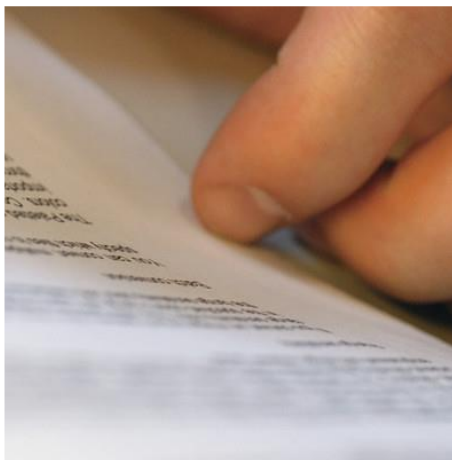
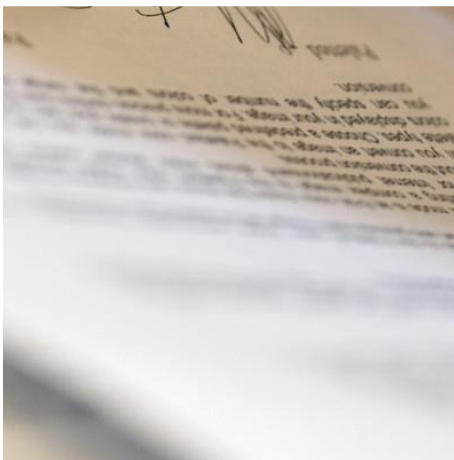
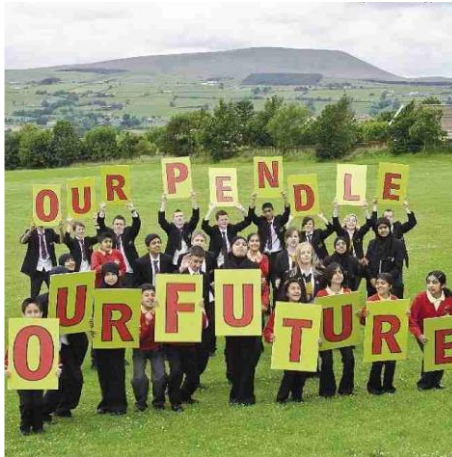


Preparing a Local Plan for Pendle



Core Strategy
Schedule of
Main Modifications
Policy ENV3



Issued: 7th August 2015

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:

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Priory Court
Burnley
Lancashire
BB11 3RH

Tel: 01282 450 522

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1. Main Modifications

- 1.1 On 18th June 2015, Greg Clark, the Secretary of State for Communities & Local Government published a Written Ministerial Statement announcing changes to the Government's Planning Practice Guidance for onshore wind turbine development. As a consequence Policy ENV3 of the Pendle Core Strategy, although not specifically referring to wind energy, is no longer considered consistent with national policy.
- 1.2 This Schedule of Main Modifications contains details of the changes that Pendle Council proposes to make to the submitted Core Strategy (see Appendix 1) to ensure that it is both legally compliant and sound. Planning Inspector Mr. Mark Dakeyne BA (Hons) MRTPI, has requested that these proposed modifications be made available for public comment, before he issues his final report.
- 1.3 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 7th August 2015

CLOSE: 5:00pm on Friday 18th September 2015

- 1.4 A copy of the Schedule of Main Modification (Policy ENV3) is available to view or download from the Council's website at www.pendle.gov.uk/examination. A reference copy is also available to view at Number One Market Street in Nelson, and at public libraries and council shops throughout Pendle during their normal opening hours.
- 1.5 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.
- 1.6 Your representation should ONLY address Main Modifications included in Appendix 1 of this document (i.e. MM095-MM098 inclusive); as the Core Strategy and all other Main Modifications have already been considered by the Inspector. Your comments should focus on why the proposed modifications, as worded, are not considered to be sound or legally compliant. Where possible you should also supply an alternative form of wording that would help to overcome your objection. Any comments NOT directly related to Main Modifications MM095-MM098, or any unsolicited information and evidence not requested by the Planning Inspector, may be returned.
- 1.7 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

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.

2. Strikethrough Version of Policy ENV3

- 2.1 In addition, a strikethrough version of Policy ENV3 has been prepared so that it is easier to appreciate what the final version of the Core Strategy (incorporating all modifications) may look like.
- 2.2 The strikethrough version does NOT form part of the public consultation, but is available for inspection as a separate document on the Council's website, and at Nelson Town Hall.

3. What Happens Next?

- 3.1 Following the conclusion of the public consultation, the Inspector will carefully consider all the representations received.
- 3.2 The Council expects to receive the final Inspector's Report in September. We will notify interested parties upon receipt of the report and publish a copy on the Council's website.
- 3.3 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.

