

REPORT FROM: PLANNING BUILDING CONTROL & LICENSING MANAGER

TO: EXECUTIVE

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PENDLE LOCAL PLAN PART 2 SITE ALLOCATIONS & DEVELOPMENT POLICIES

PURPOSE OF REPORT

- To inform the Executive of progress on the preparation of the Local Plan (Part 2).
- To present the representations and site nominations received in response to the recent public consultation to the Executive.
- To request that the Executive approve the officer responses to these representations.
- To request that the Executive approve the recommended changes to the Local Plan (Part 2) and its supporting documents.

RECOMMENDATIONS

- (1) That the Executive notes progress on the preparation of Pendle Local Plan Part 2.
- (2) That the Executive notes the representations and site nominations, including those received after the official close of the public consultation.
- (3) That the Executive accepts the officer responses and recommendations as set-out in the schedule of comments (Appendices 1-3).

REASONS FOR RECOMMENDATIONS

- (1) To comply with the requirements of Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended; the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011
- (2) To facilitate the preparation and adoption of the Local Plan, by allowing it to proceed to the Preferred Options stage.

- (3) To facilitate the preparation and adoption of the Local Plan, by allowing it to proceed to the Preferred Options stage.

To ensure that the Local Plan is based on up-to-date, robust and credible evidence.

ISSUE

Background

1. This report is being brought back to the Executive following consideration of the officer responses by the all-party Local Plan Working Group.
2. Planning policies, used to help manage future development and growth in Pendle, are set-out in the Local Plan. The emerging Local Plan covers the period 2011-2030.
3. Pendle Local Plan Part 1: Core Strategy, was adopted in December 2015 and sets out:
 - the long-term spatial vision for the borough and the overall strategy for delivering that vision;
 - allocates strategic development sites for housing (Trough Laithe) and employment (Lomeshaye);
 - identifies the amount of development proposed (e.g. for housing and employment) and its geographic distribution across the borough; and
 - highlights the main infrastructure improvements required to support new development.
4. Pendle Local Plan Part 2: Site Allocations and Development Policies will:
 - allocate sites to help deliver the projected levels of development and growth set out in the Core Strategy; and
 - include detailed policies that will guide day-to-day decisions on planning applications.
5. A cross party Working Group is overseeing the preparation of the Local Plan (Part 2).

Public Consultation

6. A six week public consultation was held between 24th February and 7th April 2017. This included a final Call for Sites and provided an opportunity for interested parties to consider and comment on the following draft documents, which are important components of the evidence base:
 - Local Plan Part 2: Scoping Report & Methodology
 - Sustainability Appraisal: Scoping Report – this addresses the European requirement for Strategic Environmental Assessment
 - Green Belt Assessment

Summary of Main Issues

7. At the conclusion of the six week public consultation Pendle Council had received a total of 156 submissions, broken down as follows:

Site nominations – 59

- New sites (i.e. not previously submitted) – 37

Representations – 97

- Local Plan Part 2: Scoping Report & Methodology – 32
- Sustainability Appraisal: Scoping Report & Methodology – 7
- Green Belt Assessment – 46
- Comments on sites not forming part of the consultation – 12

8. Four representations / site nominations were received after the official deadline on 7th April 2017.
9. Appendices 1-3 include the full verbatim comments for each representation, but a summary of the key issues raised is given below:

Local Plan (Part 2) Scoping Report & Methodology

- The term “local need” should be clearly defined in the context of the Local Plan.
- Insufficient focus on bringing previously developed (Brownfield) land back into use.
- Concerns about the accuracy of figures used to justify the housing requirement and proposed spatial distribution. The figures should be revisited in the light of more recent population projections and to take account of the Housing White Paper (2017).
- The Local Plan should allocate land in excess of the overall housing requirement to provide flexibility should the supply from planning permissions not come forward.
- The evidence supporting the plan needs to take account of the rates at which planning permissions lapse and housing development on allocated sites is likely to come forward.
- A mechanism for bringing forward development on reserve sites needs to be included within the methodology.
- Barrowford is within the second tier of the Settlement Hierarchy and as such is being required to accommodate too much development.
- The 500 homes at Trough Laithe should be taken off the total allocation for Barrowford rather than the M65 Corridor as a whole.
- The proposed distribution of new housing allocates too much / too little new development to Laneshaw Bridge.
- A policy supporting the health agenda by restricting A5 uses (hot food takeaways) in shopping centres and in the vicinity of establishments frequented by young people is not justified by the available evidence.

