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c/o Yvonne Parker
Programme Officer
Pendle Core Strategy Examination
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Date: Monday 10th August 2015
Our ref:
Your ref:
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Dear Inspector,

Pendle Core Strategy Examination – Council Response to Consultation
Comments on the Main Modifications

At the close of the public consultation on the Main Modifications on Friday 17th July 2015, the Council had received a total of 31 formal representations. These contained a total of 128 valid comments and 11 which made reference to the content of the Core Strategy rather than the Main Modifications and were not considered duly made.

Officers have now given careful consideration to these comments and where appropriate have provided a response highlighting the Council's position. A full schedule of the comments and the Council's response is attached to this letter for your consideration. The schedule also contains the comments which were not duly made for your information.

The Council has now proceeded with the additional public consultation on the Main Modifications relating to Policy ENV3, in response to the changing national policy stance relating to onshore wind turbine development. This consultation is due to close on Friday 18th September 2015. Any comments received, and the Council's response to these comments, will be sent to you as soon as practicable following the close of the consultation.

In the meantime if you require any clarification or further information regarding the Main Modifications consultation comments and responses, please do not hesitate to contact me.

Yours faithfully,

Jonathan Dicken
Senior Planning Officer (Policy)



Pendle Local Plan Part 1: Core Strategy – Examination

Main Modification Consultation – Comments

Comment ID	Representor ID	Organisation / Representor	Modification Number	Paragraph/ Policy	Comments	Officer / Council Response
MC001	907643	Highways England Mr Warren Hilton	-	-	<p>Thank you for contacting Highways England to make us aware of the proposed main modifications to the Pendle Core Strategy Development Plan.</p> <p>Having read through the proposed modifications, there are no specific issues that we feel that we would need to comment on over and above our previous comments as part of the Pendle Core Strategy Development Plan process.</p>	No comment.
MC002	807418	Environment Agency Mr Dave Hortin	-	-	<p>Thank you for consulting us on the above, received on 29 May 2015. We have reviewed the Schedule of Main Modifications and have no further comments to make as the proposed changes are outside our remit.</p>	No comment.
MC003	711527	Office of Rail and Road Ms Anneli Harrison	-	-	<p>Thank you for your e-mail of 29.5.15 in regard to the Public Consultation to consider the proposed main modifications to the Pendle Core Strategy Development Plan Document.</p> <p>We have reviewed your documents and can confirm that the ORR has no representations to make relating to the legal compliance and soundness of the main modifications.</p>	No comment.
MC004	327370	National Trust Mr Alan Hubbard	-	-	<p>Thank you for your letter dated 28th May 2015 notifying National Trust of the above consultation.</p> <p>Having reviewed the relevant Schedule setting out the Main Modifications I can advise you that National Trust does not wish to make any representations at this stage.</p>	No comment.
MC005	327801	Ribble Valley Borough Council Mr Phil Dagnall	-	-	<p>The Council wishes to thank Pendle Borough Council for the opportunity to comment on the Main Modifications to the Core Strategy. Having examined the document the Council has no comments to make. We look forward to further liaison regarding future planning policy documents.</p>	No comment.
MC006	379222	The Coal Authority Miss Rachael A. Bust	-	-	<p>Thank you for consulting The Coal Authority on the above document.</p> <p>Having reviewed the document, I confirm that we have no specific comments to make at this stage.</p>	No comment.
MC007	731431	Historic England Ms Emily Hrycan	-	-	<p>Thank you for consulting Historic England about the proposed main modifications to the Pendle Core Strategy. Historic England has no</p>	No comment.

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					comments to make on the schedule.	
MC008	817556 712277	David Lock Associates Mr David Keene On behalf of: Rolls-Royce PLC	-	-	<p>David Lock Associates (DLA) are pleased to respond to the Local Plan for Pendle: Core Strategy Main Modifications Consultation on behalf of Rolls-Royce plc (Rolls-Royce).</p> <p>You will be aware that DLA have previously made representations on behalf of Rolls-Royce in relation to both the Further Options Stage of the Core Strategy (February 2014) and the Pre-Submission Report (November 2014). Rolls-Royce welcome this next stage of consultation following the close of the Examination Hearing Sessions in April 2015.</p> <p>We are aware that as per the previous round of consultation that this stage only invites responses in relation to the Soundness and Legal compliance of those parts of the Plan which are proposed to be modified. In accordance with Paragraph 182 of the NPPF, the aim of these tests are to determine whether the Plan has been positively prepared, is justified and effective, and is consistent with National Policy.</p> <p>In reviewing the proposed modifications, we are content that the proposed modifications do not affect the Soundness or Legal Compliance of the Plan and it continues to satisfy the relevant tests. It is not considered that the modifications affect the ability of the plan to deliver its overall strategic vision and objectives which Rolls-Royce continue to support.</p> <p>The clarity and conciseness that is proposed to be introduced to a number of the policies as modifications is welcomed; it is noted that this will assist in the clear understanding and implementation of the Core Strategy policies once adopted.</p> <p>Rolls-Royce are pleased to note that there are no changes proposed which would undermine their role as a major employer in Pendle. The Core Strategy continues to recognise the importance of their site at Barnoldswick, supports its growth and recognises the need for future investment. Rolls-Royce continue to feel strongly that the protection of existing and thriving employers in the borough will be key to ensuring the effectiveness of the Plan.</p> <p>Next Steps It is noted that following this round of consultation the Inspector will</p>	<p>No comment.</p> <p>Expresses support for the plan.</p>

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					<p>again, carefully consider all representations that have been submitted for all stages of the plan preparation and then issue his final report to the Council. Rolls-Royce request that once the report is published that they be notified, so that the report and the final recommendations can be reviewed.</p> <p>The adoption of the Core Strategy will be a significant milestone for Pendle and Rolls-Royce continue to support the Council in the positive steps they have taken in progressing the plan, and working collaboratively with key stakeholders and the community to create a robust, but flexible and responsive plan. In order to ensure that this is carried through to the next stage of plan development Rolls-Royce reiterate that they wish to be kept informed of any progress made on the preparation of the Local Plan Part 2 Site Allocations and Development Plan policies document. The Local Plan Part 2 is likely to have implications for any future development proposal that Rolls-Royce wish to bring forwards, particularly as indicated in previous reps in relation to parking provision.</p> <p>Conclusions Rolls-Royce do not wish to challenge the Council on the soundness of the Proposed Main Modifications they simply wish to reiterate their support to the Council in the work that has been undertaken to date, highlighting their continued desire to see a flexible but robust planning policy document which serves to support growth and investment in Pendle.</p> <p>Rolls-Royce thank the Inspector for reviewing this and previous representations that have been made, and taking on board their concerns.</p>	
MC009	674995	Network Rail Ms Diane Clarke	-	-	Network Rail has no comment to make.	No comment.
MC010	606619	National Federation of Gypsy Liaison Groups A. R. Yarwood	MM055	Policy LIV3	In regard to main modification MM055, it should be noted that the criteria will be applied to applications for Traveller sites irrespective of need. The policy will otherwise remain non-compliant with national planning policy as set out in Planning Policy for Traveller Sites (paragraph 10).	It appears that the National Federation of Gypsy Liaison Groups is in agreement with the Council that the criteria should be applied to all applications for Traveller sites regardless of need.
MC011	838056	North Yorkshire County Council Mr Mark	-	-	<p>Thank you for consulting North Yorkshire County Council on the proposed main modifications to the Pendle Core Strategy.</p> <p>As an officer's response, from a strategic planning perspective, the</p>	No comment.

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		Rushworth			proposed main modifications to the Core Strategy do not raise any significant cross boundary issues. Therefore, it is not consider necessary for North Yorkshire County Council to make any formal submission on the proposed main modifications.	
MC012	817541 714054	Dickman Associated Ltd Ms Jane Dickman On behalf of: Trustees of the Green Emmott Trust	General comment.		<p>We have previously made representations to the various stages of the Core Strategy on behalf of our clients, the Trustees of the Green Emmott Trust. We have now read through the main modifications proposed following the Core Strategy Examination in Public. Whilst these address a number of the issues we raised in our representations, and we welcome these, there are still some areas of concern and inconsistency of approach.</p> <p>We now add further comments in response to your latest consultation on the Pendle Core Strategy and the Pendle Housing Implementation Strategy modifications. The numbering used for reference refers to the numbers in the Main Modifications. Any suggested alternative wording is shown in red.</p>	No comment.
MC013	817541 714054	Dickman Associated Ltd Ms Jane Dickman On behalf of: Trustees of the Green Emmott Trust	MM001	7.4 Spatial Strategy	<p>Elsewhere in the Main Modifications any reference to 'next 15 years' has been changed to 'the plan period 2011-2030'. For consistency para 7.4 and Spatial Strategy should likewise be updated.</p> <p>Reword required to be consistent with other main modifications and NPPF.</p>	<p>This comment relates to the Additional Modifications AM001-AM003.</p> <p>For consistency paragraph 7.4 and the Spatial Strategy should be amended to reflect the Additional Modifications.</p>
MC014	817541 714054	Dickman Associated Ltd Ms Jane Dickman On behalf of: Trustees of the Green Emmott Trust	MM001	Spatial Strategy	<p>In the sub section for 'Rural Pendle' is says: <i>'The defined settlements in Rural Pendle will see limited growth, whilst development in the open countryside will be restricted, especially in those areas designated as Green Belt or AONB.'</i></p> <p>This needs to be updated in line with the proposed revisions in SDP1, SDP2 and paras 7.23 and 7.25 all of which now follow the NPPF presumption in favour of sustainable development and enable limited infill in sustainable locations even outside the defined settlement boundary on greenfield and open countryside. Such as noted in the modification proposed in SDP2: <i>'Where Greenfield land is required for new development, such sites should be in a sustainable location and well related to an existing settlement.'</i></p> <p>Reword required to be consistent with other main modifications and NPPF.</p>	<p>The Spatial Strategy continues to reflect the Council's priority to protect the open countryside. The NPPF is clear that planning should <i>"take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it."</i></p> <p>The Spatial Strategy will not stop development in Rural Pendle where it is shown to be sustainable. It does however recognise that Pendle is made up of different places and that the levels</p>

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						<p>of development directed to those places should be proportionate to their role and function. This has been reinforced by Main Modification MM059.</p> <p>The Council does not support the proposed change.</p>
MC015	817541 714054	Dickman Associated Ltd Ms Jane Dickman On behalf of: Trustees of the Green Emmott Trust	MM001	Policy SDP1	Rewording and additional paragraph that has been inserted are welcomed.	Expresses support for the modification.
MC016	817541 714054	Dickman Associated Ltd Ms Jane Dickman On behalf of: Trustees of the Green Emmott Trust	MM083	7.23	<p>The new sentence which has been added <i>'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.'</i></p> <p>For consistency needs to go in to say what happens in the interim or to cross reference to new para 10.39 (MM086)</p>	<p>Policy SDP2 relates to all development not just housing. The Core Strategy should be read as a whole and it is unnecessary to cross reference to paragraph 10.39.</p> <p>The Council does not support the proposed change.</p>
MC017	817541 714054	Dickman Associated Ltd Ms Jane Dickman On behalf of: Trustees of the Green Emmott Trust	MM083	7.25	Amended as proposed as welcomed.	Expresses support for the modification.
MC018	817541 714054	Dickman Associated Ltd Ms Jane Dickman On behalf of: Trustees of the Green Emmott Trust	MM059	Policy SDP2	<p>The additional sentence at the end of this policy is welcomed as is the removal of a sequential approach. However with the main modifications now proposed to policies LIV1, LIV2, LIV4 and LIV5 again for consistency we suggest that in the definition of Rural Villages in SDP2 this should include for market housing not just housing for local needs and should this be amended to read:</p> <p>'Rural Villages: these settlements will accommodate an appropriate housing mix that enables viable sustainable development including market and affordable homes.'</p>	<p>Policy SDP2 relates to all development not just housing. As such it is not considered appropriate to make specific reference to housing in this policy.</p> <p>The wording states that Rural Villages will accommodate development <u>primarily</u> to meet local needs – it does not state that it is exclusively to meet local needs. Local needs may also include market housing as well as</p>

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						affordable housing. The Council does not support the proposed change.
MC019	817541 714054	Dickman Associated Ltd Ms Jane Dickman On behalf of: Trustees of the Green Emmott Trust	MM086	10.39	The additional wording states: <i>'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.'</i> Which explains how the interim period will work to ensure the 5 year Housing Land Supply is maintained by using sites identified and shown by the SHLAA to be sustainable is welcomed: There needs to be a cross reference to para 7.23 for consistency.	Paragraph 7.23 already includes a reference to the fact that other policies in the Core Strategy identify when development in the open countryside will be permitted and is part of a policy which deals with all types of development, not just housing. The Council does not support the proposed change.
MC020	817541 714054	Dickman Associated Ltd Ms Jane Dickman On behalf of: Trustees of the Green Emmott Trust	MM065	Policy LIV1	Clarification that 5662 dwellings over the plan period is a minimum is welcomed. However is the new section inserted into the policy we would suggested the following minor word amendment: <i>'And until such time that the Council formerly adopts the Pendle Local Plan Part 2: Site Allocations and Development Policies.'</i>	Adoption is a formal process, so the proposed change is considered to be unnecessary. The Council does not support the proposed change.
MC021	817541 714054	Dickman Associated Ltd Ms Jane Dickman On behalf of: Trustees of the Green Emmott Trust	MM075	Policy LIV2	Like LIV4 and for consistency should enable for either on site or off site contributions to affordable housing, As the strategic housing site and the largest greenfield site in the borough and north of the M65 corridor, an area identified as one of the higher value areas, then there is an extremely high probability that such a site can offer at least 20% affordable without eroding viability.	The policy requires affordable housing to be provided on-site in order to ensure the development of mixed and sustainable communities.
MC022	817541 714054	Dickman Associated Ltd Ms Jane Dickman On behalf of: Trustees of the Green Emmott Trust	MM093/ MM066	10.118	Which states: <i>'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.'</i> In Policy LIV4 it would be stronger to show revised affordable percentage targets which include affordable housing in the M65 Corridor North area to be consistent with other identified high value areas of the borough such as Rural Pendle. So whilst we welcome the downward modified targets for Rural Pendle on percentages of affordable all the other high value areas of the borough should make a percentage contribution to	The figures in Policy LIV4 are taken from the recommendations set out in the Development Viability Study (DVS). The DVS does not recommend a difference in the percentage of affordable housing to be provided in the M65 Corridor North compared to the M65 Corridor. Following discussions at the Examination Hearing Sessions it was agreed that Policy LIV4 should reflect the recommendations set out in the DVS. The revised policy text includes a