4. About the Schedule

- 4.1 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.
- 4.2 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 (MM095-MM098)

Pendle Local Plan Part 1: Core Strategy – Examination

Main Modifications: MM095-MM098: Policy ENV3 – Renewable and Low Carbon Energy

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 arising from a request by the Inspector to consider the implications for Policy ENV3 of the of the Written Ministerial Statement (WMS) addressing onshore wind turbine development dated 18th June 2015 (HCWS42) and the corresponding changes to the Government’s Planning Practice Guidance (PPG).

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
Chapter 8 – Our Foundations for a Sustainable Future: Improving the Environment We Live In					
MM095		8.83	M	Insert the following text after paragraph 8.83: <u>“The Government has introduced changes to the procedures for determining wind energy applications. These require the identification of suitable areas for wind turbine developments and evidence that they have the backing of the local community.”</u>	A consequential amendment arising from MM098 , to make Policy ENV3 consistent with the updated national planning policy stance on wind energy development.
MM096		8.86	M	Delete paragraph 8.86: “The study concludes that to achieve such will require a significant amount of commercial wind development. Maps plotting local wind speeds, but excluding areas where there are known constraints, identify broad areas in the north and east of the borough where commercial scale wind developments may be feasible. The study sees a smaller role for biomass, small scale wind, solar pv and hydropower to contribute towards the RLC mix for generating electricity. In terms of generating heat from RLC sources, it identifies that there is potential for solar hot water heating and for ground source heat pumps, particularly in new developments and rural areas without mains gas connections. The study also considers the role of on-site RLC energy generation, identifying this as an area which can be directly influenced by planning policy and the granting of planning permission, more so perhaps than stand alone energy developments.”	A consequential amendment arising from MM098 , to make Policy ENV3 consistent with the updated national planning policy stance on wind energy development.

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
MM097		8.90	M	<p>Amend paragraph 8.90 to read: “No blanket restrictions will be placed on the use of specific RLC technologies in the borough, in order to encourage the use of the most appropriate technology following careful consideration of all known constraints including landscape sensitivity and residential amenity. <u>For wind energy development it will be necessary to define suitable areas which have community support.</u></p> <p>The use of less intrusive technologies such as ground and air source heat pumps can reduce visual impacts in areas of high sensitivity such as the Forest of Bowland AONB and conservation areas in comparison to other RLC technologies. Building mounted technologies such as solar panels should respect the architectural merits of a building, particularly on Listed Buildings or in areas designated for the value of their landscape or built heritage. Small-scale technologies can play an important role in serving isolated, 'off-grid' properties where mains gas or electricity is not readily available and occupants have previously been restricted to the use of expensive, and finite fossil fuels to power boilers. By providing a greener and cheaper source of energy they can also help to reduce fuel poverty, particularly in rural areas. Many small scale renewable technologies are now allowed under permitted development rights; the Design Principles SPD gives further guidance.”</p>	A consequential amendment arising from MM098 , to make Policy ENV3 consistent with the updated national planning policy stance on wind energy development.
MM098		Policy ENV3	M	<p>Amend Policy ENV3 to read: “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> By supporting a mix of appropriate schemes the Council will aim to achieve the following generation figures by 2020¹:</p> <ul style="list-style-type: none"> • 15.4 MW of electricity • 11.8 MW of heat <p><u>Applications for the installation of wind turbines will be assessed against national planning policy. For all other Renewable and Low Carbon technologies, the Council will support proposals for all RLC technologies where the proposal is that are of an appropriate scale for its <u>their</u> setting, and where the development will not 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. • <u>A recognised designation (Policy ENV1);</u> 	A response to the Written Ministerial Statement on wind energy development; to ensure that Policy ENV3 is consistent with national planning policy.

Modification Number	Page	Paragraph/ Policy	Mod type (M/A)	Change	Reason for change
				<ul style="list-style-type: none"> • <u>The landscape and visual character of an area, either on its own or cumulatively;</u> • <u>Ecological, biodiversity or geodiversity assets;</u> • <u>Heritage assets and their settings (including archaeological remains);</u> • <u>Residential amenity.</u> <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>¹These are not fixed ‘targets’ but a positive generation aim. There are no minimum or ceiling figures set for individual or collective technologies.</p>	

Strategic Services
Planning, Building Control & Licencing
Pendle Council
Town Hall
Market Street
Nelson
Lancashire
BB9 7LG

Tel: 01282 661330
Fax: 01282 661630
Email ldf@pendle.gov.uk
Website: www.pendle.gov.uk/planning



If you would like this information in a way which is better for you, please telephone us.

اگر آپ یہ معلومات کسی ایسی شکل میں چاہتے ہیں، جو کہ آپ کے لئے زیادہ مفید ہو تو برائے مہربانی ہمیں ٹیلیفون کریں۔

