u></th><th><u>M65 Corridor North</u></th><th><u>West Craven Towns</u></th><th><u>Rural Pendle</u></th></tr><tr><td><u>6-10 dwellings</u></td><td><u>N/A</u></td><td><u>N/A</u></td><td><u>N/A</u></td><td><u>20%*</u></td></tr><tr><td><u>11-14 dwellings</u></td><td><u>0%</u></td><td><u>0%</u></td><td><u>0%</u></td><td><u>20%</u></td></tr><tr><td><u>15 or more dwellings</u></td><td><u>0%</u></td><td><u>0%</u></td><td><u>5%</u></td><td><u>20%</u></td></tr></table> <p><u>*This target only applies to sites in the AONB and should be a contribution in the form of cash payments which are commuted until after the completion of units within the development.</u></p> <p><u>Where the relevant target cannot be met a financial viability assessment should be provided to allow the Council to negotiate with the applicant and adjust the amount of affordable housing accordingly.</u></p> <p><u>Where a scheme is granted planning permission and work does not start within two years, the Council will require the viability of the scheme to be retested and where necessary the level of affordable housing to be provided can be renegotiated at this time.</u></p>		M65 Corridor	M65 Corridor North	West Craven Towns	Rural Pendle	<5 dwellings	0%	0%	0%	0%	5-14 dwellings	0%	0%	0%	15-30%	15-49 dwellings	0%	0%	0-10%	20-30%	50-99 dwellings	0%	0%	0-5%	20-25%	100+ dwellings	0%	0%	0-5%	20-25%	<u>Site Threshold</u>	<u>M65 Corridor</u>	<u>M65 Corridor North</u>	<u>West Craven Towns</u>	<u>Rural Pendle</u>	<u>6-10 dwellings</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>20%*</u>	<u>11-14 dwellings</u>	<u>0%</u>	<u>0%</u>	<u>0%</u>	<u>20%</u>	<u>15 or more dwellings</u>	<u>0%</u>	<u>0%</u>	<u>5%</u>	<u>20%</u>	<ul style="list-style-type: none">Additional explanation to highlight that Table LIV4a sets-out area based affordable housing targets using the most up to date viability information in the Development Viability StudyTo remove the requirement for retesting viability after two years, as this is not in accordance with the Framework (¶173-174).An explanation that applicants are encouraged to make provision above the targets set-out in Table LIV4a particularly on sites where the market, or a site specific assessment, indicates that the proposed development is likely to be able to support additional provision.To incorporate a reference to the need to carry-out a partial review, early in the plan period, to reassess development viability.To introduce more flexibility in how off-site contributions can be used (e.g. to assist with key regeneration schemes on Brownfield sites).To clarify under what circumstances a rural exception site would be
	M65 Corridor	M65 Corridor North	West Craven Towns	Rural Pendle																																																			
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				<p>On-site / Off-site provision</p> <p>Affordable housing should be provided in order of preference:</p> <ol style="list-style-type: none"> 1. On-site and incorporated into the scheme so that it is 'tenure-blind'. <p>OR</p> <ol style="list-style-type: none"> 2. Where the applicant can adequately demonstrate that it is not possible to provide the affordable housing on-site, it is considered preferable and deliverable make arrangements to: <ol style="list-style-type: none"> i. provide the affordable housing on an alternative site within the same settlement as the proposed development; OR ii. provide a financial contribution towards the cost of off-site provision.⁽¹²⁸⁾ Where a financial contribution is provided this may be used for the acquisition and refurbishment of redundant, empty properties to provide affordable housing. <u>Such a contribution and where possible should be used in the same settlement as the proposed development.</u> <p>In all cases where affordable housing is provided a condition or planning obligation will be used to ensure that the housing remains at an affordable price for future eligible households or for any subsidy to be recycled for alternative affordable housing provision.</p> <p>Tenures, types and sizes</p> <p>Applicants should use the following percentages as a guide to determine the tenure split of the affordable housing to be provided as part of their development:</p> <ul style="list-style-type: none"> • Social rented tenure: 30%⁽¹²⁹⁾ • Affordable rented tenure: 30% • Intermediate tenure: 40% <p>It is acknowledged that there will be individual site circumstances where the tenure split may need to vary. In such cases, applicants will need to demonstrate the reasons for an alternative tenure split.</p> <p>Guidance on the types and sizes of new dwellings is contained in Policy LIV5.</p> <p>Rural needs</p> <p>Rural affordable housing should be provided in line with Table LIV4a and Policy SDP3. However, in some circumstances consideration will be given to developing sites directly adjacent to existing, defined settlements for the provision of affordable housing. In some instances, to enable the delivery of this affordable housing, an element of market housing may also be permitted. In all circumstances applicants will need to provide details of the specific local needs the proposed development will address and show that any potential impact on the environment can be avoided or adequately mitigated. Proposals should also have regard to the requirements relating to protecting the natural</p>	<p>allowed.</p> <ul style="list-style-type: none"> • To reflect the thresholds for rural affordable housing introduced by national planning practice guidance (Reference ID: 23b-013-20150227).