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					<p>affordable and then all be reviewed within 3 years of plan adoption. So say in M65 Corridor north this could be 5% for sites for 11-14 units and 20% for sites of 15+ units which would then also be consistent with the 20% on the strategic housing site.</p> <p>Other parts of revised Policy LIV4 still give us cause for concern. In the section headed 'on site/off site' section 2(i) which states: <i>'provide the affordable housing on an alternative site within the same settlement as the proposed development;'</i> only works if the developer owns other land in the settlement or the Council provide such a site in the settlement.</p> <p>In the 'Rural Needs' section of policy LIV4 the reworded section needs further clarity: <i>'On sites which are identified as sustainable and suited for development in the SHLAA rural affordable housing should be provided in line with Table LIV4a and Policy SDP3 enabling a mix of market and affordable housing.'</i></p> <p><i>Where there are no identified sites available within or adjacent to the chosen rural settlement, consideration will be given to developing further 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: the specific local needs the proposed development will address and; how any potential impacts on the environment can be avoided or adequately mitigated, having regard to the requirements of Policies ENV1 and ENV2. In some instances, to enable the delivery of the affordable housing, an element of market housing may also be permitted.'</i> We welcome the removal of the requirement for viability retesting after 2 years.</p>	<p>commitment to review these figures and the policy, in order to reflect future changes in the viability evidence base.</p> <p>The Council does not support the proposed changes to the affordable housing targets.</p> <p>---</p> <p>The policy allows for the provision of a financial contribution towards the cost of off-site provision, if there is no alternative site within the same settlement. This is a flexible approach to the provision of affordable housing.</p> <p>In terms of rural needs – this part of the policy is referring to the provision of 'rural exception sites.' These are required where there is a specific need to provide rural affordable housing and there are no suitable sites available within the settlement boundary. The provision of market housing on such sites may be permitted to allow the affordable housing to be provided.</p> <p>The Council does not support the proposed changes.</p>
MC023	817541 714054	Dickman Associated Ltd Ms Jane Dickman On behalf of: Trustees of the Green Emmott Trust			<p>Dwelling type and size and density levels all have an impact on viability thus proposing lower densities in Rural Pendle may impact on viability especially when combined with a 20% affordable requirement.</p>	<p>This comment does not relate to a particular Main Modification. However, it should be noted that Policy LIV5 (under the Rural Pendle heading) states that lower densities "<u>may</u> be appropriate" rather than "<u>will</u> be". The Council considers that there is sufficient flexibility within the policy to allow</p>

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						proposals to respond to individual circumstances.
MC024	619588	Friends of the Earth Ms Jane Wood			<p>Having read this document and the responses printed in an additional document to the strategy it would seem that the inspector has not responded to the concerns of those organisations and individuals who commented on Pendle Core Strategy before it was submitted to the secretary of state in late 2014.</p> <p>Residents have commented to me that they found the consultation process complicated and responding to the different parts of the document is difficult too particularly for those with no access to email. I was particularly concerned that parts of the modifications have been crossed out so that in some cases statements became less precise.</p>	<p>The Inspector has not yet produced his report, which will deal with the soundness of the plan.</p> <p>The Main Modifications, which were the subject of the recent public consultation, were put forward by the Council to reflect the outcome of discussions at the Hearing Sessions and to reflect requests made by the Inspector.</p> <p>In terms of the consultation process – both the Main Modifications report and the strike-through version of the Core Strategy have been produced in the standard format for such documents.</p> <p>The strike-through version of the Core Strategy is not a required document, but was specifically prepared by the Council to show how the suggested modifications would affect the plan and their implications for each policy.</p>
MC025	619588	Friends of the Earth Ms Jane Wood	MM075		<p>Affordable Housing should be 20% of the properties built yet developers only have to do this if 'viable', The changes in the planning laws have not helped local communities but made it easier for developers as can be seen only too clearly in the Ribble Valley where houses have been built on green field sites despite serious local opposition. New housing should not be built on greenbelt land but on brownfield sites. Why is not more money available to clean these sites so this can be achieved. It states that a 40% target for affordable housing can be considered as a longer term aspiration yet people are desperate for this type of housing now.</p>	<p>The National Planning Policy Framework requires local planning authorities to pay careful attention to viability and costs in plan-making and decision taking. This means that the in setting the affordable housing targets the plan has to be flexible enough to respond to future changes in economic conditions. To a large extent the availability of funding to help remediate Brownfield sites rests with the government, although Pendle Council has made a modest amount available in the form of a Brownfield Fund.</p>

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						The provision of more affordable housing in Pendle can only be achieved if the viability of development sites improves or alternative sources of funding become available from government bodies such as the Homes and Communities Agency.
MC026	619588	Friends of the Earth Ms Jane Wood	MM079		Greenbelt land – Many who took part in the consultation objected to greenbelt land being released next to Lomeshaye industrial estate for industrial use. Why cannot prospective companies use one of the 139 empty industrial units that there are in Pendle. The site at Trough Laithe Barrowford has been opposed by local residents yet it is proposed that this go ahead because it is a strategic housing site. The impact on already overstretched local services will have serious consequences.	The need for the strategic site allocations at Lomeshaye and Trough Laithe is set out in the evidence base documents (CD/05/02 and CD/04/04 respectively) and was also discussed at the Examination Hearing Sessions.
MC027	378754	Lancashire County Council Mr Marcus Hudson	MM061		<p>Thank you for inviting comments on the above consultation. The Masterplan has been assessed with regard to Lancashire County Council's plans, priorities, Planning Policy and other material considerations and specialist advice. In this regard I offer the following comments:</p> <p>Modification MM061 appears to be flawed, or at least not in its optimum form.</p> <p>i) The reference to the Historic Environment Record should be added back in as a key source of information (NPPF paragraphs 128, 169).</p> <p>ii) The historic elements that make a particular contribution to Pendle should also include:</p> <ol style="list-style-type: none"> Prehistoric and Romano-British settlement of this part of the South Pennines (some examples of which, including Castercliffe and Bomber Camp are Scheduled Monuments). The remains of limestone hushing (hydraulic mining for limestone from boulder clay). As far as can be ascertained this is a particular Lancashire Activity, limited to the Boulsworth/Hameldon/Worsthorne areas of Pendle and Burnley. <p>I trust that the suggestions and representation raised in this response are useful.</p> <p>Finally, I look forward to continuing our close working on the Pendle Local Plan.</p>	<p>The reference to the Historic Environment Record was removed to address a representation submitted by Historic England. However, the Council considers that reference to the Historic Environment Record (HER) could be usefully included in the second bullet point of the section headed 'Development proposals should' under the 'Historic environment and built heritage' section of Policy ENV1.</p> <p>The Council would recommend the following wording: <i>"demonstrate an understanding of the significance of the historic environment including the landscape and townscape character. Applicants should refer to <u>the Historic Environment Record</u> and relevant local evidence sources such as...."</i></p> <p>A reference to the Historic Environment Record should also be included in the Key Linkages part of the Monitoring and Delivery framework that follows the policy text.</p>

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						Whilst the Council recognises that the additional suggestions relating to historic elements that make a particular contribution to Pendle are important, they are not necessarily key elements which contribute to local character and distinctiveness. The list of elements in Policy ENV1 represents the key features for Pendle and is not an exhaustive list. Policy ENV1 aims to conserve and enhance the historic environment and heritage assets of Pendle – including archaeological assets and Scheduled Monuments. Notwithstanding this, if the Inspector is minded to include these additional elements in the list the Council would raise no objection.
MC028	755915	The Home Builders Federation Mr Matthew Good	MM068	3.97	<p>Thank you for consulting with the Home Builders Federation (HBF) on the Main Modifications consultation.</p> <p>The HBF is the principal representative body of the house building industry in England and Wales and our representations reflect the views of our membership of multinational PLCs, through regional developers to small, local builders. Our members account for over 80% of all new housing built in England and Wales in any one year including a large proportion of the new affordable housing stock.</p> <p>The HBF was a participant in a number of the examination hearing sessions, providing both oral and written submissions. We have not sought to duplicate our written submissions as part of this consultation, however we do make reference to a number of our previous comments. The HBF would like to submit the following additional comments upon the main modifications which have been structured to accord with the consultation document. If required the HBF would also wish to attend any further hearing sessions.</p> <p>The proposed amendment is unsound as it is neither effective nor positively prepared.</p> <p>The amendments relating to Burnley Council being able to meet its own</p>	If Burnley cannot meet its needs it would not have a sound plan and would need to use the Duty to Cooperate which has been established to cater for this issue.

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					<p>objectively assessed housing needs is a positive statement and its inclusion within the plan is supported. However the HBF do not consider that this overcomes our fundamental concerns in relation to ensuring the full objectively assessed needs of the housing market area (both Pendle and Burnley) are met (see paragraphs 11 & 12 of the HBF Pre-Submission Core Strategy). The proposed amendments do not identify any mechanism which would account for the possibility of Burnley being unable to meet its needs.</p> <p>The following further amendments (in bold) are therefore suggested; <i>‘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. Should the process of preparing the Burnley Local Plan result in a significant change between the presently assessed objective housing need for the combined authorities and how this is distributed between the two areas, then a review of the Pendle Local Plan will be considered. Pendle and the.....’</u></i></p>	
MC029	755915	The Home Builders Federation Mr Matthew Good	MM083	7.23-7.27	<p>The HBF supports the proposed amendments.</p> <p>The modification identifies that the development of previously developed land will be encouraged, rather than prioritised and recognises that greenfield development will be required. Furthermore it provides clarification that a review of Green Belt and settlement boundaries will also take place within Local Plan Part 2 (LP2). These amendments are considered consistent with the NPPF, particularly paragraphs 17 & 111. The identification that settlement and Green Belt boundaries will need to be altered provides greater clarity and should ensure that the plan is effective, this is also justified by the evidence.</p>	Expresses support for the modification.
MC030	755915	The Home Builders Federation Mr Matthew Good	MM059	Policy SDP2	<p>The HBF supports the proposed modification.</p> <p>The inclusion of the anticipated growth levels for the different settlement categories provides greater clarity to the policy, ensuring that it should be more effective in delivering the housing requirement. The recognition that development boundaries will need to be amended is also supported and justified by the evidence.</p>	Expresses support for the modification.

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MC031	755915	The Home Builders Federation Mr Matthew Good	MM071	Policy SDP2	<p>The HBF supports the proposed modification.</p> <p>The modification identifies that the development of previously developed land will be encouraged, rather than prioritised and recognises greenfield development will be required. This is considered to strike the appropriate balance between re-using previously developed land and the recognised need for development on other sites. It is also consistent with the NPPF, particularly paragraphs 17 & 111.</p>	Expresses support for the modification.
MC032	755915	The Home Builders Federation Mr Matthew Good	MM062	Policy ENV2	<p>The proposed amendments are considered unsound as they are not consistent with national policy.</p> <p>The HBF considers the amendments are an improvement upon the previous policy wording. However, these, are not considered to fully accord with the ministerial statement, 25th March 2015, which clearly states that matters of energy efficiency in residential properties will be solely dealt with through the Building Regulations. In this regard the Council cannot seek to require the highest possible levels of energy efficiency nor seek to include on-site low carbon technologies. Whilst the HBF would not wish to stop the Council encouraging such developments it is recommended that the following further amendments (bold and striketrough) are made;</p> <p>'Fabric Energy Efficiency Seek to Where possible design new development to the highest possible levels of which improves sustainability by;</p> <ul style="list-style-type: none"> Using materials that reduce energy demand... <p>On-site low-carbon heat and power Consider seek to incorporate incorporate on-site low carbon or zero carbon heat and power technologies, including in order of preference</p> <p>a. The installation of, or connection to,.....'</p>	<p>The purpose of using the words "seek to" is to provide encouragement to developers and not to "require" compliance. The wording of the Main Modification addresses the issues discussed at the Hearing Sessions and complies with the Framework.</p> <p>The Council is of the view that ministerial statements should not be given the same weight as the Framework. Paragraph 97 of the Framework requires local plan policies to maximise renewable and low carbon energy development. Furthermore the suggested rewording would not provide a positive strategy to promote energy from renewable and low carbon sources.</p> <p>The Council does not support the further amendments suggested in this representation.</p>
MC033	755915	The Home Builders Federation Mr Matthew Good	MM084	10.33	<p>The HBF considers the proposed modification unsound as it is not considered positively prepared, justified or effective.</p> <p>Within our comments upon the Pre-submission Core Strategy and Matter 4 examination hearing statement, the HBF considered that the housing requirement was too low. Our concerns have not been addressed by the proposed modifications and as such are still considered valid.</p>	This issue was discussed at length in the Hearing Sessions. The housing requirement set out in the Core Strategy reflects the findings of the evidence base; namely the Burnley and Pendle Strategic Housing Market Assessment (SHMA). The Council has no further comment to make.

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MC034	755915	The Home Builders Federation Mr Matthew Good	MM003/ MM004	Table LIV1, 10.33	<p>The HBF considers the proposed modification unsound as it is not considered positively prepared or effective.</p> <p>Notwithstanding our comments upon the overall housing requirement (see MM084 above), the HBF consider that the amended wording is a positive inclusion which provides greater clarity to the plan and the forthcoming LP2. However, neither MM003 nor MM004 provide any flexibility should the existing planning permissions or proposed allocations fail to come forward as anticipated. The NPPF, paragraph 14, clearly identifies that the plan needs not only to meet its objectively assessed needs but respond flexibly to changing circumstances. In addition it is noted that the housing requirement is regarded as a minimum and as such the plan could reasonably be expected to provide more than the minimum housing allocations required.</p> <p>To provide flexibility the HBF recommend the Council consider further housing allocations, beyond the quantum identified in MM03 and MM04. This is in addition to any buffer which may accrue from MM051 and MM052 (see below). The HBF consider that such an approach would be consistent with the NPPF and ensure that the plan is more positively prepared and effective as it will seek to meet, as a minimum, its objectively assessed needs. The following amendments (bold) are therefore recommended to MM004;</p> <p><i>'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. To ensure that the residual requirement is met in full a buffer of sites will be included within the allocations, this will provide flexibility within the supply.</i></p>	<p>Paragraph 10.39 already indicates that a number of reserve sites may also need to be allocated to allow for flexibility and/or future additional growth.</p> <p>Furthermore Policy LIV1 states that the Pendle Local Plan Part 2: Site Allocations and Development Policies will be used to allocate:</p> <ul style="list-style-type: none"> i) specific sites to meet the remainder of the housing requirement; and ii) potential reserve sites to provide increased flexibility. <p>The existing references to the allocation of reserve sites are sufficient and there is no need to include further wording to this effect.</p> <p>The allocation of additional housing sites as a buffer would effectively increase the OAN and risk over providing. No evidence has been submitted to assess the environmental implications of such a change to the policy. Future updates of the SHLAA will also allow the Council to respond flexibly to changing circumstances.</p>
MC035	755915	The Home Builders Federation Mr Matthew Good	MM051	10.33	<p>The HBF supports the proposed modification.</p> <p>The amendment provides clarity upon how empty properties will be counted against the housing requirement.</p>	Expresses support for the modification.
MC036	755915	The Home Builders Federation Mr Matthew Good	MM052	10.33	<p>The HBF supports the proposed modification.</p> <p>The amendment provides clarity upon how windfalls will be counted against the housing requirement and takes account of the more detailed nature of the most recent SHLAA. In addition any windfall sites which do come forward will add to the flexibility of the plan.</p>	Expresses support for the modification.

