

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|---------------------------------------|------------|-------------|--|
| Foreword and Contents | | | |
| - | - | - | <ul style="list-style-type: none"> If the Colne Neighbourhood Development Plan (CNDP) proceeds to Referendum, it will need to be updated to reflect that it is no longer a draft. |
| 1. Introduction and Background | | | |
| - | 1.5 to 1.7 | - | <ul style="list-style-type: none"> The final version of the CNDP will need to remove any text specifically referring to the Regulation 16 consultation. |
| 2. Key Issues and Vision | | | |
| 9 | 2.4 | - | <ul style="list-style-type: none"> The vision remains generic rather than locally distinctive. |
| 3. History of Colne | | | |
| 16-20 | - | - | <ul style="list-style-type: none"> No further comment to the formal representation submitted in response to the Regulation 14 public consultation (see Consultation Statement). |
| 4. Colne Today | | | |
| 21-24 | - | - | <ul style="list-style-type: none"> Transport is identified as a key priority for Colne, but the CNDP provides insufficient narrative or evidence to support this decision: Traffic congestion along the North Valley and in the town centre are only briefly touched upon in paragraph 4.6. Additional references should be made to: <ul style="list-style-type: none"> the heavy traffic arising from town's strategic position at the end of the M65 motorway and the junction of two of the lowest crossings of the Pennine watershed (A56 and A6068) the AQMA on Windsor Street (North Valley) how rail and/or road improvements could address these matters and help to breathe new life into Colne |
| 5. Planning Policy Context | | | |
| 28 | 5.10 | - | <ul style="list-style-type: none"> A reference to the Barrowford Neighbourhood Plan (Made 2019) should be included in the list of Development Plan documents. The Kelbrook & Sough Neighbourhood Plan, the subject of a public referendum on 27 October 2022, may also need to be added to the list of Development Plan documents. |
| 6. Plan Policies | | | |
| CNDP1 – Colne Market Town | | | |
| 30 | - | - | <ul style="list-style-type: none"> This policy is not considered to meet the Basic Conditions as written, but is capable of doing so with modifications. |
| 30 | - | - | <ul style="list-style-type: none"> The Town Centre boundary shown on Map 4 (Appendix 1) should be amended to reflect that shown on the Policies Map, if the proposed extension to the Town Centre boundary (Policy CNDP1) is agreed. |
| 30 | - | Policy text | <ul style="list-style-type: none"> The policy should reference the NPPF as a material consideration for town centre uses. |
| 30 | - | Policy text | <ul style="list-style-type: none"> The policy should clarify that not all proposals within Colne Town Centre will be subject to all of the requirements set out in the policy. It is recommended that the opening sentence should be revised to read as follows: |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|------|-------|-------------|--|
| | | | <i>'... identity, new town centre uses ... will be supported where they are consistent with other parts of the development plan, the NPPF, and the policy requirements below as relevant.'</i> |
| 30 | A & B | Policy text | <ul style="list-style-type: none"> Ideally the numbering convention in Parts A and B, and throughout the document, should be consistent. |
| 30 | A | Policy text | <ul style="list-style-type: none"> It is unclear how applicants and decision makers should respond to the requirements of the policy. There is currently no comprehensive scheme for the redevelopment of Colne Town Centre. It is therefore unclear how proposals can meet, or be assessed against, parts (a) to (e) of the policy. It is also unclear how any interim proposals for small-scale development would be assessed to have prejudiced a comprehensive redevelopment. |
| 30 | A | Policy text | <ul style="list-style-type: none"> Pendle Council is currently working with the local community to produce a Masterplan for Colne Town Centre. This Masterplan should provide the basis for the policy, providing a meaningful and proportionate way to secure positive change within the town centre. It is recommended that the Policy text should be revised to read as follows: <i>'Development proposals within the defined town centre should have regard to the Colne Town Centre Masterplan. Proposals that are in conformity with the Masterplan will be supported. In particular proposals should:'</i> |