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				<p>and built environment set out in Policies ENV1 and ENV2: <u>Where there are no sites available within the chosen rural settlement, consideration will be given to developing sites directly adjacent to the existing defined settlement boundary for the provision of affordable housing. Such rural exception sites will need to be justified by the applicant through the provision of a statement which sets out details of:</u></p> <ul style="list-style-type: none"> <u>the specific local needs the proposed development will address and;</u> <u>how any potential impacts on the environment can be avoided or adequately mitigated, having regard to the requirements of Policies ENV1 and ENV2.</u> <p><u>In some instances, to enable the delivery of the affordable housing, an element of market housing may also be permitted.</u></p> <p>In Rural Pendle a Local Occupancy condition, or obligation, will be used, where appropriate, to restrict the tenancy of the affordable housing to local residents.</p> <p>Footnotes ⁽¹²⁶⁾ Development Viability Study, 2013. ⁽¹²⁷⁾ The applicant should demonstrate the financial viability of the scheme through the submission of a viability assessment. ⁽¹²⁸⁾ Where a financial contribution is to be provided relating to a site in Rural Pendle the contribution should be used in the same settlement as the proposed development. Where this is not possible then it should be used in the next nearest rural settlement. ⁽¹²⁹⁾ the opportunity to provide new social housing is likely to be limited due to the availability of funding to provide this tenure. As such affordable rented accommodation could be substituted for the social rented element of a scheme.”</p>	
MM023	143	Policy LIV5, 5th paragraph	M	<p>Reword the fifth paragraph of Policy LIV5 to read: “New housing development should be developed at densities appropriate to their location taking account of townscape and landscape character, and accessibility. In locations outside of conservation areas the standard density of 30dph should be used as a guideline. In areas of high accessibility, proposals should be developed at densities between 30 and 50dph. <u>make the most efficient use of land and be built at a density appropriate to their location (see specific spatial area guidance) taking account of townscape and landscape character. As a guide, developments should normally seek to achieve a density of 30 dwellings per hectare (dph), and up to 50dph in highly accessible locations. In more sensitive locations the priority will be to develop at a density that reflects the surrounding form and layout.</u>”</p>	Address comments from English Heritage, by noting that the density of new residential developments should reflect the surrounding form and layout.
MM010	143	Policy LIV5, 6th paragraph	M	<p>Reword the sixth paragraph of Policy LIV5 to read: “Provision for open space and/or green infrastructure should be made in all new housing developments. This may be in the form of private gardens, larger on-site communal open spaces or other green infrastructure assets. When determining the level and type of open space/green</p>	Response to the Inspector's further questions (C/004), requiring a clearer policy base for areas deficient in open space and

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				<p>infrastructure to be provided, consideration should be given to the existing amounts and types of open space in the area and the density of the existing housing, in order of priority:</p> <ol style="list-style-type: none"> 1. <u>On-site provision;</u> 2. <u>Contribution to off-site provision;</u> 3. <u>Enhancement of existing facilities in the area.</u> <p><u>When determining the amount and type of open space / green infrastructure to be provided consideration should be given to:</u></p> <ul style="list-style-type: none"> • <u>the size of the proposed development;</u> • <u>the existing levels of provision⁽¹⁾ (amount and type) within the area⁽²⁾;</u> • <u>addressing any identified deficiencies⁽¹⁾ in the area⁽²⁾;</u> • <u>the density of the existing housing.</u> <p><u>Footnotes</u> ⁽¹⁾ The Open Space Audit (to be replaced by the Pendle Green Infrastructure Strategy) 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. ⁽²⁾ The 'area' refers to the ward/locality in which the development site is located."</p>	additional detail of the factors that need to be considered when determining the amount of open space to be provided in accordance with national policy (¶73).
Chapter 11 - Working: Creating a Dynamic and Competitive Economy					
MM011	158	Policy WRK2, 1st paragraph	M	Reword the first paragraph of Policy WRK2 to read: <u>"...over the plan period. The Council will seek to identify and allocate at least 25 hectares of employment land over the lifetime of the plan, this figure representing the current shortfall from the projected requirement."</u>	Response to the Inspector's further questions (C/004), to provide clarity with regard to the shortfall in supply of employment land.
MM078	162	11.67	M	Amend paragraph 11.67 to read: "Projected increases in population and housing, together with a need to improve economic prosperity across the Borough, require new opportunities for economic growth to be delivered as early as possible in the plan period. This will provide greater certainty for developers and businesses looking to invest, putting the Borough in a position to benefit from new investment as the national economy starts to improve. <u>A review of the commercial property market in the Pendle Employment Land Review indicated a shortage of modern industrial units of between 465m² and 930m² (5,000-10,000ft²) within the M65 Corridor and sites capable of accommodating units of this size (paragraphs 5.35-5.37). It also noted that the supply of modern, good quality second-hand units throughout the borough is extremely limited with few sites capable of accommodating units over 930m² (10,000ft²)."</u>	Address a matter raised in Hearing Session 7, requiring further emphasis on how the strategic site will help to meet the economic needs of the Borough.
MM079	162	11.72	M	Amend paragraph 11.72 to read: "The Framework states that Green Belt boundaries should only be altered in exceptional circumstances and that when these are reviewed authorities should take account of the need to promote sustainable patterns of development. The Employment Land Review (ELR) shows a requirement for additional	Address a matter raised in Hearing Session 7, requiring further emphasis on how the site will help to meet the economic