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MC037	755915	The Home Builders Federation Mr Matthew Good	MM085	10.37	The HBF supports the deletion of paragraph 10.37. The deletion of the staggered housing requirement is considered to better align with the NPPF requirement to boost housing supply and the evidence of housing need within Pendle.	Expresses support for the modification.
MC038	755915	The Home Builders Federation Mr Matthew Good	MM086	10.39	The HBF supports the inclusion of additional paragraph 10.39. The paragraph identifies that the Council will positively consider SHLAA sites prior to the adoption of the Site Allocations and Development Policies document. This is a positive step which will aid delivery prior to the housing allocations being formally identified and adopted.	Expresses support for the modification.
MC039	755915	The Home Builders Federation Mr Matthew Good	MM064	10.41	The HBF supports the deletion of paragraph 10.41. The paragraph placed unduly onerous requirements upon development which were not be justified by the NPPF.	Expresses support for the modification.
MC040	755915	The Home Builders Federation Mr Matthew Good	MM065	Policy LIV1	The HBF generally supports the proposed modifications. Whilst the overall housing requirement is considered too low (see MM084 above). The identification that the housing requirement is a minimum, the deletion of the staggered housing requirement and the positive stance towards releasing additional sites, including outside settlement boundaries prior to the adoption of the allocations document, represent a pragmatic and positive approach to assist in meeting the identified housing requirement over the full plan period.	Expresses general support for the modification.
MC041	755915	The Home Builders Federation Mr Matthew Good	MM090	10.115	The HBF supports the proposed modifications. The modifications are considered to better reflect the Council's evidence base, particularly in relation to viability.	Expresses support for the modification.
MC042	755915	The Home Builders Federation Mr Matthew Good	MM091	10.117	The HBF supports the proposed modifications. The amendments provide greater clarity and certainty.	Expresses support for the modification.
MC043	755915	The Home Builders Federation Mr Matthew Good	MM066	Policy LIV4	The HBF supports the proposed amendments. The proposed amendments to Policy LIV4 take full account of the Council's evidence upon development viability. This policy is now considered consistent with the NPPF and PPG.	Expresses support for the modification.
MC044	755915	The Home Builders Federation Mr Matthew Good	MM023	Policy LIV5 5 th Paragraph	The HBF supports the proposed amendments. The proposed amendments to the policy will provide greater clarity but also flexibility to enable developments to respond not only to the characteristics of the area but to the challenges associated with	Expresses support for the modification.

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					economic viability.	
MC045	327529	Natural England Ms Janet Baguley			Natural England have no comments to make in relation to the main modifications of the Core Strategy.	No comment.
MC046	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd			Junction Property Ltd (JPL) supports many of the Main Modifications proposed by the Council, particularly those which have arisen from discussions at the Examination hearings. However, JPL has reservations about some of the proposed Main Modifications especially those which were not suggested at the hearings. This includes the proposed Appendix 6: Housing Implementation Strategy. JPL considers that proposed main modifications are not the appropriate stage for the Council to put forward changes which have not been discussed at the examination hearing sessions. To do so undermines the fundamental principle of frontloading which is at the heart of the current plan preparation process.	The inclusion of the Housing Implementation Strategy as a Main Modification is a response to the questions raised by the Inspector (Examination Document I/002) and the Council's response (Examination Document C/004). It was also an item included on the agenda for Hearing Session 5.
MC047	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd	MM068	3.97	JPL welcomes this proposed Main Modification as it explicitly recognises that Pendle will meet its objectively assessed housing needs within its own boundaries. This Main Modification follows discussions at the Examination hearings where the benefits of making this change were accepted by the Council.	Expresses support for the modification.
MC048	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd	MM001	Policy SDP1	JPL supports this proposed Main Modification which encapsulates within policy a statement about the Council's approach to sustainable development which had been previously only within supporting text. Policy SDP1 now better reflects National Planning Policy Framework (NPPF) paragraph 187.	Expresses support for the modification.
MC049	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd	MM083	7.23-7.27	<p>JPL supports the proposed main modification to paragraphs 7.23 to 7.27. In particular, JPL welcomes the changes which:</p> <ul style="list-style-type: none"> remove any suggestion that a sequential approach will be adopted towards the release of sites for development; recognise that greenfield sites will need to be released for development; and such greenfield sites should be in sustainable locations which are well-related to existing settlements. <p>The main modification follows discussions at the Examination hearings where it was accepted that a sequential approach towards development would not be in line with national policy, and that there is a need to release greenfield sites, both in the immediate and longer-term, so that</p>	Expresses support for the modification.

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					identified development requirements will be met.	
MC050	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd	MM059	Policy SDP2	JPL welcomes the incorporation within Policy SDP2 of a statement which identifies the roles that each settlement category will play in the future growth of the Borough (previously within paragraph 7.22). In line with evidence presented to the Examination, the submitted policy was unsound because it did not contain sufficient clarity about these roles. JPL welcomes in particular the clear policy statement that the Key Service Centres of Nelson, Colne and Barnoldswick will “ <i>provide the focus for future growth in the borough and accommodate the majority of new development.</i> ” As we identified in our evidence, the key service centres are the most sustainable settlements for new development in the Borough.	Expresses support for the modification.
MC051	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd	MM071	Policy SDP2	JPL supports this proposed Main Modification which deletes reference to a sequential approach. In line with the discussions at the final session of the Examination hearings, the new proposed wording is in line with national policy which allows for the development of greenfield land where there are clearly identified benefits, including need.	Expresses support for the modification.
MC052	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd	MM060	Policy SDP6	<p>JPL objects to the main modification to Policy SDP6 which now states that subject to individual development viability, contributions “<i>will</i>” be sought towards improving local infrastructure and services, having regard to the needs identified in the Pendle Infrastructure Strategy. Previously the policy said that such contributions “<i>may also</i>” be sought. The change is significant as the new policy wording implies that the Council will seek contributions for off-site local infrastructure from all developments and in all circumstances except where precluded by financial viability. Such an approach is at odds with national policy which makes clear (NPPF paragraph 204) that financial contributions (in the absence of CIL) should only be sought where the tests are met of being “<i>necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.</i>”</p> <p>JPL must also emphasise that the Council’s Development Viability Study has not assessed the impacts of this type of tariff approach upon the viability of potential development sites within Pendle. In the absence of such an assessment, the policy alteration is not consistent with NPPF paragraphs 173 and 174.</p> <p>JPL appreciates that the proposed Main Modification may just be clumsily worded and the Council may not be intending to introduce a</p>	The Council agrees that the proposed change is likely to be at odds with the NPPF and CIL regulations. It is not the intention of the policy to introduce a tariff based system. It is therefore recommended that the wording reverts to the original text ‘may also’ instead of ‘will’. It is not necessary to repeat the NPPF tests in the policy as proposed by the suggested change.

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					<p>tariff system of the type which the policy wording suggests. In this regard, we note that Footnote 86 cross-references paragraph 7.63 (but not the policy itself) to the tests of NPPF paragraph 204. Irrespective of this we consider the policy should be clear on its face and not capable of misinterpretation. Therefore JPL suggests the following rewording to the proposed main modification:</p> <p>In addition, subject to individual development viability, contributions will be sought towards improving local infrastructure and services, having regard to the needs identified in the Pendle Infrastructure Strategy, <u>where it is necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.</u></p> <p>Our proposed change is underlined.</p> <p>JPL must emphasise that the Council's proposed main modification was not included in the list put to the Inspector on the last day of the hearing sessions and therefore there was no opportunity for it to be discussed at the hearing sessions.</p>	
MC053	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd	MM082	Policy ENV1	<p>JPL supports the proposed main modification which seeks to distinguish between the hierarchy of international, national and locally designated protected sites. In particular, JPL considers that the test for local sites is appropriate; namely whether <i>"the benefits of the proposal outweigh the need to safeguard the nature conservation value of the site."</i></p>	Expresses support for the modification.
MC054	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd	MM082	Policy ENV1	<p>JPL welcomes most of the changes which are proposed by this main modification. The reasons were given at the hearing sessions.</p> <p>However JPL objects to the third paragraph of the suggested main modification where it requires that heritage statements should include an archaeological assessment. Such a requirement is contrary to national policy. NPPF paragraph 128 makes clear that an archaeological assessment should only be required <i>"where a site...includes or has the potential to include heritage assets with archaeological interest."</i> There is no requirement in national policy that all heritage statements must include an archaeological assessment. For the record, this proposed new onerous requirement upon developers was not within the list of suggested main modifications put forward by the Council for discussion at the Examination hearings nor does it arise from any suggestion by the</p>	<p>Paragraph 128 of the NPPF indicates that applicants should describe the significance of any heritage assets affected. This may include archaeological assets.</p> <p>It also states that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment.</p>

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					Inspector.	<p>The modification to Policy ENV1 states that “<u>where appropriate</u>, developers should prepare a heritage statement (including an archaeological assessment).” Clearly depending on the site, the archaeological assessment may be as simple as stating that there is no archaeological interest present.</p> <p>It should be noted that Policy ENV1 previously required a heritage statement and/or an archaeological assessment so the modification is not introducing a new requirement.</p> <p>These modifications have been published in the respective modification schedules available on the Council website since the start of the Hearing Sessions. The modifications were made in response to comments received from Historic England and seek to provide a clearer framework for the consideration of heritage assets in the planning process.</p>
MC055	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd	MM020	Policy ENV2	<p>JPL objects to this main modification which seeks to impose a policy requirement that individual proposals “<i>make a positive contribution to the historic environment and local identity and character.</i>”</p> <p>The starting point is that national policy imposes no requirement of enhancement upon individual proposals affecting the historic environment. NPPF paragraphs 132 to 135 make clear that proposals should only be refused where there is identifiable harm to heritage assets. It is true that paragraph 131 does refer to the “<i>desirability</i>” of new development making a positive contribution to local character and distinctiveness. However national policy has been carefully worded to avoid making enhancement a policy requirement which is why it uses the word “<i>desirability.</i>”</p> <p>Main modification 020 is also at odds with MM061. In line with national</p>	<p>Main Modification MM020 has been prepared in consultation with Historic England. The policy requirement for a development to make a ‘positive contribution’ to the historic environment does not necessarily mean that it has to ‘enhance’ it. The NPPF indicates that Local Plans should set out a positive strategy for the conservation and enjoyment of the historic environment. One way to do this is to promote good design in new development which reflects the history of a place and therefore makes a positive contribution to the historic</p>

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					<p>policy, proposed main modification MM061 amends Policy ENV1 so that proposals affecting heritage assets will only be refused where the significance of any heritage asset is harmed without clear and convincing justification. If the two proposed main modifications are both allowed to remain unaltered, Policies ENV1 and ENV2 would be creating conflicting tests upon new development affecting heritage assets. This would make the whole plan unsound.</p> <p>JPL considers that the main modification should be redrafted so that it is expressed in a way which is consistent with national policy. It should also remove the reference to the historic environment as this is a matter that is already covered in detail by Policy ENV1. JPL suggests the following:</p> <p>Proposals should contribute to the sense of place and take account of the desirability of making a positive contribution to local identity and character.</p>	<p>environment.</p> <p>The modifications to Policy ENV1 and ENV2 are not in conflict. Policy ENV1 indicates that clear and convincing justification will be required where a development is likely harm the significance of a heritage asset. Policy ENV2 has been worded so that it states that proposals 'should' contribute to the sense of place etc. rather than 'must', therefore allowing for such cases where the tests relating to harm in Policy ENV1 are met.</p> <p>Removing the reference to the historic environment in Policy ENV2 would undermine the aims of the policy which is to achieve quality in design and conservation.</p> <p>The Council does not support the proposed change.</p>
MC056	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd	MM021	Policy ENV2	JPL supports the deletion of the third and fourth bullet points of Policy ENV2. As discussed at the hearings, these bullet points are not in accordance with national policy. They are also covered by the proposed modifications to Policy ENV1.	Expresses support for the modification.
MC057	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd	MM062	Policy ENV2	JPL supports the proposed modifications for the reasons given at the hearing sessions.	Expresses support for the modification.
MC058	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property	MM003, MM004, MM051, MM088, MM089	10.33	<p>JPL supports the principle of including Table LIV1 within paragraph 10.33. However JPL objects to the proposal to include empty homes within the table for the reasons given at the hearing sessions.</p> <p>JPL objects to MM051 which states that the Council will monitor any</p>	Paragraph 51 of the Framework encourages bringing empty homes back into use. NPPG 03-039 expressly indicates that empty homes can contribute to meeting need and indeed

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		Ltd			change in empty homes so that it is reflected in a future updated housing requirement position. Such a proposed change is not in accordance with the PPG (3-040) which makes clear that any approach to bringing empty homes back into use and counting these against housing need would have <i>"to be robustly evidenced"</i> by the local planning authority at the examination of the local plan. In this regard, the Council did not put forward any evidence about the contribution of empty homes towards meeting housing need in the period after 2014 and in line with the PPG no further allowance should be made (even if the Inspector accepts that some allowance may be appropriate for the period 2011-2014). For the avoidance of doubt, if the PPG had intended that Councils should simply monitor the number of empty homes and adjust their housing requirement accordingly, it would have said so.	it expressly encourages it. The Council has provided evidence that this is happening and that there is robust evidence and no double counting. NPPG paragraph 03-040 says we should use our evidence base to ensure there is a continual supply which should be annually updated. We put empty homes in the Core Strategy at 10.45 and in the policy in the penultimate paragraph. The issues relating to empty homes were addressed at the Hearing Sessions.
MC059	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd	MM085	10.37	JPL supports the proposed main modification for the reasons given in evidence, in particular that the staggered approach has no firm basis in housing need or evidence. It should be deleted.	Expresses support for the modification.
MC060	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd	MM086	10.39	JPL supports the proposed main modification for the reasons given in evidence at the hearing sessions. In particular, the Council will need to be prepared to grant planning permission for the greenfield sites within the SHLAA (including those not in accordance with the 2006 Adopted Local Plan) if it is to provide a five year supply in accordance with national policy.	Expresses support for the modification.
MC061	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd	MM064	10.41	JPL supports the deletion of the requirement that applicants must submit deliverability statements for housing proposals. This requirement is unreasonable and has no basis in national policy.	Expresses support for the modification.
MC062	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd	MM065	Policy LIV1	JPL supports this main modification for the reasons given in evidence at the hearing sessions. In particular it is essential that the policy allows sustainable sites to be released that are not in accordance with the 2006 Adopted Local Plan if a five year supply is to be made available on adoption of the core strategy. This is a key national policy requirement and without it the plan would not be sound.	Expresses support for the modification.
MC063	818046	Barton Willmore Mr Michael Courcier	MM066	Policy LIV4	JPL supports the proposed main modification which is consistent with the evidence it presented at the examination hearings	Expresses support for the modification.