| 30 | A | Policy text | <ul style="list-style-type: none"> The phrase "upper floor development of other uses, such as residential ..." is imprecise. It is recommended that the Policy text should be revised to read as follows: <i>'above ground floor level, appropriate town centre uses, including residential will be supported.'</i> |
| 30 | A (c) | Policy text | <ul style="list-style-type: none"> This requirements of this element of the policy are unclear. A clear direction on how to implement the policy is needed. The policy should clearly set out what is meant by the term 'negatively impact'. Does this mean total loss? Degradation of quality? Removal or restriction of access? Adversely affecting its appearance? Loss of functionality? It would be disproportionate to refuse a scheme without consideration of the degree of harm that has been caused; the potential for mitigation measures to be put in place; and the wider benefits of the scheme. The policy needs to confirm precisely what 'key areas/uses' are to be protected by the policy and what value these add to the town centre and the local community. The list cannot be open-ended as this would leave considerable uncertainty for both applicants and decision makers. Evidence needs to be provided to show why the Market Hall, which is currently failing in terms of both occupation and patronage, has been singled out as an asset for protection. |
| 30 | A (e) | Policy text | <ul style="list-style-type: none"> Suggest that this criterion is deleted. If it is retained, to accord with the adopted parking standards, the criterion should make reference to the need for an assessment of the |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|------|--------------|---------------|---|
| | | | additional parking pressures that will be generated and that provision will be based on evidence of need. |
| 30 | A (f) | Policy text | <ul style="list-style-type: none"> This is a validation requirement of the Council. There is no need to agree the scope of a Heritage Impact Assessment with Pendle Council (the local planning authority). The parameters for producing heritage evidence are set out in the NPPF. There is no need for the policy to repeat this here. Policy requirement A (f) should be deleted. |
| 30 | A | Policy text | <ul style="list-style-type: none"> The requirements applied within the policy, towards proposals which do not constitute comprehensive redevelopment, are too onerous. The policy should relate to the emerging Colne Town Centre Masterplan and suggested changes to the policy wording would address this concern and enable the final paragraph in Part A of the policy to be deleted. |
| 31 | B | Policy text | <ul style="list-style-type: none"> The requirements of Part B (specifically criteria 1, 3, 5, 6, and 7) are disproportionate and do not meet the CIL tests. This element of the policy is not implementable through the decision-making process. Part B should be deleted from the policy, in its current form. |
| 31 | B (1) | Policy text | <ul style="list-style-type: none"> Criterion 1 would not pass any statutory test. It is not possible to require improvements to the public realm for every development. As it stands the policy would be unlawful. |
| 31 | B (2) | Policy text | <ul style="list-style-type: none"> Criterion 2 is premature, with regulations supporting the implementation of Biodiversity Net Gain still to be defined. Many of the requirements in Part B are aspirational and would be better if secured through the emerging Colne Town Centre Masterplan. Change of use applications will not deliver BNG. Some types of development will be exempt from BNG requirements. |
| 31 | B (3) | Policy text | <ul style="list-style-type: none"> This is aspirational rather than necessary. |
| 31 | B (4) to (7) | Policy text | <ul style="list-style-type: none"> Outwith guidance in NPPF or CIL Regulations. |
| 31 | B (5) | Policy text | <ul style="list-style-type: none"> Engagement with Lancashire County Council (Highways), in the preparation of the Local Plan, raised concerns about the placement of charging points in the highway. These do not appear to be reflected in this policy requirement. We cannot see if the comments of the highways authority have been sought on this issue. As the town centre is regarded as an accessible location many development proposals within the town centre boundary will not require parking provision. |
| 31 | C | Policy text | <ul style="list-style-type: none"> The restriction on hot food takeaways needs to be justified and align with higher order policy in the Local Plan. Policies need to be linked to evidence and there does not seem to be evidence to support this. |