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
				<p>employment land over the plan period. The review of sites in the ELR indicates that a site adjacent to the existing Lomeshaye Industrial Estate would fulfil this requirement. This would require the release of Green Belt land and there are exceptional circumstances to justify its release, as it is the only site which:</p> <ul style="list-style-type: none"> • can provide the identified level of development • is suitably accessible from the motorway. <p><u>Given the nature of the demand (i.e. for larger better quality sites and premises close to the motorway), the provision of a strategic employment site within the M65 Corridor is regarded as the most viable option when considering all three pillars of sustainable development – i.e. economic, social and environmental impacts. A dedicated employment site would provide the right environment to attract new businesses and job opportunities to Pendle, as well as providing a destination that would facilitate the future relocation or expansion of local enterprises.”</u></p> <p>Insert new paragraph after 11.72: <u>“The existing Lomeshaye estate is accessible by sustainable modes of transport from areas of localised deprivation in both Nelson and Brierfield and there is scope to link in to existing bus services. Whilst development would result in the loss of an area of Green Belt, this would not impact on its overall role in this location or to its general extent. Any loss would be significantly outweighed by the economic, social and environmental benefits a new employment site would help to bring about. Overall the site has considerable advantages over any alternatives in terms of its relationship to existing businesses, accessibility and the infrastructure necessary to bring the site forward.”</u></p>	needs of the Borough.
MM080	164	Policy WRK3	M	<p>Insert an additional point between c) and d) of Policy WRK3 which reads:</p> <ul style="list-style-type: none"> • <u>“A detailed development brief (including a design code) is prepared to demonstrate that the site will be developed in an appropriate manner.”</u> 	Address a matter raised in Hearing Session 7, requiring the preparation of a brief to guide development of the site.
Chapter 12 - Supporting: Creating Healthy and Confident Communities					
MM057	187	Policy SUP1 (Footnote 157)	M	<p>Amend footnote 157 to read: “Except where otherwise noted the community facilities and services covered by this policy include community centres, public halls, policing fire and ambulance services, youth centres, libraries, places of worship, arts and culture facilities including theatres and cinemas, and services provided by the voluntary sectors. <u>In Rural Pendle business premises within Use Classes A1 and A4 (i.e. shops and public houses) will also be regarded as community facilities.</u> Sports and recreation facilities including leisure centres and swimming pools are addressed in Policies ENV1 and SUP2.”</p>	Response to the Inspector’s additional further questions (C/012), requesting an amendment to footnote 157 to ensure sufficient protection is given to public houses and shops in rural locations.
MM081	193	Policy SUP2	M	<p>Amend Policy SUP2 to read: “The Council will work with partners to deliver key developments which will improve the health and well-being of people in Pendle, and will:</p>	Address a matter raised in Hearing Session 9, by strengthening the reference to

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
				<ul style="list-style-type: none"> Support the provision of new or improved facilities for health, leisure and social care. Give priority to directing such developments to areas with high levels of deprivation or an identified need or deficiency in provision as identified in the Pendle Infrastructure Delivery Schedule or partners' plans, whilst having regard to the principles set out in Policies SDP2, SDP6 and SUP1. Support regeneration schemes which, by improving the quality of the existing sub-standard housing stock and local environments, including through provision or enhancement of open space, help to create healthy <u>healthier</u> neighbourhoods. <u>Support the provision and enhancement of open space to improve the long-term health prospects and future well-being of local residents.</u> Support and develop healthy ways to travel (also see Policy ENV4). Support the provision of better access and links to the natural environment. In designing new facilities, partners and developers should have regard to the requirements set out in policies SUP4 and ENV2." 	the important contribution that open space has for the health and well-being of local residents (¶73 of the Framework) and the continued need for its protection, particularly in densely populated urban areas.
MM024	201	Policy SUP4	M	<p>Reword Public Buildings Bullet point 5 as follows:</p> <ul style="list-style-type: none"> "Re-using historic buildings, where appropriate, or by incorporating design elements in new developments that respond sympathetically to the built heritage, public spaces and key infrastructure elements, within the historic environment in which they are located. Conserving and enhancing the historic environment through: <ul style="list-style-type: none"> the re-use of historic buildings, where appropriate; the use of design elements in new developments which make a positive contribution to the local character and distinctiveness of the area." 	Address a comment from English Heritage, by making reference to the need to conserve and enhance the historic environment by promoting the re-use of historic buildings where appropriate.
MM025	201	Policy SUP4	M	<p>Reword Public realm Bullet Point 4 as follows:</p> <p>"Enhancing the setting of any historic buildings or infrastructure in the immediate vicinity. heritage assets and their settings."</p>	To address a comment from English Heritage, by making reference to the need for proposals for improvements to the public realm to conserve and enhance the whole of the historic environment in line with ¶61 of the Framework.
Chapter 13 - Monitoring and Delivery					
Appendices					
MM094	N/A	Appendices	M	Insert an additional Appendix for the Housing Implementation Strategy. (See Appendix 2 of the Main Modification Schedule)	Response to the Inspector's further questions (C/004) and the Framework (¶47) by setting-out how the authority will

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
					maintain delivery of a five-year supply of housing land to meet its housing target.

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Appendix 2
Main Modification MM094:
Housing Implementation Strategy

Appendix TBC: Housing Implementation Strategy

Contents

1.	Introduction	2
2.	Housing Requirement	2
3.	Current Position	3
4.	Housing Trajectory	4
5.	Five-Year Housing Land Supply	6
6.	Affordable Housing	7
7.	Future Housing Provision and Delivery	8
8.	Monitoring and Review	12
9.	Risk and Contingency	13
10.	Conclusion	14

1. Introduction

- 1.1 The National Planning Policy Framework (NPPF) requires local planning authorities to “set out a housing implementation strategy for the full range of housing and explain how they will maintain delivery of a five year supply of housing land to meet their housing target” (paragraph 47, fourth bullet point).
- 1.2 This Housing Implementation Strategy describes the Council’s approach to delivering the requirement for market and affordable housing, as set out in the Core Strategy. It also sets out the position regarding the five year housing land supply and demonstrates how this will be maintained over the plan period. The base date for housing delivery in the Core Strategy is 1st April 2011. Specifically the Housing Implementation Strategy considers the:
- overall housing requirement;
 - current position, in terms of delivery and the stock of consents at 31st March 2014;
 - housing trajectory;
 - calculation of a five-year housing land supply;
 - proposed mechanisms for housing delivery (including affordable housing);
 - Council’s approach to monitoring and managing housing delivery; and
 - potential risks to housing delivery and possible contingency measures, where necessary.
- 1.3 The key policies within the Core Strategy addressing housing delivery are:
- Policy SDP3 Housing Distribution
 - Policy LIV1 Housing Provision and Delivery
 - Policy LIV2 Strategic Housing Site: Trough Laithe
 - Policy LIV4 Affordable Housing