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	818201	On behalf of: Junction Property Ltd			<p>The submitted Policy LIV4 is unsound because it requires all housing proposals to provide affordable housing up to the maximum possible consistent with viability. This approach is not in accordance with national policy because NPPF paragraph 174 requires local plans to include specific targets for the provision of affordable housing where there is a need and viability allows.</p> <p>The approach taken by the proposed main modification is in accordance with national policy. For the record, there is no basis to seek higher affordable targets than those set out in Table LIV4a as the Council's Development Viability Study shows these would not be viable, which is a key requirement of national policy.</p>	
MC064	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd	MM076	Policy LIV5	JPL supports this proposed modification because it provides clarification that the Council will seek to release sites for higher value homes as part of its wider portfolio of housing opportunities. The Pendle SHMA specifically identifies the need for such housing in order for the Borough to provide a balanced housing offer.	Expresses support for the modification.
MC065	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd	MM094	Appendix TBC	<p>JPL objects to this proposed modification in its entirety.</p> <p>The main modification runs to 15 pages and is wholly new. It has not previously available as a proposed change; it has not arisen from any suggestion of the Inspector; and there has been no opportunity for any discussion about it at the Examination hearings. JPL considers that it is wholly inappropriate that such a significant addition to the plan should be proposed at such a late stage in the plan preparation process so that it cannot be discussed at the hearings.</p> <p>The whole process of local plan preparation is meant to be frontloaded so that there are adequate opportunities for consultation with stakeholders and the public. The submission of the local plan by the local authority is meant to be the culmination of the process. The NPPF and PINS guidance make clear that a local planning authority should only submit a plan for examination which it considers is sound. Significant changes should only be made to a plan after submission (and especially post hearings) for the purpose of making it sound. Neither the Council nor the Inspector considered during the examination sessions that an appendix of this type was necessary to achieve soundness. JPL considers that the Appendix should not be accepted as a main modification.</p>	<p>The inclusion of the Housing Implementation Strategy (HIS) as an additional appendix to the Core Strategy was in response to a question raised by the Inspector in his letter (I/002). This indicated that the Council would need to set out the delivery of housing in an implementation strategy.</p> <p>Bullet point 4 of paragraph 47 of the NPPF indicates that a housing implementation strategy should be provided.</p> <p>Item 10 of the agenda for Hearing Session 5 states "Has the Plan demonstrated through a housing implementation strategy how delivery of a full range of housing will be maintained over the Plan period, including a continuous five year supply of deliverable housing sites? What is the</p>

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					<p>JPL also questions the purpose and function of the Appendix:-</p> <ol style="list-style-type: none"> 1. The information on housing delivery is already found in paragraphs 10.42 to 10.45 of the core strategy. 2. The information on five year supply is of background relevance only and would not normally not included within the local plan itself, not least because it will become out-of-date very quickly. It is more appropriately included within the SHLAA where it can be regularly updated. Additionally the figures themselves are questionable because: <ol style="list-style-type: none"> i. Table 5.1 includes no element for replacement of clearance and other housing stock losses over the five year period. This is necessary because the Policy LIV1 requirement is for net additions to the housing stock rather than being a gross figure. ii. The SHLAA supply figure was not tested at the examination hearings at the specific direction of the Inspector. JPL submitted evidence to the examination which showed that the SHLAA figure was a significant over-estimate. As one example, the Council's 5 year supply figure includes large sites for which the Council has subsequently refused permission. Such sites cannot be considered deliverable. 3. The affordable housing section gives no more information than is contained in Policy LIV4 and its justification. 4. The housing provision and delivery section gives no more information than is contained in Policy LIV1 and its justification. 5. The section on risk and contingency may be interesting to a lay reader as background information but is not necessary to explain the policies of the plan. Critically, it does not set out what the Council will do if the local plan policies are not successful in boosting housing delivery in line with national policy. We must also note that paragraphs 9.4 and 9.5 contradict the earlier statement at 3.2 that the low rate of housing completions since 2007 are a reflection of the national economic situation. JPL and other developers present at the Examination gave evidence at the hearing sessions that the very low number of completions in Pendle (even when compared with 	<p>timescale for the preparation of a Housing Implementation Strategy?" The issue was discussed at the Hearing Session where the Council made reference to its response to the Inspector in document C/004.</p> <p>The purpose of the HIS is to bring together, in one place, all the information relating to the supply and delivery of housing land.</p> <p>The consultation on the Main Modifications has provided an opportunity for interested parties to comment on the content of the HIS, which is not introducing a new policy stance, but clarifying how the housing requirement will be met.</p> <p>With regard to point 5, it should be noted that in the pre-recession period Pendle had healthy delivery rates and the number of completions were often in excess of the housing requirement, therefore it is not the case that at that time there was a poor portfolio of sites.</p> <p>The concerns raised by this comment appear to relate to process rather than the substance of the HIS and have not found the strategy to be unsound.</p> <p>The Council does not support the proposed change.</p>

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					<p>other similar authorities in the North West) have been caused by the poor quality of available housing sites as much as the downturn nationally. This poor quality site portfolio is a direct result of the restrictive policies adopted by the 2006 Local Plan. For the record, the Council's Development Viability Study supports this proposition which also appeared to be accepted by the Council during the Examination hearings.</p> <p>JPL considers that Appendix 2 should not be accepted as a main modification.</p>	
MC066	818046 818201	Barton Willmore Mr Michael Courcier On behalf of: Junction Property Ltd	Additional Note on Policy ENV1	Policy ENV1	<p>JPL considers that the proposed changes to the landscape section of Policy ENV1 should be a Main Modification as these amend the wording in a significant way. It is wholly inappropriate that this should be done as a minor modification.</p> <p>JPL also considers that a main modification should have been proposed to the first paragraph of the landscape section of Policy ENV1. For the reasons discussed at the hearing, and we thought agreed by the Council, this section of the policy needs amending (as well as the biodiversity section) so that it complies with paragraph 113 of the Framework. As it stands, the policy provides no criteria against which proposals affecting landscapes are to be judged nor does the first paragraph of the section distinguish between the hierarchy of protected landscapes within the Borough so that protection is commensurate with status. It simply creates a test of harm in order to establish whether there is conflict with policy. An absolute test of this type for landscape is not only contrary to national policy but inappropriate in the Pendle context where large-scale greenfield development will be required to meet objectively assessed needs, as demonstrated by the SHLAA and the Employment Land Review. In this regard, almost all greenfield development could be said to create some degree of harm to the rural, or landscape, character of an area. The proposed test can be contrasted with the main modifications proposed for biodiversity and the historic environment where criteria for development proposals are set out which are consistent with national policy.</p> <p>JPL considers the first paragraph of the Landscapes section of Policy ENV1 should be reworded as follows in order to make it sound:</p>	<p>The changes made to the Landscape section of Policy ENV1 were made at the request of the Inspector as detailed in the letter to the Council (I/011).</p> <p>The proposed changes represent a repetition of national policy and therefore are considered unnecessary.</p> <p>These changes are not Main Modifications as they do not materially alter the policy or the plan. The PINS guidance (Examining Local Plans Procedural Practice) sets out what constitutes a Main Modification at in Section 5.</p> <p>The suggestion for an additional change to Policy ENV1 does not relate to a Main Modification nor was it raised during the Pre-submission consultation. On this basis the Council believes it is not a valid representation and has no further comment to make. However, the Inspector may be minded to recommend a change to address any soundness issues identified.</p>

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					<p>Development proposals should not harm the rural, or landscape, character of the area without clear and convincing justification. In assessing potential harm and mitigation, regard should be had to the Lancashire Landscape Assessment and specifically the different landscape character types that are present in the Borough. Outside the Forest of Bowland Area of Outstanding Natural Beauty, development that would be likely to harm the rural, or landscape, character of the area will only be allowed where the benefits of the proposal outweigh the harm. In determining proposals within, or directly affecting the Area of Outstanding Natural Beauty, great weight should be given to landscape and scenic beauty.</p> <p>We are raising these points at this stage because the only alternative is a legal challenge post-adoption.</p>	
MC067	868081 817583	JWPC Mr Stuart Booth On behalf of: Beck Developments	MM083	7.23-7.27	<p>We support this modification, with particular reference to paragraph 7.27 which now includes reference to a review of the defined Green Belt as part of the preparations for the Pendle Local Plan Part 2: Site Allocations and Development Policies.</p> <p>We have maintained an objection to Policy SDP2 throughout the preparation of the Core Strategy to request specific reference to the need to review Green Belt in this way. Whilst we support the Council's inclusion of a review of the Green Belt in the supporting text, we maintain our objection to Policy SPD2 (as below) as we consider this assessment to be an important element of meeting housing need that should also be detailed in Policy.</p>	Expresses support for the modification.
MC068	868081 817583	JWPC Mr Stuart Booth On behalf of: Beck Developments	MM059	Policy SDP2	<p>As outlined above, we wish to maintain our objection to Policy SDP2 as the Council's amendments to no go far enough to spell out that Green Belt land may be needed to meet housing need. At the Examination Hearings and in our Statements we have already set out our arguments and request that the Inspector consider these. In addition, during the Hearings we proposed amendments to Policy SDP2 to the Council, but which Officers did not agree to. These are set out below and we request the Inspector consider accordingly in conjunction with our previous representations and statements.</p> <p><i>Proposals for new development should be located within a settlement boundary as defined on the Proposals Map. These boundaries may be amended will likely need to be amended as part of the preparation of the Pendle Local Plan Part 2: Site Allocations and Development Policies where there is a need to identify additional sites to meet development needs outside the existing boundaries.</i></p>	<p>The Council believes that Main Modification MM083 adequately addresses the need to consider a review of both the Green Belt and Settlement Boundaries in Pendle and that this does not need to be repeated in the Policy text of SDP2.</p> <p>Policy SDP2 already makes reference to the review of Settlement Boundaries and Policy ENV1 makes reference to a review of the Green Belt. The Council does not support the proposed changes.</p>

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					<i>This will also require a formal review of the Green Belt adjacent to existing settlements. Proposals to develop outside of a defined settlement boundary (ie. 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.</i>	
MC069	868081 817583	JWPC Mr Stuart Booth On behalf of: Beck Developments	MM066	Policy LIV4	We support this modification and believe the changes made present sufficient flexibility to ensure that new housing development can be delivered in the early phases of the Plan whilst also contributing to the Council's wider housing strategy in assisting with key regeneration schemes on Brownfield sites.	Expresses support for the modification.
MC070	327467	Barrowford Parish Council Mr Iain Lord	MM075	Policy LIV2	<p>If a viability assessment is required which demonstrates that the affordable units on site can't be delivered, can Pendle Council seek independent advice on the submitted viability assessment?</p> <p>Suggested wording to the bullet 5, of LIV 2</p> <ul style="list-style-type: none"> The development will provide 20% affordable housing on-site unless an up to date viability assessment indicates that this cannot be delivered*the council will seek independent advice on any viability assessments submitted 	<p>Any viability assessment that is submitted as part of the planning application process will be subject to scrutiny as part of the decision making process.</p> <p>The Council will be able to seek independent advice on any viability assessment that is submitted alongside a planning application, but the Core Strategy will not require this, nor will the applicant be required to pay for the assessment to be analysed.</p> <p>It is not considered necessary to include the additional wording within the policy.</p> <p>The Council does not support the proposed changes.</p>
MC071	327467	Barrowford Parish Council Mr Iain Lord	MM094	Appendix TBC	BPC would like to seek further clarification on the numbers of empty homes (refer to table 3.1, page 3 of the Housing Implementation Strategy). Is there any plans which show the location of these 748? Can future empty homes be taken off the % required in each of the spatial areas, i.e. if there is a higher proportion of empty homes brought forward in the M65 that the 70% of housing currently required is changed accordingly to give an up to date residual requirement for each of the spatial areas.	<p>The figures for empty homes are taken from council tax returns and are published by DCLG. Individual details for empty properties have not been published as part of the housing evidence for the Core Strategy</p> <p>Indicator HS07 already records empty homes by spatial area. As part of the</p>

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					<p>Suggestion that the following indicator is put into the CS monitoring framework:</p> <p>1. number of empty homes brought forward by spatial area</p>	Council's annual monitoring work the specific location of any empty homes that are reoccupied in the preceding 12 months will be recorded and the housing figures adjusted accordingly.
MC072	327467	Barrowford Parish Council Mr Iain Lord	General comment		BPC still have concerns over the amount of development, both housing (Trough Laithe) and employment (Riverside) that are proposed within the Parish, both developments being more appropriate to development associated with 'key service centres.' BPC will take a positive and active role with developers within the consultation of any future planning applications for both sites with a view to achieving the best possible outcomes for the Parish.	This comment is not specific to a main modification.
MC073	379366	Mark and Linda Turner	MM061	Policy ENV1	<p>The core strategy modifications included several worthwhile modifications:</p> <ul style="list-style-type: none"> English Heritage's suggestions to enhance and conserve "elements that make a particular contribution to the local character and distinctiveness" 	Expresses support for the modification.
MC074	379366	Mark and Linda Turner	MM003	10.33	<p>The core strategy modifications included several worthwhile modifications:</p> <ul style="list-style-type: none"> Table L1V1 includes the number of empty homes 	Expresses support for the modification.
MC075	379366	Mark and Linda Turner	MM075	Policy LIV2	<p>The core strategy modifications included several worthwhile modifications:</p> <ul style="list-style-type: none"> The inclusion of education when addressing capacity issues with infrastructure providers. 	Expresses support for the modification.
MC076	379366	Mark and Linda Turner	MM083	7.25	<p>We would like to suggest changes to the modifications:</p> <ul style="list-style-type: none"> Retain "within a defined settlement boundary" as this refers to all development not just brownfield development so cannot be considered "sequential." In the second to last sentence, when referring to the release of Greenfield sites for development, the word "will" is used. This is emphatic, encouraging developers to use Greenfield sites at the expense of Brownfield sites. "Will" should be changed to "may." 	<p>The justification text has been amended to address changes made to other policies in the plan.</p> <p>The phrase "within a defined settlement boundary" has been removed as there may be disused buildings outside a settlement boundary, which may be suitable for (re)development.</p> <p>The word "will" has been used in the second to last sentence because in order to meet the identified development needs of the borough, Greenfield sites <u>will</u> need to be developed as there is insufficient</p>

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						<p>previously developed (Brownfield) land available to meet these requirements.</p> <p>The Council does not support the proposed changes.</p>
MC077	379366	Mark and Linda Turner	MM086	10.39	<p>We would like to suggest changes to the modifications:</p> <ul style="list-style-type: none"> It would be premature to consider sites in the SHLAA during the interim period. 	<p>The Council is required to demonstrate a five year supply of housing land. To do this the Council must identify suitable and viable sites which can be developed for housing. This is done through the SHLAA. The NPPF requires that the five year supply is identified and updated annually. Therefore until the housing allocations are made in the Local Plan Part 2, the Council must use the SHLAA to identify its five year supply. This issue was discussed at the Examination Hearing Sessions.</p> <p>The Council has no further comment to make.</p>
MC078	379366	Mark and Linda Turner	MM065	Policy LIV1	<p>We would like to suggest changes to the modifications:</p> <ul style="list-style-type: none"> The paragraph starting “to further encourage significant and early delivery of housing “ ending with “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)” is grossly inconsistent with Fig 4.1 Housing Trajectory. The housing trajectory In Appendix TBC includes figures for empty homes up until 2013/2014. There are no figures for empty homes identified after this date. Over the last three years there has been an average of 250 empty homes per year which should be recognised in housing targets. If development is allowed on sites outside the Settlement Boundary, with no check on the numbers of empty homes in the Borough , there would be the potential for uncontrolled development on precious Greenfield resulting in suburban sprawl. 	<p>No further allowance has been made for the reoccupation of empty homes going forward. However, the plan is clear at paragraph 10.33 (second additional paragraph) that through the AMR the Council will monitor any future change in the number of empty homes and that these will be counted against the housing requirement. Therefore the plan already has mechanisms in place for accounting for the future reoccupation of empty homes. Clearly if further empty homes are reoccupied these will be counted against the housing requirement and will reduce the need for additional land to be used.</p>