| 31 | C | Policy text | <ul style="list-style-type: none"> The word "Prime" should read "Primary". |
| 32 | 6.1.3 | Justification | <ul style="list-style-type: none"> This goes beyond what is required by the policy. |
| 32 | 6.1.6 | Justification | <ul style="list-style-type: none"> Delete the reference to Appendix 1, if its deletion is supported (see comments against page 75 below). |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|---|-------|---------------|--|
| CNDP2 – Shopfronts | | | |
| 34 | - | Policy text | <ul style="list-style-type: none"> Precludes modern high quality design which is likely to be suitable within parts of the Town Centre. As currently worded the policy is only relevant to specific frontages within the town centre. For some town centre properties, its requirements will not be appropriate and its implementation would result in the refusal of otherwise suitable development. |
| 34 | (b) | Policy text | <ul style="list-style-type: none"> Should ideally link back to the traditional design of the frontage. |
| 34 | (c) | Policy text | <ul style="list-style-type: none"> Only illuminated signage requires planning permission and as such some of the policy proposals are not within the scope of the local planning authority. |
| CNDP3 – Design in Colne and the Colne Design Guide | | | |
| 36 | - | - | <ul style="list-style-type: none"> The policy fails to acknowledge that a historic or traditional appearance is not always the most appropriate solution. |
| 36 | - | Policy text | <ul style="list-style-type: none"> It is recommended that the following Policy text is deleted: <i>'To support all those involved in the design process (applicants, decision makers, communities).'</i> |
| 36 | - | Policy text | <ul style="list-style-type: none"> The policy does not confirm what will happen should proposals not conform to the Colne Design Code. Instead the final paragraph of the policy states that proposals, which are of poor design against 'local policy and the National Design Guide and policy will be refused.' For the Colne Design Code to be effective, specific reference should be made to it within this part of the policy. |
| 39 | 6.2.5 | Justification | <ul style="list-style-type: none"> Only part of the Coding Matrix from the Colne Design Code is included. The full Matrix should be included – single page, landscape format, with an appropriate title above. |
| CNDP4 – Development Affecting Non-designated Heritage Assets | | | |
| 40 | - | Policy text | <ul style="list-style-type: none"> As written this represents a higher test than the NPPF. The wording in paragraph 203 of the NPPF requires a "balanced judgement" to be made. No evidence is provided to justify the proposed approach. As a result the policy should be revised to reflect the NPPF. |
| 40 | - | Policy text | <ul style="list-style-type: none"> Non-designated heritage assets should be identified by the address of the property and not by reference to the current occupier as this is likely to change over time (e.g. #26 Clifford Smith and Buchannan, #88 Yorkshire Bank (now Funky Gifts). As the plan will be used by people who may not be familiar with the area, it is recommended that the format should be as follows: <i>(1) Reference number (2) Name of building, or description of the asset (3) Building number and street name, or brief description of the location</i> |
| CNDP5 – Urban Character Areas | | | |
| 43 | - | - | <ul style="list-style-type: none"> It is unclear what this policy adds to Policies CNDP3 and CNDP4. The policy should be deleted. |
| 43 | (1) | Policy text | <ul style="list-style-type: none"> This policy introduces 'Character Areas', which are not identified in the Colne Design Code. |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|--------------------------------------|------|------------------------|---|
| 43 | (2) | Policy text | <ul style="list-style-type: none"> As appropriate, these requirements should be incorporated into the Colne Design Code after checking for, and addressing, any conflicting guidance. |
| CNDP6 – Future Housing Growth | | | |
| 45 | - | - | <ul style="list-style-type: none"> This policy is not considered to meet the Basic Conditions as written, but is capable of doing so with appropriate modifications. |
| 45 | - | - | <ul style="list-style-type: none"> Pendle Council is satisfied that the CNDP, when read as a whole, is consistent with strategic planning policy on housing land provision and meets the aspirations of the spatial strategy. |