2. Housing Requirement

- 2.1 The housing requirement for Pendle is set out in the Core Strategy (Policy LIV1) and was informed by the Burnley and Pendle Strategic Housing Market Assessment (SHMA) (2013) and the Pendle Housing Needs Study Update Report (HNS) (2014).
- 2.2 Policy LIV1 identifies a minimum housing requirement of 5,662 (net) dwellings for the 19 year plan period from 2011 to 2030. This equates to an average delivery rate of 298 dwellings per annum. The accompanying Housing Trajectory identifies how this target can be delivered in the period to 2030.
- 2.3 This level of housing provision represents a significant step-change compared to the previous housing requirement of 190 dwellings per annum established in the North West of England Plan: Regional Spatial Strategy to 2021 (RSS) (2008). This is in line with the NPPF, which requires local planning authorities to “boost significant the supply of housing” (paragraph 47).

2.4 Policy SDP3 identifies the following spatial distribution to guide the provision of new housing in the borough over the plan period:

- M65 Corridor 70%
- West Craven Towns 18%
- Rural Pendle 12%

3. Current Position

3.1 The housing requirement covers the 19-year period from 1st April 2011 to 31st March 2030. Table 3.1 sets out the position in respect of completions and existing commitments (i.e. extant planning consents) and is taken from the Authority's Monitoring Report (AMR) for 2013/14.

Table 3.1: Calculating the Residual Housing Requirement

A	Total housing requirement (2011-2030)	5,662
B	Completions (2011/12 – 2013/14)	154
C	Reduction in long-term empty homes (2011/12 -2013/14)	748
D	Residual requirement (as of 1st April 2014)	4,760
E	Existing commitments (extant planning permissions)	980

3.2 The table shows that in the three years that have elapsed since the base date for the Core Strategy (i.e. since 2011) 154 new dwellings have been provided in Pendle (Row B). This relatively low figure reflects the continued impact of the post 2007/08 economic downturn on the local housing market. Prior to the onset of the recession, new housing delivery between 2003 and 2008 averaged around 270 dwellings per annum. The table also shows that 748 long-term empty homes have been brought back into use (Row C).¹ When these properties are subtracted from the overall housing requirement (Row A) this leaves a residual amount of 4,760 dwellings to be delivered by 2030 (Row D).

3.3 Over the same three year period, the number of extant planning permissions has stayed relatively constant at between 800 and 1,000 dwellings. However, challenging economic conditions meant that development on many of these sites either stalled or failed to start. The most recent monitoring results (31st March 2014) indicate that there are extant planning consents for 980 new dwellings in Pendle. Of these only 111 units were under construction, with work on the remaining 869 units yet to start.

3.4 The Infrastructure Strategy (2013), which was prepared to support the Core Strategy concludes that there is sufficient infrastructure provision in place to support the level of housing development proposed early in the plan period. Any potential barriers to further

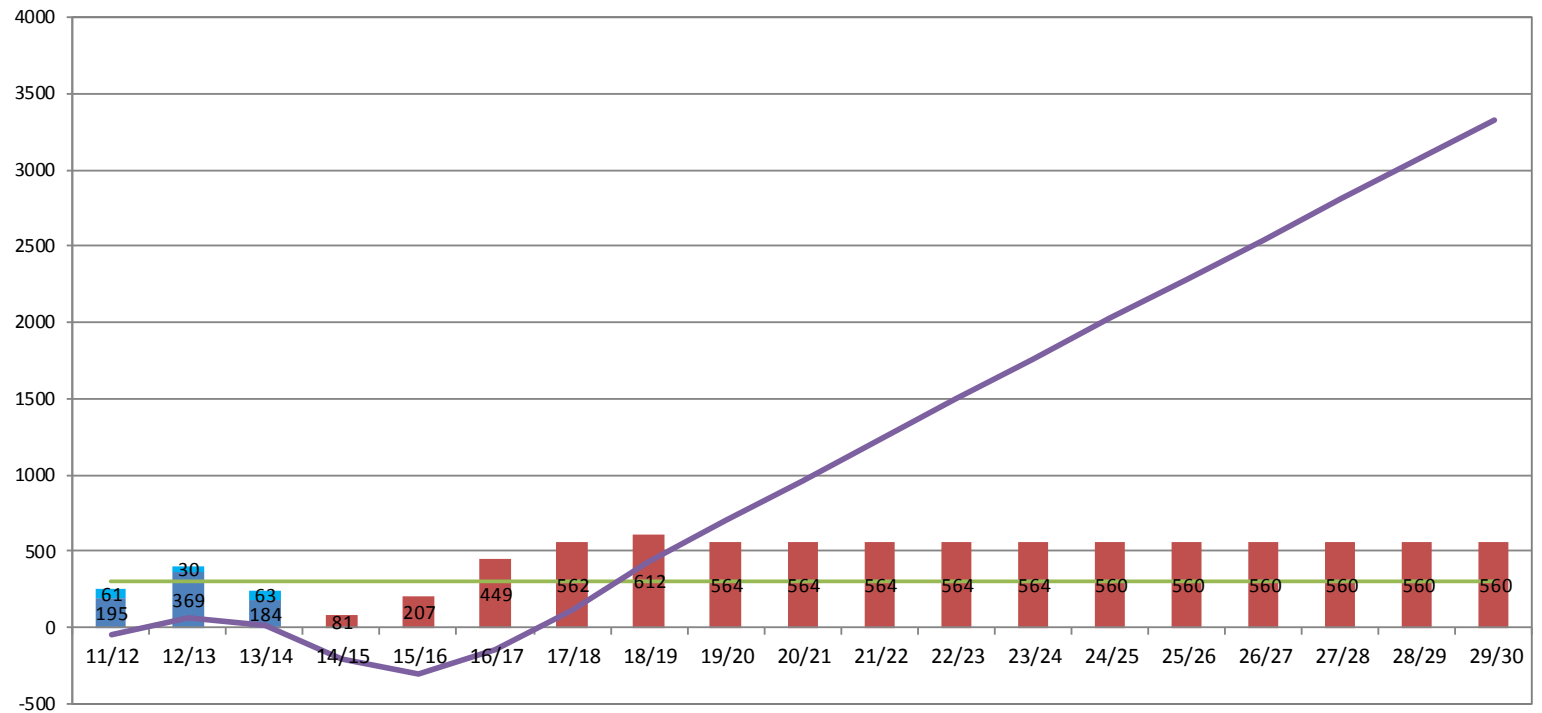
¹ Long-term empty homes are those that have been “unoccupied and substantially unfurnished” for a period of six months or more.