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MC079	618703	Lidgett and Beyond Mr David Cockburn-Price	General comment	-	<p>The Lidgett & Beyond Group continues to broadly support Pendle Council's draft Core Strategy and considers that its production is generally "sound", except we would like the following comments/observations to be considered/reflected.</p> <p>Introduction Lidgett & Beyond (hereinafter "L&B"), in line with Pendle's draft Core Strategy, has begun work with Colne Town Council and Laneshawbridge and Trawden Parish Councils to draft a sustainable Neighbourhood Plan for our area which will complement the Borough's Core Strategy, when approved. We wish to provide community input to the Pendle Local Plan Part 2: Site Allocations and Development Policies and have already analysed the Strategic Housing Land Site Allocation Report and Appendix 5 of the SHLAA and have found points of dispute within the Council's analysis of the viability of some of the potential housing sites included.</p> <p>L&B is concerned that the Pendle Vision set out in para 4.9 of the Core Strategy and the Objectives in para 5.2 are at risk of being undermined, based on recent, and likely future, developments in the Borough. Extrapolating the continued market forces being exerted/displayed by developers will mean that they continue to ignore the brownfield sites, with no support being offered by the Council, and focus on more lucrative greenfield sites. Given that Pendle's people are proud of its countryside and everyone is mystified as to why brownfield development cannot be given more focus and resources, it is clear that the medium-/long-term "nightmare" vision is an unsustainable doughnut effect whereby the town centres and key sites remain undeveloped and get more sickly/brown as new estates are built on the surrounding countryside. However, the USP of our lovely countryside will be undermined, so demand for such houses will be weak and, as currently, supply will remain high and prices will not increase. This will undermine the economic development of the Borough and will impair any hope of viable development on brownfield sites.</p> <p>The Council must focus on how to roll out a cohesive and integrated growth plan, with housing located close to employment areas and key highways so that the overloaded transport infrastructure (acknowledged by Lancashire County Council to be probably the worst in Lancashire) does not grind to a halt. Allowing random developments to be proposed in unsuitable and unsustainable locations means that Pendle's Core</p>	These comments are generic and do not relate directly to the Main Modifications.

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					<p>Strategy is increasingly in danger of being discredited in the eyes of Pendle’s people before it is even finalised and will be seen as a “Developers’ Charter”.</p> <p>Given the developments achieved and the long-term empty homes brought back into use in continuing difficult economic times in Pendle, the Council should work with local people and landowners to prioritise sites for development that are “good for the area”. This can be done once the housing target is revisited (see below) and the SHLAA is revised to correctly include viable brownfields, after more accurate calculations are done, grants are offered and the Council’s JV developer, PEARL, steps forward in place of external developers who will add no benefit to the Borough, only to their own bottom lines.</p>																															
MC080	618703	Lidgett and Beyond Mr David Cockburn-Price	MM094	Appendix TBC	<p>L&B has analysed the information contained in the proposed Appendix 2, Main Modification MM094, and proposes a fundamental change in that the 20% buffer for the “persistent under delivery of housing” should be removed and the buffer should revert to the standard 5% (ref paras 5.1 & 5.2).</p> <p>This is based on the fact that the inclusion of the long-term empty homes reoccupied, as justified in paras 3.2 and 4.4, is a “legitimate source of supply in terms of meeting housing needs”, as stated in para 7.3. The Council cannot then discount this contribution in para 5.5 and state that it is still necessary to apply the 20% buffer. Put simply, the logic is flawed and inconsistent.</p> <p>Looking at the last 11 years from 2003/04 (see table LIV2a in para 10.53 of the Core Strategy and see doc C016_Pendle_Empty_Homes_Data), to 2013/14, with the latest available data (as per Fig 4.1 in MM094), the numbers are as follows:</p> <table><tr><td></td><td>03/04 - 10/11</td><td>11/12</td><td>12/13</td><td>13/14</td></tr><tr><td>L-T empty homes reoccupied</td><td>-2</td><td>195</td><td>369</td><td>184</td></tr><tr><td>Net new completions</td><td>1,300</td><td>61</td><td>30</td><td>63</td></tr><tr><td>Total</td><td>1,298</td><td>256</td><td>399</td><td>247</td></tr><tr><td>Annual requirement*</td><td>1,520</td><td>298</td><td>298</td><td>298</td></tr><tr><td>Over/under supply</td><td>-222</td><td>-32</td><td>101</td><td>-51</td></tr></table> <p>* Target was 190pa in 03/04-10/11</p>		03/04 - 10/11	11/12	12/13	13/14	L-T empty homes reoccupied	-2	195	369	184	Net new completions	1,300	61	30	63	Total	1,298	256	399	247	Annual requirement*	1,520	298	298	298	Over/under supply	-222	-32	101	-51	<p>The application of a 20% buffer to the five year housing land supply calculation is a requirement set out in the NPPF. It is required because of the low completion rates of new dwellings in the last five years.</p> <p>The NPPF is clear that local planning authorities should ensure that there is choice and competition in the market for land. Given Pendle’s recent performance the application of a 20% buffer is in line with the requirements of the Framework.</p>
	03/04 - 10/11	11/12	12/13	13/14																																
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					<p>In the earlier years, when net new completions were much higher, the empty homes actually increased. This puts the achievements of the Council in recent years (11/12-13/14) in achieving an overall oversupply of 8 dwellings into sharp focus, despite ongoing economic difficulties. In fact, the over-supply rises to 10 if the 32 net new completions in 2012/13 per LIV2a replaces the 30 per Fig 4.1.</p> <p>In conclusion, the “persistent under delivery” statement is not true and hence the 20% buffer should be replaced by the standard 5%. This means that Table 5.1 should be amended to show:</p> <table><tr><td>3</td><td colspan="3">Five Year Requirement (2014/15-2018/19)</td></tr><tr><td>G</td><td>Five year requirement</td><td>298 x 5</td><td>1,490</td></tr><tr><td>H</td><td>Five year requirement + 5% buffer</td><td>G + 5%</td><td>1,564.5</td></tr><tr><td>J</td><td>Five year requirement + 20% buffer - Delivery</td><td>H - 8</td><td>1,556.5</td></tr><tr><td>4</td><td colspan="3">Five Year Supply (2014/15-2018/19)</td></tr><tr><td>K</td><td>Dwellings on deliverable sites (SHLAA 0-5 years)</td><td></td><td>1,911</td></tr><tr><td>L</td><td>Number of years of supply</td><td>K / (J / 5)</td><td>6.14</td></tr></table> <p>This 6.14 years’ supply figure will allow the Council to exercise more control over developers whose main point in support of their applications is that the Council is struggling to justify a 5 year supply. It will also allow a more strategic and proactive approach to be taken to sites in the SHLAA, rather than being backed into a corner to supply sites which are not suitable/sustainable as per para 7.8.</p> <p>It is also important to highlight the incorrect assumptions in para 7.3. To state that there is “no clear evidence as to how many additional long-term empty homes will be brought back into use over the plan period” patently ignores the Council’s Empty Homes Strategy and Action Plan mentioned earlier in para 7.3. This is flawed and inconsistent, as the Council has averaged 249 houses over the last 3 years and 183 over the last 5 and there is still 1,022 long-term empty houses as at March 2014.</p> <p>Given the comments above, the Council should press ahead with focussed and targeted site allocations involving its strategic site (para 7.4) and the Development Plan Documents for Bradley and the Riverside Mills (para 7.6) which have the support of the local communities.</p> <p>L&B firmly supports the use of the Brownfield Regeneration Fund (para 7.20) and the JV Company (para 7.21) and believes they can achieve</p>	3	Five Year Requirement (2014/15-2018/19)			G	Five year requirement	298 x 5	1,490	H	Five year requirement + 5% buffer	G + 5%	1,564.5	J	Five year requirement + 20% buffer - Delivery	H - 8	1,556.5	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)	6.14	
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					<p>much more than is currently provided for in the availability and deliverability of sites.</p> <p>L&B notes in section 8 that various monitoring and review activities will take place and L&B firmly supports:</p> <ul style="list-style-type: none"> - Updating targets and schedules in light of any new population/census data in the future and considering an early review of the plan (as per para 9.3) - Utilising the PEARL JV company in the event of any shortfall (as per para 9.3 and as per Policy SDP3 and LIV1) and endeavouring to use them more proactively <p>It is interesting to note that the under-delivery has still not resulted in house prices rocketing or even rising significantly, which is the usual consequence of demand exceeding supply – this can only mean that the previous supply targets were too high and the Council is now compounding that by rolling the error into the new target. It is also true to say that having too much supply will mean that house prices are kept down and this will threaten the viability of having new developments on brownfield sites. L&B would expect the AMR to have a high-level review every year, based on available population and household information, to ensure that any material deviation from original forecasts can be reflected promptly in adjustments to housing targets.</p> <p>Put simply, it is much better for the Borough to set a reasonable target and then to deliver or even over-deliver against that target with well-managed support from internal resources and supportive developers than to set a very challenging (and doubted/scorned by all local politicians and residents) target which fails to be achieved and then leaves the treasured and rare assets of the Borough to be picked over by greedy developers who are then resented by local people. This is another example of flawed logic and certainly undermines any concept of localism and local voices being heard.</p> <p>NPPF para 47 footnote 11 states that “sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans”</p> <p>L&B is pleased to see that the 980 houses on sites given planning</p>	

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					permission have been kept visible (para 3.3) with a view to converting as many as possible.	
MC081	618703	Lidgett and Beyond Mr David Cockburn-Price	MM013	4.9	L&B supports the enhanced wording to emphasise the importance of Pendle's historic environment.	Expresses support for the modification.
MC082	618703	Lidgett and Beyond Mr David Cockburn-Price	MM083	7.23-7.27	Whilst L&B supports the call to make effective use of brownfield sites and the encouragement of Councils to look to identify funding to achieve this, we are concerned about the stripping away of the protection of settlement boundaries (para 7.26-27). Accordingly, we propose changing the "will" in the penultimate line of 7.25 to read "may" as in "...some Greenfield sites may need to be released... L&B supports the condition here and in MM071 / Policy SDP2 that any such sites "will need to be in sustainable locations which are well related to existing settlements" as it is obvious that so few would be suitable for development.	The word "will" has been used in the second to last sentence because in order to meet the identified development needs of the borough, Greenfield sites <u>will</u> need to be developed as there is insufficient previously developed (Brownfield) land available to meet these requirements. The Council does not support the proposed changes.
MC083	618703	Lidgett and Beyond Mr David Cockburn-Price	MM060	Policy SDP6	L&B supports the need for positive and early confirmation of available and appropriate infrastructure with relevant utility providers. We support the fact that contributions "will" be sought towards local infrastructure and services, but note the standard caveat that will be relied upon by all developers , especially on Pendle-based projects, about it being subject to individual development viability.	Expresses support for the modification. The policy must provide flexibility to be in accordance with the requirements of the NPPF, so consideration must be given to viability when assessing the level of contributions to be sought.
MC084	618703	Lidgett and Beyond Mr David Cockburn-Price	MM061	Policy ENV1	L&B supports the enhanced wording following English Heritage's input.	Expresses support for the modification.
MC085	618703	Lidgett and Beyond Mr David Cockburn-Price	MM045	Policy ENV2	L&B does not support the removal of the sentence about the local people's views as they are important to be reflected in the Core Strategy. If it is still considered necessary to remove it from the Policy ENV2, the L&B believes it should at least feature in the pre-amble.	This sentence was removed from the policy text in response to a request from the Inspector. (See Examination Document I/011). The sentence has been included at the beginning of paragraph 8.63 in the supporting text.
MC086	618703	Lidgett and Beyond Mr David Cockburn-Price	MM020	Policy ENV2	L&B is pleased to note the strong reference to any new work exerting a positive contribution on the historic area.	Expresses support for the modification.

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MC087	618703	Lidgett and Beyond Mr David Cockburn-Price	MM051	10.33	As stated above, this is a flawed and incorrect statement as there is still a Council Policy in place to achieve further reductions in empty homes.	<p>This modification does not contradict the fact the Council still has a policy in place to reduce the number of empty homes. It indicates that no numerical allowance has been made within the figures as they stand.</p> <p>The second part of the modification qualifies this position by stating that any additional empty homes which are reoccupied as a result of the Empty Homes Strategy will be counted against the housing requirement going forward.</p>
MC088	618703	Lidgett and Beyond Mr David Cockburn-Price	MM064	10.41	L&B believes that the timeliness of deliverability must be highlighted for assessment at least.	The consideration of whether a proposed development is deliverable is not part of the decision making process. Therefore the policy cannot require developers to demonstrate the deliverability of their scheme.
MC089	618703	Lidgett and Beyond Mr David Cockburn-Price	MM065	Policy LIV1	L&B reiterates comments made earlier where potential development sites being pushed through early and in a disjointed way should be held back as the Council should consider them in the overall context of the Borough. A typo on the second/last line of the para which begins “Proposals should use land....”, should read SDP2 not SPD2. L&B supports the comments about empty properties being brought back into use.	<p>The National Planning Practice Guidance (NPPG) indicates that in the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. As such those development proposals which are currently being brought forward must be considered in this context.</p> <p>The typographical error is noted and will be amended accordingly.</p>

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MC090	618703	Lidgett and Beyond Mr David Cockburn-Price	MM075	Policy LIV2	L&B supports the inclusion of education as infrastructure.	Expresses support for the modification.
MC091	618703	Lidgett and Beyond Mr David Cockburn-Price	MM090	10.115	In the current economic climate, L&B supports the flexibility given to the target of affordable housing, but encourages the focus to be maintained so that local people can buy/rent local houses.	Expresses support for the flexible approach. The plan's focus is to help deliver the maximum amount of affordable housing possible in the prevailing economic conditions.
MC092	618703	Lidgett and Beyond Mr David Cockburn-Price	MM079	10.117	L&B agrees that the focus on both housing development and employment land provision should go hand in hand and that the three pillars of sustainable development are achieved by the selection of Lomeshaye and Trough Laithe. Developments close to the M65 around North Nelson and West Colne (like the Knotts Lane site of 182 houses approved recently) should be prioritised by the Council, rather than describing the whole of such towns as being part of the "M65 corridor". L&B has always stated that significant housing developments in East Colne are not sustainable, both in isolation and by reference to journeying to places of employment along the M65 and up towards Barnoldswick.	The M65 Corridor Spatial Area encompasses the settlements along the line of the motorway. The eastern area of Colne is inextricably linked to the rest of the settlement and is well connected to the wider spatial area by the A6068. The Local Plan Part 2 will look to allocate a range of sites in appropriate and sustainable locations to meet the development needs outlined in the Core Strategy. This may include some sites to the east of Colne.
MC093	618703	Lidgett and Beyond Mr David Cockburn-Price	MM081	10.118	L&B supports the strengthening of the references to the important contribution of open spaces for the health and well-being of local residents in line with the NPPF para 73. The proposed wording now emphasises the need to both support and enhance such assets and to improve access and use by people . Areas of greenfields and green belt land in East Colne are vital assets for the whole of Pendle and for our tourist industry.	Expresses support for the modification.
MC094	618703	Lidgett and Beyond Mr David Cockburn-Price	General comment		We close our response letter by reiterating that L&B wholly supports the drive to protect and enhance the East Colne area as part of the Core Strategy's overall aim to promote Pendle. Under the Localism Act, it is vital that the Council listens to the voices of local people when considering the location of housing and employment developments and that it proactively controls the roll-out and implementation of the Core Strategy, rather than be continually on the defensive against developers who cherry-pick the most lucrative sites without regard to the overall Plan.	The government's declared intent to increase the delivery of new housing will impact on both the type and location of sites to be developed in Pendle. The Core Strategy provides the local framework for future development in the borough. The NPPF makes it clear