| 45 | - | - | <ul style="list-style-type: none"> The allocation of specific housing sites is not consistent with other policies in the development plan. In the absence of any evidence justifying a departure from adopted policy, these sites should be removed from the CNDP. |
| 45 | - | - | <ul style="list-style-type: none"> Planning Policy Guidance is clear that viability must be considered when preparing neighbourhood plans. The evidence on viability prepared for the Town Council by Aecom (2018 and 2022) and that prepared for Pendle Council by Lambert Smith Hampton (2020) does not support the allocation of sites on Brownfield land. No evidence has been presented on a site-by-site basis to counter these findings, or to demonstrate that a developer will deliver housing on these sites during the plan period. The Council has concerns about the deliverability of the portfolio of housing site allocations. |
| 45 | - | - | <ul style="list-style-type: none"> Whilst sites to be allocated in the CNDP may not appear to represent a balanced portfolio, sites already completed during the plan period have helped to deliver the variety of house type and tenure required to address local housing needs. |
| 45 | - | Policy text | <ul style="list-style-type: none"> The policy notes that the site capacities are notional. Using the gross site area, rather than the net developable area, and applying a blanket density figure of 30 dph, overestimates the delivery potential of the sites allocated in the plan, as several have constraints – e.g. challenging topography, flood risk etc. |
| - | - | Site Assessment Report | <ul style="list-style-type: none"> Insufficient evidence is provided to: <ul style="list-style-type: none"> Rationalise the selection of sites included within the policy and justify some of the conclusions that have been reached. Confirm the availability of some of the sites allocated for housing. There is no confirmation from a number of site owners that their land will be made available for housing during the plan period, or that housebuilders are interested in acquiring and developing the sites. Demonstrate the deliverability of the site allocations in full by the end of the plan period (31 March 2030). All the proposed allocations are located within the settlement boundary, where there is a presumption in favour of sustainable development. Many of these sites have been vacant and available for a considerable number of years. Poor economic viability and a |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|------|------|---------|--|
| | | | weak housing market have proved to be significant barriers to their development. |
| 45 | - | CNDP6/1 | <p>Land east of Waterside Road – Greenfield</p> <ul style="list-style-type: none"> Site P037 was not selected as a housing allocation in the Pendle Local Plan due to concerns about site availability, site topography and current policy designation (see below). Its allocation for housing is in conflict with Policy ENV1 of the Local Plan due to its designation as Natural Greenspace (NG118) and Amenity Greenspace (AG139) in the Pendle Open Space Audit (2018). The requirements of Policy ENV1 have not be fulfilled to justify the loss of this site to housing. There is no evidence that alternative accessible greenspace is to be provided. The site topography is challenging, which may have implications for the estimated capacity. There is no evidence of the landowner's intention to sell the site for housing. The Pendle Viability Assessment (Lambert Smith Hampton, 2019) suggests that a site of this nature, in this location (Scenario MC4), is neither viable nor deliverable for housing. The site should be removed from the list of proposed site allocations. |
| 45 | - | CNDP6/2 | <p>Land adjacent to 43 Belgrave Road – Brownfield</p> <ul style="list-style-type: none"> Site P202 was not selected as a housing allocation in the Pendle Local Plan as it falls below the 0.25 hectare size threshold. It is a vacant Brownfield site suitable for development. There is no evidence of the landowner's intention to sell the site for housing. The Pendle Viability Assessment (Lambert Smith Hampton, 2019) suggests that a site of this nature, in this location (Scenario MC8), is neither viable nor deliverable for housing. |
| 45 | - | CNDP6/3 | <p>Dockray Street – Brownfield</p> <ul style="list-style-type: none"> Site P145 was not selected as a housing allocation in the Pendle Local Plan as it was being promoted for employment use. The site topography is challenging, which may have implications for the estimated capacity. There is no evidence of the landowner's intention to sell the site for housing. The site is in active use for caravan storage. The Pendle Viability Assessment (Lambert Smith Hampton, 2019) suggests that a site of this nature, in this location (Scenario MC6), is neither viable nor deliverable for housing. |