development later in the plan period have also been identified. The Council will continue to work closely with infrastructure providers particularly in relation to waste disposal, wastewater treatment, healthcare, education and transport to ensure that the relevant providers programme the necessary infrastructure provision into their future capital and fulfil their statutory obligations.

4. Housing Trajectory

- 4.1 The NPPF requires that local planning authorities “should illustrate the expected rate of housing delivery through a housing trajectory for the plan period” (paragraph 47, fourth bullet point).
- 4.2 Figure 4.1 sets out the housing trajectory for Pendle. It uses the findings of the Strategic Housing Land Availability Assessment (SHLAA) to establish the potential delivery position going forward. The capacity of each site identified in the SHLAA is based upon details provided in the most recent planning application; information supplied by the relevant developer; or an estimate of the likely number of dwellings that could be accommodated on a particular site when assessed against the most appropriate design template for that site.
- 4.3 The green line represents the annual requirement of new dwellings (298 per annum) necessary to deliver the overall housing requirement as defined in Policy LIV1 (i.e. 5,662 dwellings).
- 4.4 The blue columns represent actual delivery since the start of the plan period. The start date of the Plan has been set at 1st April 2011, as this reflects the base date for the growth scenarios in the Strategic Housing Market Assessment (SHMA). The dark blue section shows the number of long-term empty homes that have been brought back into use; whilst the light blue section shows the number of new dwellings completed. Both elements contribute towards meeting the overall housing requirement.
- 4.5 The red columns represent the potential number of dwellings to be delivered from sites identified in the SHLAA. It should be noted that these figures include sites that have been identified as being part of the longer-term additional supply. The SHLAA assumes that the constraints on these sites can be resolved. However, where these constraints cannot be overcome these sites will need to be removed from the supply.
- 4.6 The purple line shows the cumulative position with regard to actual delivery (blue columns) or potential future supply (red columns). It indicates that over the next 2-3 years the borough is likely to experience a period of under-delivery. This is because sites identified in the five-year housing land supply take time to come forward and be developed out. However, as economic conditions and the housing market gradually improve and more housing sites become economically viable, delivery rates are expected to improve.

Figure 4.1 Housing Trajectory



	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30
Annual Requirement	298	298	298	298	298	298	298	298	298	298	298	298	298	298	298	298	298	298	298
Empty Homes reoccupied	195	369	184																
New completions (net)	61	30	63																
Potential Supply/Completions - SHLAA				81	207	449	562	612	564	564	564	564	564	560	560	560	560	560	560
Cummulative over/under supply	-42	59	8	-209	-300	-149	115	429	695	961	1227	1493	1759	2021	2283	2545	2807	3069	3331

Start of housing needs
calculation. Pre-adoption.

Years 1-5

Years 6-15

5. Five-Year Housing Land Supply

- 5.1 The NPPF requires local planning authorities to “identify and update annually a supply of specific deliverable² sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land.” (paragraph 47, second bullet point).
- 5.2 The NPPF goes on to note that in areas where there has been a record of persistent under delivery of housing, this buffer should be increased to 20% to provide a realistic prospect of achieving the planned supply.
- 5.3 Prior to the onset of the economic recession, the delivery of new housing in Pendle regularly exceeded the planned housing requirement as established by the RSS (190 dwellings per annual). However, since 2008, the completion rate for new dwellings has fallen significantly and as a consequence the decision was taken to apply a 20% buffer on top of the housing requirement for Pendle.
- 5.4 The Strategic Housing Land Availability Assessment (SHLAA) establishes realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period. It also sets out the method used by the Council to calculate its five year housing requirement and subsequent supply (Table 5.1).
- 5.5 Table 5.1 shows that by counting newly completed dwellings and the reoccupation of long-term empty homes, the total number of dwellings provided between 2011/12 and 2013/14 is equivalent to 902 dwellings. This slightly exceeds the planned requirement of 894 dwellings. However, this has only been achieved through the significant progress made in reoccupying long-term vacant dwellings. So although the housing requirement has been met, the low completion rates of new dwellings in the last five years means that it is still necessary to apply the 20% buffer in the five year requirement calculation.
- 5.6 The projections within the housing trajectory demonstrate that the Council’s housing land supply is sufficient to meet and exceed the target for the five year period between 2014/2015 and 2018/2019 together with a 20% buffer to account for previous low delivery rates.

² Footnote 11 of the NPPF defines deliverability.