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						that the full development needs of a local planning authority must be met. However, it will be the role of Local Plan Part 2 to identify and allocate specific sites for future development. This document will need to be progressed expediently to provide certainty to the community and developers as to which sites should come forward for development.
MC095	911232	Great Places Housing Group Mr Jonathan Turner	MM083	7.23-7.27	<ul style="list-style-type: none"> 7.24 – this reads that vacant buildings should be re-used. It could be clearer that demolition is acceptable, with the focus being on bringing the land itself back into use. Are the borough acknowledging that assistance may be required to develop out brownfield land and that funding may be made available to assist with this. It also looks as if Pendle are not going to press planning obligations on the basis that the viability of brownfield sites will be significantly impacted upon. May be this could be clearer? 	<p>Paragraph 7.24 is clear that new development is encouraged to re-use vacant buildings and previously developed land. This would include demolition and the redevelopment of sites.</p> <p>The Council will take a pragmatic approach to considering the levels of obligations required when brownfield sites are redeveloped so as not to compromise the viability of the scheme. In addition the Council will look at potential funding streams to help bring previously developed land back into use. Paragraphs 7.23 and 7.24 make this clear.</p>
MC096	911232	Great Places Housing Group Mr Jonathan Turner	MM060	Policy SDP6	<ul style="list-style-type: none"> There appears to be a focus on ensuring that new developments have their utility and infrastructure in place at the point of planning submission, with a focus on ensuring that the surrounding has suitable capacity to accommodate the development. There is a reference to infrastructure obligations being placed on sites. Perhaps this is more relevant to rural sites where the Pendle feel less assistance will be required with viability. 	Policy SDP6 aims to ensure that the required infrastructure is in place or can be put in place to allow development to go ahead. The contributions to be made from developments will be subject to the necessary tests outlined in the NPPF.
MC097	911232	Great Places Housing Group Mr Jonathan Turner	MM061	Policy ENV1	<ul style="list-style-type: none"> Pendle are keen to protect the heritage of the area, which picks up on terraced housing, mills and conservation areas; all areas which GP tend to develop in/on. <ul style="list-style-type: none"> Likely that development in certain areas will require archaeological surveys and heritage statements to satisfy planners. 	No comment.

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MC098	911232	Great Places Housing Group Mr Jonathan Turner	MM062	Policy ENV2	<ul style="list-style-type: none"> Arguably a blanket approach to energy efficiency, stating that all developments should meet the appropriate national standards for a building's sustainability as they are introduced. Pendle appear to be encouraging the achievement of zero carbon principles by taking the following approaches: fabric first (which suits GP), on site low carbon heat and power and use of renewable technologies. 	No comment.
MC099	911232	Great Places Housing Group Mr Jonathan Turner	MM065	Policy LIV1	<ul style="list-style-type: none"> Housing Regeneration Priority Areas identified are as follows: i) Brierfield Canal Corridor, ii) Railway Street area, Brierfield, iii) Whitefield, Nelson, iv) Bradley, Nelson, and v) South Valley, Colne 	No comment.
MC100	911232	Great Places Housing Group Mr Jonathan Turner	MM090	10.115	<ul style="list-style-type: none"> Aspirations to achieve 40% affordable housing across the borough, although it is acknowledged that this is a long term aspiration. These policies/aspirations are slightly confused as it is unclear as to whether Pendle want to achieve this site by site or across the borough. 	Policy LIV4 is clear that the targets set out in Table LIV4a should be sought on sites of the relevant size threshold. These targets have been determined having regard to the viability of sites to deliver affordable housing. The aspirational 40% target referred to in the justification text provides the local context for affordable housing which is detailed in the evidence base (i.e. the Burnley and Pendle Strategic Housing Market Assessment (SHMA)).
MC101	911232	Great Places Housing Group Mr Jonathan Turner	MM023	Policy LIV5, 5 th paragraph	<ul style="list-style-type: none"> Dwelling density has been set at 30dph and 50dph in highly accessible locations which is welcomed principle 	Expresses support for the modification.
MC102	911232	Great Places Housing Group Mr Jonathan Turner	MM010	Policy LIV5, 6 th paragraph	<ul style="list-style-type: none"> Open space appears to be a priority on all new developments. This was a key focus on our Presbytery site, particularly as many of the areas such as Whitefield and Brierfield are very urban. The original masterplan for Whitefield had provision for open space, however when it was realised that this couldn't be delivered separately, Pendle looked to incorporate this provision within the Presbytery development. We endorse this approach however it must be balanced with the constraints of cost when endeavouring to bring forward brownfield sites. 	No comment.
MC103	327387	Wildlife Trust for Lancashire, Manchester and North Merseyside Mr John Lamb	MM068	3.97	Whilst the Wildlife Trust is pleased to see and welcomes the addition of the two sentences <i>"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</i>	The Council notes the Wildlife Trust's concerns. It is proposed that the wording is revised to read: <i>"Mapping work for the Lancashire Ecological Network has progressively</i>

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					<p><i>boundary linkages for biodiversity</i>", the second sentence isn't correct in that the areas of land containing habitats and species of principal importance were already known.</p> <p>The network has mapped the international, national and locally designated sites of importance for biodiversity, together with other areas of land containing habitats and species of principal importance, and identified corridors and stepping stones that best connect the sites, habitats and species.</p> <p>The Trust agrees that this has <i>"helped to establish the key cross boundary linkages for biodiversity"</i>.</p> <p>The network should be included on the Site Allocations Map(s) that will accompany the Core Strategy.</p>	<p><i>been made available between summer 2013 and summer 2014. The network has mapped the international, national and locally designated sites of importance for biodiversity, together with other areas of land containing habitats and species of principal importance, and identified corridors and stepping stones that best connect the sites, habitats and species. This work has helped to establish the key cross boundary linkages for biodiversity."</i></p> <p>As part of the preparation of the Local Plan Part 2: Site Allocations and Development Policies consideration will be given as to how best present the mapped ecological network data.</p>
MC104	327387	Wildlife Trust for Lancashire, Manchester and North Merseyside Mr John Lamb	MM082	Policy ENV1	<p>The Wildlife Trust is pleased to see and welcomes the addition of the sentence <i>"Proposals which seek to conserve or enhance biodiversity will be supported in principle"</i>.</p> <p>The revised text refers to a hierarchy of sites including <i>"C. Local Sites (LNR, BHS, LGS, LNI)"</i>. However, according to defra guidance, the Local Sites system, which includes Local wildlife Sites (Biological Heritage Sites - BHS in Lancashire) and Local geological and/or geomorphological Sites (LGS), applies to non-statutory sites but Local Nature Reserves (LNR) are statutorily-designated sites under the National Parks and Access to the Countryside Act 1949 – the same legislation that designates the National Parks and designated the original Sites of Special Scientific Interest (SSSI).</p> <p>Hence in order to be correct, C should be reworded to, for example, Local Nature Reserves and Local Sites (BHS, LGS, LNI).</p> <p>The Wildlife Trust is pleased to see and welcomes the addition of <i>"D. Habitats and Species of Principal Importance"</i> and the associated text.</p> <p>The revised text includes the addition of the sentence <i>"In all cases, where development is considered necessary (having regard to the above), adequate mitigation measures and compensatory habitat creation will be</i></p>	<p>The Council notes the Wildlife Trust's concern regarding the status of Local Nature Reserves (LNRs) and other Local Sites. In order to correctly reflect the relevant legislation the following amendment is proposed:</p> <p><i>"C. Local Nature Reserves and other Local Sites (BHS, LGS, LNI)"</i></p> <p><i>"....established interest of a Local Nature Reserve (LNR) or other Local Site (BHS, LGS, LNI) either..."</i></p> <p>In order to better reflect the requirements of the NPPF in terms of providing net gains in biodiversity the following amendment is proposed:</p> <p><i>In all cases.....planning conditions and/or obligations, in order to ensure that there is no net loss of biodiversity</i></p>

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					<p><i>required through planning conditions and/or obligations in order to ensure that there is no net loss of biodiversity”, however the National Planning Policy Framework (NPPF) requires there to be ‘net gains for nature’.</i></p> <p>The text should be reworded accordingly.</p>	<i>and where possible such measures should provide a net gain.”</i>
MC105	868022	Dr and Mrs John and Alison Plackett	MM068	3.97	<p>Reference to the mapping of Lancashire’s Ecological Network implies that one network exists, when at present the network system consists of</p> <ol style="list-style-type: none"> 1. Woodland networks - which are sub-divided 2. Grassland networks 3. Wetland and heathland networks - in draught form. <p>They have been produced by the Lancashire Environmental Records Network - LERN - at a landscape scale based on objectively assessed criteria.</p> <p>The amendments demonstrate knowledge of Lancashire’s Ecological Network System, however, it is more important that they are adopted, integrated and written into the Local Plan.</p> <p>See NPPF 7.3, 9.2, 14.2, 17.1, 17.7, 17.10, 109, 113, 114, 117.</p> <p>Local Planning Authorities - LPA - should also be seeking to make a significant contribution to the achievement of the commitments made by Government in its Biodiversity 2020 Strategy.</p> <p>MM068 is incomplete and inaccurate in portraying LERN’s network mapping as having two components, ie,</p> <ol style="list-style-type: none"> 1. identifying areas of land containing Habitats and Species of Principal Importance and 2. Cross-boundary linkages. <p>LERN’s biodiversity mapping shows much more and has been made available so that important information regarding county-wide connectivity can be adopted and integrated into Local Plans.</p> <p>To produce a short incomplete comment on the mapping of Lancashire’s ecological networks inserted out of context, when biodiversity has failed to be adequately addressed in Spatial Planning, Pendle’s SCS, in key parts of the core strategy and other key documents demonstrates a failure to comprehend what is required for biodiversity conservation.</p> <p>Government guidance - Planning for Biodiversity and Geological Conservation: A Guide to Good Practice - was first published nine years</p>	No comment.

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					ago to provide administrative guidance on implementing biodiversity and geological conservation. The National Planning Policy Framework - NPPF - 114 requires LPA's to set out a strategic approach in their Local Plan, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure. Is this approach evident in the Local Plan?	
MC106	868022	Dr and Mrs John and Alison Plackett	MM027	Policy ENV1	This lacks clarity, the first sentence at variance with the second. Suggested wording The biodiversity and geological assets of the borough will be protected and enhanced with those sites which have been designated for nature conservation including areas of semi-natural woodland, aged and veteran trees given protection appropriate to the status of their designation.	The first sentence is intended to provide broad support for the protection and enhancement of the borough's biodiversity and geological assets. The purpose of the second sentence is to clarify the level of protection given to different designations. No further amendment is considered necessary.
MC107	868022	Dr and Mrs John and Alison Plackett	MM082	Policy ENV1	D Habitats and Species of Principal Importance This designated group is of great conservation concern. It contains *rare or important habitats delivering ecosystem services and are areas of high ecological value* hence their statutory listing and the reason they are the core areas in coherent resilient ecological networks. In order to achieve commitments made by Government, new targets have been set to have 90% of these habitats in favourable condition by 2020. In Lancashire and therefore Pendle, they have been mapped and placed as core areas of ecological networks waiting for adoption and integration into the Local Plan. The main aim of the new planning system was to achieve sustainable development where the three dimensions of the NPPF should not be undertaken in isolation (or added at a later date), so that gains in all three dimensions should be sought jointly and simultaneously through the planning process to avoid or plan out conflict. It should now be possible to ensure that a planning application for proposed development affecting a Habitat of Principal Importance only occurs in exceptional circumstances . Any planning application in these circumstances will as a matter of course have the potential to disrupt coherence and affect	The policy has been amended through this Main Modification in order to provide protection to Habitats and Species of Principal Importance that may be affected by a development proposal. The policy now requires proposals to be assessed for the potential impacts on Habitats and Species of Principal Importance. Where development is deemed necessary measures can be put in place to protect, mitigate or compensate the species and/or habitat affected. No further amendment is considered necessary.

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					resilience of an ecological network and the integrity of the habitat. * from Securing Biodiversity - England's Biodiversity Framework	
MC108	868476	Ms Pam Smith	MM083	7.23-7.27	<p>One of the things I am most concerned about regarding these modifications to the Pendle Core Strategy is that building in the open countryside and green field sites is now considered the norm, and not something that should be done only in very exceptional circumstances. The reason given for this is that the "sequential approach was contrary to national policy".</p> <p>However, in the National Planning Policy Framework (NPPF), it clearly states, as one of the 12 Core Planning Principles that "should underpin both plan-making and decision -taking" that planning should: "contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value" (NPPF 17 Page 6).</p> <p>It clearly prioritizes the requirement to build on land of lesser environmental value (ie brownfield) rather than on greenfield or open countryside.</p> <p>I therefore question the deletion of 7.26 and 7.27 in MM083 (page 14 of the Modification Schedule).</p> <p>7.26 states that "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 states that "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 Part2: 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> <p>I believe these clauses should be re-instated. The reference to following the sequential approach in 7.27 could perhaps be omitted, but the phrase "in line with the Framework, the allocation should prefer land of lesser environmental value" should definitely be reinstated as it is a direct quote from the NPPF.</p> <p>One of the requirements or tests of soundness is "consistent with national policy: ie enable the delivery of sustainable development in accordance with the requirements of the National Planning Policy Framework".</p> <p>The removal of the requirement that "allocations of land for</p>	The removal of the phrase "the allocation of sites should prefer land of lesser environmental value" does not, as implied, give the go-ahead to building solely on Greenfield land, thereby going against the requirements of the NPPF, it avoids duplication of national policy as this wording is included in the NPPF and must therefore be a consideration in the future allocation of sites.