SA Scoping Report

- Viability should be addressed within the Sustainability Appraisal.
- Assessment of the historic environment also needs to consider non-designated heritage assets.
- Baseline analysis should include population by age group so the effects of an aging population are properly considered.
- Additional health and well-being indicators recommended.

Green Belt Assessment

- Pendle should have a Brownfield first policy.
- There are no ‘exceptional circumstances’ to release Green Belt land in Pendle.

- Parcel PA.03 (Land between Castle Road and Skipton Old Road and the Lidgett Triangle) should be protected from development / placed in the Green Belt.
- Parcel P041 (Land between the A6068 and Colne Water) should not be removed from the Green Belt.
- The consultant's recommendation that Parcel P042a (Land bounded by Rosley Street, Bright Street, Holme Street, Winwall Road and Trawden Road) should be removed from the Green Belt should not be accepted by Pendle Council.
- The commentary for sites PA.02 and PA.03 have been transposed in Tables 9, 14 and Appendix 3.

Site Nominations

- Areas put forward for future development (by representors) do not take account of Brownfield land within urban areas.

10. At its meeting on 22nd June 2017, the Executive requested that the Local Plan Working Group consider the draft responses prepared by planning officers and the consultants appointed by the Council. At its meeting on 13th July 2017, the Working Group agreed that the officer recommendations should be accepted and that this be reported back to the Executive.

Next Stages

11. The key stages in the preparation of the Part 2 Plan are set out in the Local Development Scheme (LDS). These have been reviewed and will be reflected in a subsequent update of the LDS. The intention is to prepare the Plan in line with the following dates:

- Reg. 18: Preferred Options (Public Consultation) – Spring 2018
- Reg. 19: Publication (Public Consultation) – Summer 2018
- Reg. 22: Submission – Winter 2018
- Reg. 24: Examination (Hearing Sessions) – Spring 2019
- Reg. 26: Adoption – Summer 2019

IMPLICATIONS

Policy:	The policies in the Local Plan will guide the preparation of other planning policy documents.
Financial:	Public consultation will be carried out within the allocated budget. The cost of hosting the independent examination is accounted for in budget projections.
Legal:	To comply with the requirements of the Town and Country (Local Plan) (England) Regulations 2012, as amended.
Risk Management:	None identified.
Health and Safety:	The Sustainability Appraisal will assess the impact (positive or negative) that individual site allocations or policies may have on issues relating to health. If necessary a Health Impact Assessment will be prepared to highlight any mitigation that may be required as a result of these impacts.

Sustainability:	All site nominations will be assessed in accordance with the approach set-out in Chapter 5 of the Local Plan Scoping Report & Methodology. Short-listed sites will then be assessed against the criteria set out in Appendix 1 of this report. The revised Sustainability Appraisal template, prepared by consultants Amec Foster Wheeler, will be used to assess potential site allocations and draft policies and their cumulative impact.
Community Safety:	None identified.
Equality and Diversity:	An Equality Impact Assessment (EqIA) will be prepared to assess the impact (positive or negative) that individual site allocations or policies may have on issues of equality and diversity. The EqIA will also highlight any mitigation that may be required as a result of these impacts.

APPENDICES

- (1) Consultation Comments – Local Plan Part 2: Scoping Report & Methodology
- (2) Consultation Comments – Sustainability Appraisal: Scoping Report
- (3) Consultation Comments – Green Belt Assessment
- (4) Site nominations and plans
- (5) Comments on sites not forming part of the consultation.

LIST OF BACKGROUND PAPERS

- (1) Planning & Compulsory purchase Act 2004
- (2) Localism Act 2011
- (3) Town and Country Planning (Local Planning) (England) Regulations 2012, as amended.
- (4) National Planning Policy Framework (Plan Making: paragraphs 150-158 and 182)
- (5) National Planning Practice Guidance