Table 5.1: Five Year Housing Land Supply

1	HOUSING REQUIREMENT		
A	Years in plan period (2011/12 - 2029/30)		19
B	Overall housing requirement		5,662
C	Annual housing requirement	C / A	298
2	PERFORMANCE TO DATE (2011/12-2013/14)		
D	Housing requirement	C x 3	894
E	Housing provision		902
	• New housing delivery		154
	• Reoccupation of long-term empty homes		748
F	Current position (against the housing requirement)	E – D	+8
3	FIVE YEAR REQUIREMENT (2014/15-2018/19)		
G	Five year requirement	C x 5	1,490
H	Five year requirement + 20% buffer	G + 20%	1,788
J	Five year requirement + 20% buffer - Delivery	H - F	1,780
4	FIVE YEAR SUPPLY (2014/15-2018/19)		
K	Dwellings on deliverable sites (SHLAA 0-5 years)		1,911
L	Number of years of supply	K / (J / 5)	5.4

6. Affordable Housing

- 6.1 The provision of affordable housing is an important part of the housing delivery strategy. The Burnley and Pendle Strategic Housing Market Assessment (SHMA) indicates that there is a substantial affordable need in Pendle and suggests that 40% of all new housing should be affordable.
- 6.2 Policy LIV4 establishes the site thresholds and targets for affordable housing delivery in different areas of the Borough. The main sources of supply will be:
- on- site provision of tenure blind affordable homes within private schemes of 11 or more units;
 - off-site provision using commuted sums payable by developers where on-site provision is neither practical nor viable; and
 - sites developed directly by registered providers offering 100% affordable housing.
- 6.3 The level of affordable housing delivered is also monitored annually and reported in the AMR. In an area where viability issues are a significant barrier to delivery, the Council continues to employ a wide range of actions to help maximise the provision of affordable housing, including:

- supporting funding bids by registered providers looking to develop affordable housing schemes in the Borough;
- facilitate the off-site provision of affordable housing in locations where a need exists, but where it would be unviable to require private developers to deliver affordable housing (Policy LIV4);
- selective release of Council owned land at discounted values to enable the delivery of additional affordable housing by registered providers; and
- pro-active engagement with the Homes and Communities Agency, registered providers and house builders to identify appropriate sites for affordable housing.

6.4 The number of affordable dwellings which will come forward from existing commitments form part of the overall housing trajectory. However, it is much more difficult to establish the likely amount of affordable housing which will be brought forward on sites which do not currently have planning permission. This is because of the current economic conditions and the potential viability issues associated with the provision of affordable housing on certain types of sites in Pendle. A separate affordable housing trajectory has not been provided at this stage. However, the AMR will continue to report on the delivery and planned provision of affordable housing.

7. Future Housing Provision and Delivery

7.1 The Core Strategy sets out how the housing requirement will be met and potential sources of supply. These sources are considered in greater detail below.

Existing Commitments

7.2 These are sites which have the benefit of an extant consent (i.e. planning permission has not expired). The dwellings may be under construction, or work on site may not have started. Such sites provide part of the current supply of housing land. As shown in Table 3.1 those sites in Pendle with an extant planning consent have an identified capacity of 980 dwellings.

Reduction of empty homes

7.3 In calculating the housing requirement for Pendle the high vacancy level (6.7%) was held constant. The Council's Empty Homes Strategy and Action Plan have brought about a significant reduction in the number of long-term empty homes since 2011. These are recognised as a legitimate source of supply in terms of meeting housing needs and are counted against the housing requirement. However, no allowance has been made for the reduction of empty homes going forward as there is currently no clear evidence as to how many additional long-term empty homes will be brought back into use over the plan period. The AMR will monitor any future change in empty homes (positive or negative) and this will be reflected in the updated housing requirement position.

Strategic Housing Site Allocation

- 7.4 The Core Strategy (Policy LIV2) allocates a Strategic Housing Site at Trough Laithe, Barrowford. It is estimated that this site will deliver around 500 new dwellings at a rate of 50 per annum (dpa). The strategic site makes a significant contribution to the borough's housing land supply and provides a level of certainty for delivery of the housing requirement.

Housing Site Allocations

- 7.5 Pendle Local Plan Part 2: Site Allocations and Development Policies will identify and allocate further sites for future housing development; sufficient to meet the remainder of the housing requirement. This will help to demonstrate that a five year supply of housing land can be maintained for the full plan period. The Core Strategy (Policy LIV1) also indicates that a number of 'reserve sites' may be allocated to help address the longer-term needs of the borough, by providing a degree of flexibility and a level of contingency.
- 7.6 Other Development Plan Documents (DPDs) in Pendle include the Bradley Area Action Plan DPD (2011). This has a key role to play in delivering new housing within an area that is in need of regeneration. The DPD has identified a number of new development opportunities and allocated sites for housing (including the Riverside Mills site) to help support planned growth within the area.

Strategic Housing Land Availability Assessment (SHLAA)

- 7.7 The SHLAA identifies those sites that are considered to have the potential to be developed for housing at some point in the future. In addition to those sites with an extant planning permission (see existing commitments above) it also identifies a range of sites that do not currently benefit from planning permission. These sites have been identified through a combination of desk bound research and local knowledge (e.g. public consultation through the call for sites process). Each site that was put forward has been carefully assessed and those considered to be suitable, either wholly or in part, for housing are identified in the SHLAA. The SHLAA will be updated annually in the AMR and a full review will be carried out as necessary.
- 7.8 Policy LIV1 looks to ensure the significant and early delivery of the housing requirement. It supports the development of non-allocated sites within a settlement boundary and until the adoption of the Site Allocations Plan, sustainable sites outside of a settlement boundary which make a positive contribution to the five year supply of housing land. This allows for sites identified in the SHLAA to be brought forward ahead of the allocation process in order to ensure an adequate supply of housing land is in place to meet the requirement.