| 45 | - | CNDP6/4 | <p>Buck Street – Brownfield</p> <ul style="list-style-type: none"> The site was not put forward as a potential housing allocation in the Pendle Local Plan. The site topography is challenging, which may have implications for the estimated capacity. There is no evidence of the landowner's intention to sell the site for housing. |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|------|------|---------|---|
| | | | <ul style="list-style-type: none"> The Pendle Viability Assessment (Lambert Smith Hampton, 2019) suggests that a site of this nature, in this location (Scenario MC6), is neither viable nor deliverable for housing. |
| 45 | - | CNDP6/5 | <p>Dam Side – Greenfield</p> <ul style="list-style-type: none"> The site was not put forward as a potential housing allocation in the Pendle Local Plan. Its allocation for housing is in conflict with Policy ENV1 of the Local Plan due to its designation as Natural Greenspace (NG118) and Amenity Greenspace (AG139) in the Pendle Open Space Audit (2018). The requirements of Policy ENV1 have not be fulfilled to justify the loss of this site to housing. There is no evidence that alternative accessible greenspace is to be provided. The site topography is challenging, which may have implications for the estimated capacity. There is no evidence of the landowner's intention to sell the site for housing. The Pendle Viability Assessment (Lambert Smith Hampton, 2019) suggests that a site of this nature, in this location (Scenario MC4), is neither viable nor deliverable for housing. The site should be removed from the list of proposed site allocations. |
| 45 | - | CNDP6/6 | <p>Shaw Street – Greenfield & Brownfield</p> <ul style="list-style-type: none"> The site was not put forward as a potential housing allocation in the Pendle Local Plan. Its allocation for housing is in conflict with Policy ENV1 of the Local Plan due to its designation as a Play Area (PA014/015) and Woodland (WD374) in the Pendle Open Space Audit (20188). The requirements of Policy ENV1 have not be fulfilled to justify the loss of this site to housing. There is no evidence that this site is surplus to requirements, or that alternative accessible greenspace is to be provided. The site topography is challenging, which may have implications for the estimated capacity. The Pendle Viability Assessment (Lambert Smith Hampton, 2019) suggests that a site of this nature, in this location (Scenario MC6), is neither viable nor deliverable for housing. The site should be removed from the list of proposed site allocations. |
| 45 | - | CNDP6/7 | <p>Green Works – Brownfield</p> <ul style="list-style-type: none"> Site P053 was not selected as a housing allocation in the Pendle Local Plan due to concerns about contamination, remediation and viability. It is a vacant former mill site with known contamination issues. These arise from the chemical treatment of metals by the last occupier (Hycrome Europe). The Pendle Viability Assessment (Lambert Smith Hampton, 2019) suggests that a site of this nature, in this location (Scenario MC6), is neither viable nor deliverable for housing. The viability assessment in the NP does not take into account the costs of remediating the known contamination on the site |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|------|------|----------|---|
| 45 | - | CNDP6/8 | <p>Primet Bridge – Greenfield</p> <ul style="list-style-type: none"> Site P039 was not selected as a housing allocation in the Pendle Local Plan as it falls below the 0.25 hectare size threshold. Its allocation for housing is in conflict with Policy ENV1 of the Local Plan due to its designation as Amenity Greenspace (AG174) in the Pendle Open Space Audit (2018). The requirements of Policy ENV1 have not be fulfilled to justify the loss of this site to housing. There is no evidence that that alternative accessible greenspace is to be provided. There is no evidence of the landowner's intention to sell the site for housing. The Pendle Viability Assessment (Lambert Smith Hampton, 2019) suggests that a site of this nature, in this location (Scenario MC4), is neither viable nor deliverable for housing. The site should be removed from the list of proposed site allocations. |