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					development should prefer land of lesser environmental value” (thus giving the go-ahead to building solely on green field land and abandoning restrictions) is against the requirements of the NPPF, and therefore, unsound .	
MC109	868476	Ms Pam Smith	MM071	Policy SDP2	Likewise, MM071 (page 15 of the Modification Schedule) in Policy SDP2, the prioritization of brownfield sites over greenfield sites has been removed because it is stated, it would “constitute a sequential test, which would be contrary to national policy”. However, some requirement to prioritize lesser environmentally valuable land over Greenfield land for development should be inserted here, as it is one of the Core Principles of the NPPF and it is therefore national policy. The ignoring and removal of this requirement is, I would argue, not consistent with national policy, and therefore unsound.	No comment.
MC110	868476	Ms Pam Smith	MM083	7.23-7.27	I also object to the removal of the protection of the Green Belt, as demonstrated by the insertion in MM083 (Page 14 of the Modification Schedule) which states “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”. Surely there is enough land of” lesser environmental value “ in Pendle without recourse being made to changing the settlement boundaries or the defined Green Belt. It therefore isn’t justified to build on the Green Belt as there are other, more appropriate, alternatives (in accordance with one of the definition of Justified given in the tests for soundness- “the most appropriate strategy, when considered against the reasonable alternatives”). I also suggest that it is not consistent with national policy as laid down in the NPPF. The NPPF, in another of the 12 Core Principles underpinning planning policy, states that planning should: “take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving communities within it”.	The Core Strategy (Pre-Submission Report) already included provision for a review of the Green Belt, which is tightly drawn around the settlements in the M65 Corridor. This is an additional reference that was considered necessary to help improve clarity.
MC111	868476	Ms Pam Smith	MM084	10.33	Moving on now to the housing projections in MM084 (page 23 of the Modification Schedule) – how can we have any confidence that these projections are accurate? It states here that the figure of 298 per year lies above the latest population projection. Why has it been made so high, when there are still many properties in Pendle left unoccupied, which if occupied would decrease the housing requirement significantly? If there is such a need for more housing then why are so many properties	The housing requirement figures in the Core Strategy are based on the findings of the Burnley and Pendle Strategic Housing Market Assessment (SHMA). The SHMA uses the latest population and household projections produced by the Office for National Statistics (ONS)

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					left abandoned, and why have some of the new builds not been snapped up? Some housing projects have also been abandoned, due to lack of interest and money.	<p>to identify the Objectively Assessed Needs for housing for Pendle. The NPPF requires that local planning authorities prepare a SHMA to assess their full housing needs and that they should use this evidence base to ensure the local plan meets their full needs. As discussed at the Examination Hearing Sessions the housing requirement figure has been set at 298 dwellings per annum as this figure meets the population/household increase that is likely to occur from natural population change and inward migration. It also takes account of the increase in the population which is likely to occur from the economic growth forecasted for the borough.</p> <p>With regards to empty properties, as explained at the Hearing Sessions, those long-term empty properties which are reoccupied during the plan period will be counted against the housing requirement.</p>
MC112	868476	Ms Pam Smith	MM085	10.37	Deletion of paragraph 10.37. I don't understand why this paragraph has been deleted. It would make much more sense to have a staggered approach to housing delivery, due to the prevailing economic conditions. Also, as the market gradually picks up, more grants or government money might become available so that brownfield sites could become more attractive and viable to developers.	It was agreed in the Hearing Sessions that the staggered approach was not justified if the use of empty homes was an accepted part of the calculation for the five year housing land supply (Table 5.1 of the Housing Implementation Strategy).
MC113	868476	Ms Pam Smith	MM086	10.39	The most contentious modifications in the schedule, are I believe, MM086 (page 25) – “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, these 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”;	<p>To deliver the objectively assessed need for housing (OAN) in Pendle, it will be necessary to develop on Greenfield sites, which is acknowledged in Policy LIV1.</p> <p>This is a consequential amendment arising from MM065 (below), which introduces a time-limit that was not</p>

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						included in the Core Strategy (Pre-Submission Report). As such it represents a tightening, rather than a relaxation of the policy position.
MC114	868476	Ms Pam Smith	MM065	Policy LIV1	<p>And MM065 (page 27) where the following has been inserted: “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: Non-allocated sites within a Settlement Boundary where they are sustainable and make a positive contribution to the five year supply of housing land; And until such time that the Council adopts the Pendle Local Plan Part 2: Site Allocations and Development Policies 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 SHLAA”.</p> <p>As you know, this last insertion was the result of a joint consultation between the property developers present at the Core Strategy hearings and the planning officers of Pendle Council. It gives the go-ahead for property developers to apply for planning permission to develop land in the open countryside and Greenfield sites practically anywhere in the area, until sites are allocated in the second part of the local plan. Nowhere in the NPPF does it state that the profits of the developers should be the overriding concern of the planners, and the sole determinant of housing policy. This seems to be the single criterion on which the Pendle Local Plan is based. It makes a mockery of planning. Planning should be about what is best for the people who live in the area, in order to enhance their quality of life.</p> <p>As the NPPF states (page 5) in one of the Core Planning Principles, planning “should be a creative exercise in finding ways to enhance and improve the places in which people live their lives”. It should “promote the vitality of our main urban areas, protecting the Green belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it”.</p> <p>Instead, our towns are left unregenerated with brownfield sites left abandoned and our countryside cynically concreted over in order to make the optimum profits for the developers. The planners have no real creative plan, but are merely reacting to the demands of the developers. What sort of a planning system is this?</p>	<p>To deliver the objectively assessed need for housing (OAN) in Pendle, it will be necessary to develop on Greenfield sites, which is acknowledged in Policy LIV1. The NPPF is clear that the housing requirement should be based on evidence from the Strategic Housing Market Assessment.</p> <p>The Strategic Housing Land Availability Assessment (SHLAA) identifies a range of sites across the borough, which have the potential to be developed for housing. This study has identified and assessed the full complement of brownfield sites and shows that these could accommodate 2,357 dwellings. The housing requirement for Pendle is set at 5,662 dwellings therefore it will be necessary to identify additional land for development to meet this requirement. A proportion of this land will need to be Greenfield land.</p> <p>The policies in the Core Strategy aim to strike a balance between meeting the development needs of the borough and protecting the environment. The NPPF requires local planning authorities to significantly boost the supply of housing and is clear that planning should pro-actively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs as well as responding positively to the wider</p>

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					I therefore question the soundness of these modifications because they do not accord with the aims, ethos and guidance given in the NPPF. There needs to be some protection for Greenfield land reinstated in accordance with the NPPF. I also do not believe the push to build on our green fields is sustainable because although the economic criterion is perhaps met, the social and environmental criteria are demonstrably not met. It is not justified because there are many instances of land of lesser environmental value which could be built on first.	opportunities for growth. The Core Strategy does not ignore the need for regeneration and Policy LIV1 is supportive of such projects. However, the withdrawal of government funding for such projects means that the Council must look at alternative ways to regenerate the inner urban areas. Through the joint venture company the Council is bringing forward sites in these areas and is continuing with its work to bring empty homes back into use.
MC115	868476	Ms Pam Smith	MM075	Policy LIV2	MM075 (page 28) The amendment in Policy LIV2 which reads “the development will provide 20% affordable housing on-site <u>unless an up-to-date viability assessment indicates that this cannot be delivered</u> ” is a get-out clause for the developers, making the requirement virtually meaningless.	The modification seeks to obtain 20% affordable housing in an area (M65 Corridor North) where the ‘broad brush’ assessment carried out in the Development Viability Study indicates that there is no opportunity to secure such provision on smaller sites. The inclusion of this clause recognises that the status of a strategic site is somewhat different, and this is confirmed in the developers own appraisal work. It does however allow for a degree of flexibility should the economy not recover as quickly as expected. The NPPF (paragraph 173) indicates that careful attention should be paid to viability and costs in plan-making, and that to ensure viability, the costs of any requirements such as for affordable housing, should, when taking account of the normal cost for development, provide competitive returns to a willing land owner and willing developer. Paragraph 50 also indicates that when

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						setting policies for the provision of affordable housing, such policies should be sufficiently flexible to take account of changing market conditions over time. Modification MM075 is therefore bringing Policy LIV2 in-line with national policy.
MC116	868476	Ms Pam Smith	MM079	11.72	<p>I object to the insertion in MM079 (page 35) which states: Given the nature of the demand (ie 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- ie 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”.</p> <p>I must say that this is a most unusual, perverse and disingenuous use of the word “environment” when used as one of the tests and requirements of sustainability as required by the NPPF. Building an industrial estate on this green belt land would ruin the environment, as the planners well know. It makes a mockery of the NPPF.</p> <p>The NPPF describes what it means by environmental as a test for sustainability as follows:</p> <p>“contributing to protecting and enhancing our natural, built and historic environment; and , as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy”.</p> <p>Building this industrial estate might fulfil the economic requirement of sustainability, but in no shape or form could it be said to fulfil the environmental requirement. In a narrow view of social fulfilment it could be said to be advantageous in that it creates jobs for the local people, but it also detracts from the well-being, health and quality of life of local people by replacing well-loved countryside with noise, busy roads, industrialisation of the countryside, ugliness, and all the stress that goes with it.</p> <p>The statement “any loss (of Green belt land) would be significantly outweighed by the economic, social and environmental benefits a new employment site would help to bring about” is purely subjective. It might be so in the eyes of the planners (who do not have to live there) but</p>	No further comment.

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					certainly not in the eyes of the local people!	
MC117	818207	United Utilities Property Services Ms Jenny Hope	MM060	Policy SDP6	<p>Policy SDP 6 – Future Infrastructure Requirements</p> <p>United Utilities previously commented to support the inclusion of Policy SDP 6, which sets out the partnership approach to deliver the infrastructure necessary to support development within the Borough. We note that the second paragraph of this policy is proposed to be modified as follows:</p> <p><i>“Developers will need to carry out early engagement confirm with the relevant utility and infrastructure providers to ensure that sufficient capacity is available, or can be made available, to allow their scheme to proceed”.</i></p> <p>United Utilities is satisfied with the above proposed modifications. In some circumstances it may be necessary to coordinate the delivery of new development with the delivery of future infrastructure. In accordance with paragraphs 156 and 162 of the NPPF, the Local Plan should include strategic policies to (inter alia) deliver the provision of infrastructure.</p>	Expresses support for the modification.
MC118	818207	United Utilities Property Services Ms Jenny Hope	MM075	Policy LIV2	<p>Policy LIV 2 – Strategic Housing Site: Trough Laithe</p> <p>United Utilities previously commented in support of the following additional criterion within the body of Policy LIV 2, which has now been subject to the following modifications:</p> <p><i>“early engagement between the applicant and infrastructure providers is carried out to address any capacity issues and ensure the relevant physical and social infrastructure (e.g. utilities, open space education etc) is provided”.</i></p> <p>Please note United Utilities is satisfied with the above modifications to the wording of this bullet point. Nevertheless we would like to reiterate that it is difficult for United Utilities to fully understand the potential impact of this strategic housing site on our infrastructure until we have more details on connection points, the nature of the development, the timing for the delivery of the development and also the approach to surface water management and drainage.</p> <p>Given the size of this site, it may be necessary to co-ordinate infrastructure improvements with the delivery of the development once more details become available. In addition, it may be necessary to ensure that the delivery of development is guided by strategies for infrastructure which ensure coordination between phases of development over lengthy time periods and by numerous developers.</p>	Expresses support for the modification.

Comment ID	Representor ID	Organisation / Representor	Modification Number	Paragraph/ Policy	Comments	Officer / Council Response
MC119	692633	Lancashire Branch of CPRE Ms Jackie Copley	MM083	7.23-7.27	<p>We note modification number MM083:<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> The possibility of further countryside land currently protected by Green Belt designation being released for development due to the immense environmental and health and well-being value of Green Belt land. There is strong general public understanding of, and support for, the concept of Green Belt. Loss of Green Belt stirs strong emotions. Despite our concern we do not wish to cause any delay in the adoption of the local plan due to the vulnerability of countryside without such policy protection. We do ask to be consulted however in the event of a Green Belt Review.</p> <p>We are however heartened, due to the abovementioned reasons with the insertion of: <u>Where appropriate, the Council will look to identify funding and other mechanisms to bring previously developed land back into use.</u></p>	<p>To ensure that the preparation of the Local Plan (Part 2) represents a comprehensive and robust assessment of future requirements it will be necessary to conduct a review of the Green Belt and settlement boundaries.</p> <p>The Core Strategy establishes the quantum of development and Local Plan (Part 2) will need to allocate sufficient land to meet these development needs. The evidence base suggests that it is likely that sites outside of the existing settlement boundaries will be required to meet these needs. Therefore the Core Strategy has been amended to reflect this position.</p> <p>As part of the evidence base work for the Local Plan (Part 2), the Council will carry out a Green Belt study with the appropriate consultation with interested parties.</p> <p>Expresses support for the modification relating to bringing previously developed land back into use.</p>
MC120	818030 868446	PWA, Mr Paul Walton On behalf of: Marcus Kinsman	MM083	7.23-7.27	Support for the modification.	Expresses support for the modification.
MC121	818030 868446	PWA, Mr Paul Walton On behalf of: Marcus Kinsman	MM059	Policy SDP2	Support for the modification.	Expresses support for the modification.
MC122	818030 868446	PWA, Mr Paul Walton On behalf of: Marcus Kinsman	MM071	Policy SDP2	Support for the modification.	Expresses support for the modification.

Comment ID	Representor ID	Organisation / Representor	Modification Number	Paragraph/ Policy	Comments	Officer / Council Response
MC123	818030 868446	PWA, Mr Paul Walton On behalf of: Marcus Kinsman	MM004	10.33	Support for the modification.	Expresses support for the modification.
MC124	818030 868446	PWA, Mr Paul Walton On behalf of: Marcus Kinsman	MM086	10.39	Support for the modification.	Expresses support for the modification.
MC125	818030 868446	PWA, Mr Paul Walton On behalf of: Marcus Kinsman	MM065	Policy LIV1	Support for the modification.	Expresses support for the modification.
MC126	818030 868446	PWA, Mr Paul Walton On behalf of: Marcus Kinsman	MM066	Policy LIV4	Support for the modification.	Expresses support for the modification.
MC127	818030 868446	PWA, Mr Paul Walton On behalf of: Marcus Kinsman	MM094	Appendices	Support for the modification.	Expresses support for the modification.
MC128	868120 327679	Turley Mr Andrew Bickerdike On behalf of: Peel Investments (North) Ltd)			<p>Thank you for the opportunity to provide comments on the proposed Schedule of Main Modifications to the Pendle Core Strategy.</p> <p>My client, Peel Investments (North) Ltd ("Peel"), has reviewed the proposed Main Modifications in full. At this stage, and in the context of the remainder of the plan being unchanged, Peel does not consider that any of the proposed Main Modifications affect the soundness of the Core Strategy.</p> <p>Peel submitted extensive representations to the Core Strategy Examination through its Hearing Statement submissions. These set out Peel's views on the soundness of the Core Strategy as submitted. These comments continue to reflect Peel's position in this regard.</p>	Expresses support for the modifications.