Neighbourhood Plan Sites

- 7.9 A potential supply of land for housing will come from allocations made in any Neighbourhood Plans that come forward. The Town and Parish councils in Pendle will use the evidence base (e.g. the SHLAA) to help identify potential sites to allocate. They may also identify other sites for allocation through the consultation process and these would count towards the overall

housing requirement. There are currently no firm proposals for any Neighbourhood Plans in Pendle, although initial scoping work in two areas may lead to the production of such plans in the future.

Windfalls

- 7.10 It is not possible to identify and allocate all future housing land as some sites will come forward unexpectedly and on an ad hoc basis (e.g. former employment sites that may no longer be suited to modern business practices). Collectively these sites are referred to as 'windfalls'.
- 7.11 No allowance has been made in the Core Strategy for windfall sites. Although windfalls have provided a significant source of housing supply in the past, the comprehensive nature of the site identification work carried out in the preparation of the SHLAA means that windfalls are less likely to form a reliable source of supply going forward. Windfall developments will however continue to be counted against the housing requirement as they are identified.

Rural Exception Sites

- 7.12 Policy LIV4 allows for the development of Rural Exception Sites - small scale housing to address local needs (mainly affordable needs) on sites beyond the defined settlement boundaries of the rural service centres and rural villages identified in Policy SDP2.

Delivery Mechanisms

- 7.13 The total amount of housing to be delivered from different sources of supply is difficult to quantify at this stage. The preparation of the Local Plan Part 2: Site Allocations and Development Policies will provide greater certainty with regards to the delivery of the housing requirement. A further reduction in long-term empty homes and the provision of housing from additional windfall sites provides an element of flexibility in meeting the housing requirement should proposed allocations not come to fruition.
- 7.14 In addition to the potential sources of housing supply, the Council will also employ a range of pro-active measures to help ensure that the housing delivery targets established in the Core Strategy can be met:

Local Development Orders (LDOs)

- 7.15 LDOs grant planning permission for specific types of development within a defined area. They create certainty for developers and streamline the planning process by removing the need for developers to submit an application to the local planning authority. They entered the mainstream of planning policy in June 2014, when the government announced that it expected LDOs granting permission for new homes to be in place on more than 90% of

brownfield land suitable for new housing by 2020.³ This effectively amounts to the granting of outline planning permission.

- 7.16 Whilst LDOs require public consultation before they can be put in place this can be a relatively quick process, with the drafting of an order, consulting the public and notifying the Secretary of State taking as little as two months.

Self-build

- 7.17 The Government's *Right to Build* scheme is the latest in a range of measures to help those looking to build their own home. Pendle is one of eleven areas in the country selected to be at the forefront of the Government's efforts to help those looking to build their own homes. The Core Strategy indicates that the Council will continue to work with those people wishing to use self-build, custom-build and other local house building initiatives – these can make a small contribution to housing delivery. Policy LIV3 states that consideration will be given to applications which meet other needs where evidence can be provided. This would include self-build schemes and other future government initiatives.

Starter Homes Initiative

- 7.18 The Government introduced the Starter Homes Initiative in March 2015. It aims to provide young first time buyers with the opportunity to purchase a new home at below market value. In planning terms, the National Planning Practice Guidance sets out the Starter Homes exception site policy. This allows for applications to be made on under-used or unviable industrial and commercial land that has not currently been identified for housing. The NPPG contains further guidance on which sites can be considered as exception sites.
- 7.19 The Council will look to work with developers to identify opportunities for Starter Home exception sites. Such sites will come forward as windfall sites and will make a small contribution to meeting the housing requirement.

Brownfield Regeneration Fund

- 7.20 The Council has agreed, as part of its capital programme, to spend £1.5 million on priming Brownfield sites for development, making them attractive to prospective developers. This will help to bring back into use a number of Brownfield sites across the borough and make a small contribution to meeting the housing requirement.

Joint Venture Company

- 7.21 In response to a reduction in funding, Pendle Council set-up Pendle Enterprise and Regeneration Ltd. (PEARL) in 2007. The purpose of this joint venture with local developer Barnfield Construction is to reduce dependency on the public purse; deliver new homes and

³ An intermediate target of 50% by 2017 is proposed.

help renew the borough's Victorian housing stock. The innovative joint venture companies PEARL and PEARL2 have delivered a number of housing and other developments across the borough. Initially these focused on the regeneration areas associated with the Housing Market Renewal (HMR) initiative. Following the demise of the HMR initiative in 2010 and the consequent loss of government funding, PEARL2 has continued to deliver new housing developments in the borough.

- 7.22 Moving forward the Council will consider the disposal of further land within its ownership and explore the opportunities for the joint venture company to deliver housing on these sites.

Social Providers and the Homes and Communities Agency (HCA)

- 7.23 The Council will look to work with a wide range of social housing providers and HCA over the plan period to secure funding and help to provide additional affordable homes.
- 7.24 In particular, the Council will continue to work with Housing Pendle (part of the Together Housing group) and Great Places to identify opportunities to secure new and improved affordable housing across the borough.
- 7.25 The Affordable Homes Programme for 2015-2018 provides for a small number of new affordable homes funded by the HCA. At this stage it is unclear whether there will be similar funding programmes available in the future and it is therefore difficult to quantify the amount of affordable housing to be provided from such schemes.