| 45 | - | CNDP6/9 | <p>Thomas Street – Brownfield</p> <ul style="list-style-type: none"> Site P092 was not selected as a housing allocation in the Pendle Local Plan as it falls below the 0.25 hectare size threshold. The site is in use as a car park and is not included on Pendle Council's list of surplus assets, so its availability is in question. The Pendle Viability Assessment (Lambert Smith Hampton, 2019) suggests that a site of this nature, in this location (Scenario MC8), is neither viable nor deliverable for housing. |
| 45 | | CNDP6/10 | <p>Land to rear of Dewhurst Street – Greenfield</p> <ul style="list-style-type: none"> Site P084 was not selected as a housing allocation in the Pendle Local Plan as it falls below the 0.25 hectare size threshold. A Greenfield site with extensive tree cover. There is no evidence of the landowner's intention to sell the site for housing. The Pendle Viability Assessment (Lambert Smith Hampton, 2019) suggests that a site of this nature, in this location (Scenario MC8), is neither viable nor deliverable for housing. |
| 45 | | CNDP6/11 | <p>Land at Primrose Hill – Brownfield</p> <ul style="list-style-type: none"> Site P204 was not selected as a housing allocation in the Pendle Local Plan as it falls below the 0.25 hectare size threshold. The site is in use by Pendle Council's Parks department and is not included in the asset disposal list and is not available. The Pendle Viability Assessment (Lambert Smith Hampton, 2019) suggests that a site of this nature, in this location (Scenario MC7), is neither viable nor deliverable for housing. |
| 45 | | CNDP6/12 | <p>Land adjacent to 271 Keighley Road – Greenfield</p> <ul style="list-style-type: none"> Site P201 was not selected as a housing allocation in the Pendle Local Plan as it falls below the 0.25 hectare size threshold. Land Registry searches in 2008 and 2014 show that the land is divided into three parcels and that the owners live in a nearby property. There is no evidence of the landowner's intention to sell the site for housing. |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|------|------|----------|--|
| | | | <ul style="list-style-type: none"> The Pendle Viability Assessment (Lambert Smith Hampton, 2019) suggests that a site of this nature, in this location (Scenario MCN7), is viable for housing. |
| 45 | | CNDP6/13 | <p>Land adjacent to 47 Townley Street – Greenfield</p> <ul style="list-style-type: none"> Site P199 was not selected as a housing allocation in the Pendle Local Plan as it falls below the 0.25 hectare size threshold. Vacant Greenfield site (there is no development shown on either the 1940s or 1960s aerial photographs) suggests there may be an underlying issue why the site has not been developed. The Pendle Viability Assessment (Lambert Smith Hampton, 2019) suggests that a site of this nature, in this location (Scenario MC8), is neither viable nor deliverable for housing. |
| 45 | | CNDP6/14 | <p>Land adjacent to 43 Belgrave Road – Greenfield</p> <ul style="list-style-type: none"> Site P202 was not selected as a housing allocation in the Pendle Local Plan as it falls below the 0.25 hectare size threshold. Vacant Greenfield site (there is no development shown on either the 1940s or 1960s aerial photographs) suggests there may be an underlying issue why the site has not been developed. The Pendle Viability Assessment (Lambert Smith Hampton, 2019) suggests that a site of this nature, in this location (Scenario MC8), is neither viable nor deliverable for housing. |
| 45 | | CNDP6/15 | <p>Land west of Bankfield Street (Bunkers Hill) – Greenfield</p> <ul style="list-style-type: none"> Site CE127 (part of the site) already benefits from planning permission for housing, which has been partially implemented (13/12/063P – 30, 2/3 bed homes). It is included in the existing commitments for Colne and these dwellings should be excluded from the total capacity of the proposed allocations. This would reduce the contribution this site makes to the overall housing land supply from 56 dwellings to 34 dwellings. Vacant Greenfield site with a number of issues that need to be considered/addressed: <ul style="list-style-type: none"> The south east part of the site was previously used for waste disposal/landfill Pendle Council has used grant funding to plant trees on the northern part of the site Part of the site is currently infected with Japanese Knotweed The submitted Heritage Impact Assessment (2022) prepared by Kirkwells fails to consider the likely effects on the wider historic environment, which includes the Greenfield Conservation Area to the west, Primet Bridge Conservation Area to the south, and three listed buildings – Wayside Barn (Grade II) and Greenfield House Farm and Greenfield House (Grade II) to the west and Primet Foundry (Grade II) to the south east. The overall impact is therefore unknown, raising questions about the suitability of the site for development and its overall capacity. The HIA should be updated to address this matter. The Pendle Viability Assessment (Lambert Smith Hampton, 2019) suggests that a site of this nature, in this location (Scenario MC5), is neither viable nor deliverable for housing. |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|---|-------|---------------|--|