The following additional representations were received and will be submitted to the Inspector for his consideration. However, they do not relate to the Main Modifications and are not considered to be valid as part of the consultation:

Comment ID	Representor ID	Organisation / Representor	Modification Number	Paragraph/ Policy	Comments	Officer / Council Response
NV001	379107	Mr John Metcalfe			<p>Thank you for your recent e-mail/information regarding Proposed Main Modifications</p> <p>On behalf of the residents living within the boundaries I can only re-iterate what was previously said in the letter dated 15th February 2014 plus a petition signed by over 200 people.</p> <p>The petitioners are totally opposed to the land being utilised for industrial purposes. This application would cause total devastation to the area, be entirely out of character of the area, also to the detriment of the local environment and wildlife.</p> <p>Land designated as Green Belt, sold as woodland and pasture, proposed as a biological heritage site in 2010, now proposed as a possible industrial site employing approximately 2,144. How can this be possible? Designated Green Belt Land</p> <p>The site is one of outstanding natural beauty which has been recognised over the years by residents and by Pendle Council who allocated its green belt status specifically because of its scenic value and to prevent urban sprawl.</p> <p>Points of Concern:</p> <ul style="list-style-type: none"> • Volume of traffic from proposed Brown Route By-pass • Highways safety lorries, wagons, vans, cars entering and leaving site • Traffic pollution • Possible hazardous substances/smells from manufacturing process on site • Detrimental to all wildlife on site, possibility of deer being driven nearer to the By-passes. Could cause major accident. • Water retention on land • Drainage/sewage disposal • Protected trees on site • Residents property depreciation • Loss of privacy and overlooking • Noise and light pollution. Would also have an effect on Owls and Bats 	<p>This comment relates to a site that is not included in the Core Strategy. It does not relate to a Main Modification and therefore the Council has no comment to make.</p>

Comment ID	Representor ID	Organisation / Representor	Modification Number	Paragraph/ Policy	Comments	Officer / Council Response
					<ul style="list-style-type: none"> Urban sprawl – if the Rail link to Skipton goes ahead plus the Employment site for 2,144 and By-pass there is going to be very little open land between Colne and Barrowford. Employment would mean more housing this would then open the door for Nelson and Colne College to apply to build houses on the playing field, hence another open piece being lost. <p>Once this land is lost it will be lost forever. Please, we beg you to think of what this area has to offer to visitors, who incidentally are being encouraged to spend time in our area. Many visitors to Boundary Mill make their way to the Heritage Centre/Barrowford Locks along Barrowford Road as do local residents enjoying a walk with either their children or pets. No one wants to see Industrial Units on the horizon.</p> <p>Why do landowners want to destroy what nature has bestowed upon us?</p> <p>Why is it the responsibility of residents to point out what would be catastrophic to the area?</p> <p>Do the residents see something that the powers to be can't?</p> <p>Or does money govern everything?</p> <p>We, the residents who have signed this petition, are very proud to live in this area and do everything in our power to make it attractive to visitors, walkers, families. (Already in your possession)</p> <p>As you will be area there are still units available at Riverside Mill, Nelson Lomeshaye Industrial Est.</p> <p>Also plans to extend Industrial Land at Lomeshaye</p> <p>Thank you for taking the time to read this letter and hopefully the strong feelings of the residents to protect this land from development will be taken on board by the Council.</p>	
NV002	817889 327935	Turley On behalf of: Sainsbury's Supermarkets Ltd		Policy SDP1	<p>On behalf of our client, Sainsbury's Supermarkets Ltd, we have reviewed the Pendle Borough Council Core Strategy Main Modifications Report and would like to take this opportunity to comment on the document. Our comments are set out below.</p> <p>Introduction</p> <p>Overall, Sainsbury's considers the Main Modifications Report to be generally sound. We note that a number of changes to policies that we previously submitted representations for have not been included in the</p>	This comment does not relate to a Main Modification and therefore the Council has no comment to make.

Comment ID	Representor ID	Organisation / Representor	Modification Number	Paragraph/ Policy	Comments	Officer / Council Response
					<p>modifications. We therefore reiterate our previous representations that these changes should be included. For clarity, our comments and recommended changes are detailed as bullet points below the relevant policies.</p> <p>Policy SDP1 (Presumption In Favour Of Sustainable Development) Sainsbury's continues to support Policy SDP1, particularly the inclusion of the presumption in favour of sustainable development as contained within the National Planning Policy Framework ('the Framework') and welcomes the expansion of the policy to include the promotion of joint working to ensure sustainable development.</p> <p>Suggested changes:</p> <ul style="list-style-type: none"> • We maintain our representation for the policy to specifically refer to development proposals for town centre uses to be given clear support where they balance the promotion of sustainable communities and enhancing the quality of the environment. 	
NV003	817889 327935	Turley On behalf of: Sainsbury's Supermarkets Ltd			<p>Policy SDP5 (Retail Distribution) Suggested change:</p> <ul style="list-style-type: none"> • We maintain the representation for the policy to be expanded to make specific reference to identified capacity for additional convenience retail floorspace in the north of the Borough. 	This comment does not relate to a Main Modification and therefore the Council has no comment to make.
NV004	817889 327935	Turley On behalf of: Sainsbury's Supermarkets Ltd			<p>Policy WRK1 (Strengthening the Local Economy) Sainsbury's supports the aims of Policy WRK1, which seeks to identify broad locations to meet the identified need for employment land over the plan period and the support for retail development as an appropriate wider employment generating use to strengthen the local economy.</p> <p>Suggested change:</p> <ul style="list-style-type: none"> • We maintain the representation that the policy includes an element of flexibility to ensure that development can be brought forward in a timely manner. 	This comment does not relate to a Main Modification and therefore the Council has no comment to make.
NV005	817889 327935	Turley On behalf of: Sainsbury's Supermarkets Ltd			<p>Policy WRK 4 (Retailing and Town Centres) Sainsbury's supports the aims of Policy WRK4, which seeks to direct retail development within Town Centres of Nelson, and Colne. Sainsbury's further supports the Councils aim to promote uses which help to create active street frontages and a vibrant public realm, such as shops, cafés, restaurants, cultural and leisure uses.</p> <p>Suggested change:</p> <ul style="list-style-type: none"> • We maintain that the wording to resist out/edge of centre development is unduly restrictive. Such development is accepted in the NPPF where the sequential and impact tests are satisfied. 	This comment does not relate to a Main Modification and therefore the Council has no comment to make.

Comment ID	Representor ID	Organisation / Representor	Modification Number	Paragraph/ Policy	Comments	Officer / Council Response
NV006	868120 327679	Turley Mr Andrew Bickerdike On behalf of: Peel Investments (North) Ltd)			<p>TROUGH LAITHE FARM (POLICY LIV2)</p> <p>During the Examination Hearing sessions, the Inspector was advised that an outline planning application for the development of the proposed Strategic Housing Site at Trough Laithe Farm (Core Strategy Policy LIV 2 relates) was being prepared by Peel.</p> <p>I am pleased to advise that an outline planning application for the site's development to provide up to 500 residential properties alongside associated infrastructure, open space and landscaping was submitted to Pendle Borough Council on 13th July 2015.</p> <p>The outline application is supported by a comprehensive Environmental Statement which assesses, in full, the environmental impacts of the development and, where necessary, identifies appropriate mitigation measures to reduce these to an acceptable level. The Environmental Statement comprises the following technical chapters:</p> <ul style="list-style-type: none"> • Landscape and Visual Impact Assessment, • Transport and Accessibility Assessment • Ecology Assessment • Flood Risk and Drainage Assessment • Noise Assessment • Air Quality Assessment • Ground Condition Assessment • Built Heritage Assessment • Socio-Economic Assessment <p>The outline application is tied to a set of development principles and parameters. These provide an appropriate level of 'design fix' to enable a robust EIA process to be undertaken. These relate to the maximum number of dwellings, the means of access into the site, defined development zones, maximum property heights and the extent and location of key areas of structural landscaping.</p> <p>An Illustrative Masterplan has been submitted as part of the planning application. This provides one articulation of how the development could be delivered working within the principles and parameters set out. A copy of this masterplan is provided with this letter.</p> <p>The suite of submission documents accompanying the planning application demonstrate that there are no insurmountable constraints to the development of site and that any impacts arising can be readily</p>	This comment does not relate to a Main Modification and therefore the Council has no comment to make.

Comment ID	Representor ID	Organisation / Representor	Modification Number	Paragraph/ Policy	Comments	Officer / Council Response
					addressed through deployment of standard and targeted mitigation measures. The submission demonstrates that the site is capable of making an important contribution to boosting the delivery of new housing during the first five years of the Core Strategy plan period and providing a continued source of new housing over a ten to twelve year period and, in doing so, playing a strategic role in meeting the objectives of the Core Strategy.	
NV007	692633	Lancashire Branch of CPRE Ms Jackie Copley			<p>The Lancashire Branch of the Campaign to Protect Rural England is the leading countryside charity that campaigns for planning policies that best protect and enhance our beautiful countryside for the benefit of all in the future.</p> <p>With this goal in mind we acknowledge the importance of an adopted local plan in effectively steering growth particularly housing growth to the most sustainable sites, especially as Pendle is a predominantly rural area and has some wonderful countryside. As mentioned in our correspondence dated 21 February 2014 we are keen to engage positively with the Pendle Local Plan process. We are also advocating an increased take up of Neighbourhood Plans by Parish Councils to provide the third tier of planning policy protection, and will be in touch at a later time to discuss our willingness to support local communities embrace neighbourhood planning.</p> <p>CPRE Lancashire has looked through the Schedule of Main Modifications: 29/05/2015 to understand whether the altered local plan is capable of adoption and whether the Core Strategy is legally compliant and meet the four tests of soundness.</p> <p>CPRE Lancashire is campaigning for improvement of the National Planning Policy Framework. Like Government we encourage the building on vacant and neglected previously built land (brownfield) in advance of bulldozing countryside. But, last year we evidenced the operational problem of the National Planning Policy Framework requiring the Housing Target to include an additional 5 to 20% buffer, and its focus on developer viability is leading to a significant increase in pressure for greenfield land allocation. We continue to urge Government to include all land with planning permission for housing to be included in the five year supply of housing land.</p> <p>Pendle has empty houses and 46 hectares of brownfield land, (40</p>	This comment does not relate to a Main Modification and therefore the Council has no comment to make.

Comment ID	Representor ID	Organisation / Representor	Modification Number	Paragraph/ Policy	Comments	Officer / Council Response
					<p>hectares of which is assessed as suitable for housing), and we advocate the re-use of such wasted resources to help deliver new houses and investment in areas that need it most. Brandon Lewis the Planning Minister recently announced that local authorities need to put Development Consent Orders on 90% of brownfield land, with attached funding to help overcome abnormal costs that hold such sites back from development. It is important that Pendle Council makes progress with DCOs as there is a genuine threat of special measures, and a further 'presumption in favour of development' which further threatens <i>'Our green and pleasant land.'</i></p> <p>What's more is a recently published CPRE national office research paper evidences that allocating more greenfield land does not necessarily lead to more houses completed. The problem relates to the business model of developers that focuses on increasing land values due to planning consent rather than building houses. It evidences the nine largest house builders currently have some 315,000 sites with planning permission for housing land banked. The link to the report is here: http://www.cpre.org.uk/resources/housing-and-planning/housing/item/3976-getting-houses-built</p>	
NV008	818207	United Utilities Property Services Ms Jenny Hope			<p>Thank you for your consultation seeking the views of United Utilities as part of the Development Plan process.</p> <p>United Utilities wishes to build a strong partnership with all Local Planning Authorities (LPAs) to aid sustainable development and growth within its area of operation. We aim to proactively identify future development needs and share our information. This helps:</p> <ul style="list-style-type: none"> - ensure a strong connection between development and infrastructure planning; - deliver sound planning strategies; and - inform our future infrastructure investment submissions for determination by our regulator. <p>When preparing the Development Plan and future policies, we can most appropriately manage the impact of development on our infrastructure if development is identified in locations where infrastructure is available with existing capacity. It may be necessary to co-ordinate the delivery of development with the delivery of infrastructure in some circumstances.</p> <p>United Utilities has commented on previous versions of the emerging Core Strategy DPD, most recently submitting comments (Ref: DC-14-</p>	This comment does not relate to a Main Modification and therefore the Council has no comment to make.

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					<p>3956) to the 'Pre-Submission Report' consultation on 20 November 2014. We now write to submit the following comments to the current 'Schedule of Main Modifications' consultation, which runs until 5pm on Friday 17 July.</p> <p>GENERAL COMMENTS</p> <p>New Development</p> <p>United Utilities recognises it is too early to comment on specific locations where the Council may be seeking to promote new development. The opportunity to comment on specific locations will arise when the Council progresses its Local Plan (Part Two): Site Allocations and Development Policies document. Nevertheless, we wish to highlight now that United Utilities will seek to work closely with the Council during the Local Plan process to develop a coordinated approach to delivering sustainable growth in sustainable locations.</p> <p>New development should be focused in sustainable locations which are accessible to local services and infrastructure. United Utilities will continue to work with the Council to identify any infrastructure issues and most appropriately manage the impact of development on our infrastructure during the preparation of the Local Plan. Please note that United Utilities seeks to undertake further discussions with the Council on technical matters relating to site-specific development, such as site drainage and the Surface Water Hierarchy, once individual site allocations are identified.</p> <p>Many of the rural areas of the Borough will be supported by infrastructure which is proportionate in scale to its rural location. Therefore disproportionate growth in any settlement, especially smaller settlements, has the potential to place a strain on existing water and wastewater infrastructure.</p>	
NV009	818207	United Utilities Property Services Ms Jenny Hope			<p>Policy ENV 2 – Achieving Quality in Design and Conservation</p> <p>United Utilities previously commented in support of Policy ENV 2, which directs that <i>“new development should be designed to have a positive, or at least neutral impact, on climate change”</i> by seeking to adhere to a number of criteria including (inter alia):</p> <ul style="list-style-type: none"> • <i>“Maximising the use of permeable surfaces (including hardstandings) and Sustainable Drainage Systems (SuDS) where appropriate (see Policy ENV7).</i> • <i>Incorporating water saving and recycling measures where possible to minimise water usage.”</i> 	This comment does not relate to a Main Modification and therefore the Council has no comment to make.

Comment ID	Representor ID	Organisation / Representor	Modification Number	Paragraph/ Policy	Comments	Officer / Council Response
					We note the above bullet points are retained within the body of Policy ENV2, and are not subject to modification. United Utilities supports the retention of this text, and would like to emphasise the importance of incorporating water efficiency measures as part of the design process for all new developments	
NV010	818207	United Utilities Property Services Ms Jenny Hope			Policy ENV 7 – Water Management As per our comments to previous iterations of the emerging Core Strategy, United Utilities supports the inclusion of Policy ENV 7, which focusses on the key principles to managing development and flood risk, including the need to direct development to areas with the lowest possibility of flooding, and in particular, the need for surface water arising from new developments to discharge in accordance with the Surface Water Hierarchy.	This comment does not relate to a Main Modification and therefore the Council has no comment to make.
NV011	818207	United Utilities Property Services Ms Jenny Hope			Policy WRK 3 – Strategic Employment Site: Lomeshaye Policy WRK 3 states that the development of a strategic employment site at Lomeshaye to deliver B1, B2 and B8 uses will be supported subject to meeting a number of criteria, including the following, which is not affected by the proposed modifications: <i>“Early engagement between the applicant and infrastructure providers is carried out to address any capacity issues and ensure the relevant infrastructure (e.g. utilities, broadband etc) is provided (Policy SDP6)”.</i> As per our previous comments regarding Policy LIV 2, given the size and strategic nature of this site it may be necessary to co-ordinate infrastructure improvements with the delivery of the development once more details become available. In addition, it may be necessary to ensure that the delivery of development is guided by strategies for infrastructure which ensure coordination between phases of development over lengthy time periods and by numerous developers.	This comment does not relate to a Main Modification and therefore the Council has no comment to make.