8. Monitoring and Review

- 8.1 The Council will continue to employ the 'plan, monitor, manage' approach to ensure delivery of the housing requirement and that a rolling five year supply of deliverable sites is maintained.
- 8.2 Pendle Council has monitored housing starts, completions and demolitions at 31st March for a number of years. This information is used to determine the number of net additional dwellings delivered in the preceding 12 months and is published in the Council's Authority's Monitoring Report (AMR) together with an updated housing trajectory.
- 8.3 The monitoring process is also used to inform the scale of additional sites (if any) that need to be brought forward into the five year supply of deliverable housing sites. If the annual target for housing delivery is not being achieved, suitable sites from later phases of the plan period will be brought forward into the five year supply.
- 8.4 To assist this process the Core Strategy identifies a number of targets and indicators, to help assess the ongoing performance of individual policies. For Policy LIV1, which is concerned with the delivery of new housing, five key indicators have been identified:

HS01	Number of new homes completed (including trends over time) by: - Location.
HS02	Future predicted housing completions (based on the SHLAA update) and revised delivery targets.
HS03	Number of new dwellings granted planning permission and total number of dwellings with an extant planning consent by: -Location.
HS04	Number of new dwellings completed on PDL (including trends over time).
HS07	Total number of, and change in number of, empty homes (Long-term vacancies) (over 6 months) and overall number of vacancies) by area: - Borough-wide, - Spatial Area, - Settlements, - Bradley AAP area, - Railway Street area, - Canal Corridor area.

- 8.5 Policy LIV1 also establishes a series of trigger points, which will be used to determine whether the policy is being implemented effectively:
- Less than 1,500 dwellings have been delivered by 2020
 - Less than 2,800 dwellings have been delivered by 2025
 - The long term vacancy rate is higher than the national average in 2020 and 2025.
- 8.6 Should monitoring reveal that housing delivery is not as expected early in the plan period, the Council will pro-actively seek to unlock any barriers to development (policy and/or physical).
- 8.7 The Council will continue to actively engage with developers and registered providers to help drive forward affordable housing delivery in the borough.

9. Risk and Contingency

- 9.1 Identifying potential risks to the delivery of new housing is important to ensure that adequate contingency measures can be put in place.
- 9.2 The Monitoring and Delivery schedule in Policy LIV1 highlights the following potential risks:
- The continuing effects of the recession;
 - The availability of finance for developers;
 - The identification of sufficient viable sites to meet the five year requirement;
 - The availability of finance for buyers reduces the demand for new housing leading to developers reducing delivery rates;
 - Failure to deliver the Strategic Housing Site.
- 9.3 A number of contingencies have also been identified to take account of these potential risks:
- Working with developers / partners (e.g. social housing providers, the HCA, PEARL2) to help remove barriers to development (e.g. renegotiating contributions, helping to identify funding opportunities);
 - Review the SHLAA to help identify additional deliverable sites;
 - The allocation of additional / reserved sites in the Local Plan Part 2: Site Allocations and Development Policies;
 - Consider an early review of the plan.
- 9.4 The health of the economy and the strength of the housing market will be a major factor in the supply of housing throughout the plan period. The economic downturn had a pronounced

effect on the delivery of housing in Pendle. This was largely due to volume house builders having increased risk aversion; concerns about the viability of brownfield sites and restricted access to finance. Caution on the part of financial institutions also reduced the ability of house buyers to access mortgages. There are early signs that low interest rates, improving consumer confidence and Government schemes such as 'Help to Buy' are beginning to increase demand for housing.

- 9.5 Whilst the housing market may be showing signs of recovery at a national level, net housing completions within Pendle remain well below their pre-recession numbers. In part, this reflects the fact that a number of planning permissions have lapsed or were not renewed in recent years, whilst other housing sites are being built-out at slower rates. It is also a reflection of the difficult economic conditions that are still being experienced in Pendle, particularly in relation to the viability of sites.
- 9.6 It is anticipated that completions will start to increase from 2016/17 onwards, as housing development regains its momentum and confidence is restored to the market. However, should the market experience a relapse, this would have a detrimental impact on completion rates and there would be limited interventions that the Council could make to improve the situation.
- 9.7 Continued dialogue between the Council, landowners and developers will be vital to help ensure that allocated sites are capable of being delivered in accordance with the Council's housing trajectory.
- 9.8 However, in the period between adopting the Core Strategy and preparing the Site Allocations Plan there remains a risk that some of the sites identified in the housing trajectory may not come forward as anticipated. This is particularly true for sites that do not yet have planning permission. The SHLAA makes an assessment of the likelihood of these sites coming forward for development, with each site assessed against the findings of the Development Viability Study (2013) to demonstrate their likely viability and deliverability.

10. Conclusion

- 10.1 This Housing Implementation Strategy shows that the Council is committed to ensuring that there is sufficient land available to meet the planned housing requirement of 5,662 dwellings over the 19 year period from 2011-2030.
- 10.2 The SHLAA demonstrates that there is more than sufficient land available to meet the overall requirement. This evidence will be used in the preparation of the Local Plan Part 2: Site Allocations and Development Policies to allocate a range of sites to meet the remainder of the housing requirement, once completions and existing commitments have been taken into account.

- 10.3 In addition, and in order to ensure flexibility in meeting the requirement, the Core Strategy allows for the development of additional sites where they are sustainable and make a positive contribution to the five year supply.
- 10.4 Small sites are likely to continue to make a contribution to local housing delivery, along with a small number of additional windfall sites. The temporary change of permitted development rights to allow changes of use from office to residential will also play a role in new housing provision. These sources of supply provide some contingency in the event that larger allocated sites do not come to fruition.
- 10.5 The main risk to housing delivery in Pendle is the continued impact of the economic recession, and how this continues to impact upon financial institutions, the construction industry and the local housing market. Of particular concern is the area's ability to offer sites for housing that are both attractive to the market and economically viable for developers to bring forward.
- 10.6 The AMR will be used to update the housing delivery position on an annual basis and show performance against the housing requirement. It will include an update of the housing trajectory to compare actual delivery against planned housing targets. It will also update the SHLAA, the findings of which will be used to demonstrate the five year land supply position.

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آپ کے لئے زیادہ مفید ہو تو برائے مہربانی ہمیں ٹیلیفون کریں۔