| 47 | 6.3.2 | Justification | <ul style="list-style-type: none"> In December 2021, Pendle Council resolved to abandon preparation of the Local Plan Part 2 and to prepare a new Local Plan for the borough. The reference to the Local Plan Part 2 housing requirement figure of 240 dwellings per year, and the resulting implications for Colne, are irrelevant and should be removed, as a new evidence base will underpin the spatial strategy in the new Local Plan. |
| 47 | 6.3.3 | Justification | <ul style="list-style-type: none"> The figure generated by the Standard Method is material to housing land supply in Pendle. In accordance with the NPPF, it forms the basis of the 5 year housing land supply calculation. However, the reference to the Standard Method figure for Pendle being much reduced, when compared with the adopted housing requirement, is not relevant in this context. The CNDP should acknowledge that it is for the new Local Plan to define a housing requirement figure for Pendle. As the new Local Plan is at a very early stage in the plan-making process, to conclude that the future housing needs of Colne will be significantly reduced is premature. |
| 48 | - | Table | <ul style="list-style-type: none"> Table 2 provides an illustration of residual housing need in Colne, but presents a picture that is out-of-date. The table appended to this representation confirms the position at the end of the 2021/22 monitoring year. To be in conformity with adopted policy it employs the methodology employed in the Pendle Core Strategy (2015) and is based on the housing requirement of 298 dpa, set out in Policy LIV1 of that document. This updated table shows that in recent years housing delivery in Colne has been particularly strong, and that significant progress has been made towards meeting the apportioned housing need for the town. It confirms a residual need of 192 dwellings in Colne. This represents 12% of the residual need for the borough. The CNDP, as submitted, identifies housing allocations that will provide an estimated 177 dwellings. As set out above the Council has concerns regarding the suitability and deliverability of a number of these sites. Nevertheless it is likely that some of the allocated sites will come forward and the policies of the CNDP will allow further opportunities for housing to be delivered within the neighbourhood area. As a result, the Council is satisfied that the CNDP is in general conformity with the spatial strategy and the strategic planning policy on housing land supply. |
| CNDP7 – Protecting Local Green Space | | | |
| 51 | - | - | <ul style="list-style-type: none"> This policy is not considered to meet the Basic Conditions as written, but is capable of doing so with appropriate modifications. |
| 51 | - | - | <ul style="list-style-type: none"> The designation of Local Green Space (LGS) must be carried out in accordance with the criteria set out in paragraph 100 of the NPPF. Pendle Council is concerned that the approach taken in the accompanying LGS Assessment includes limited analysis against the NPPF requirements. Some of the conclusions that have been reached do not appear to be justified when considered against the decision tree in Appendix 5 of the |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|------|------|---------|---|
| | | | <p>Pendle Local Plan Part 2, which will be included in the new Pendle Local Plan (see below).</p> <ul style="list-style-type: none"> The designation of over 80 hectares of LGS and its spatial distribution, as illustrated on the Policies Map has in effect created a green belt around Colne which is not the stated purpose of the policy designation in the NPPF. Government guidance is clear that the role of Local Green Space is to protect specific and locally important small tracts of land. The assessments for each of the proposed areas do not consider if the areas represent large tracts of land which is one of the fundamental considerations set out in the NPPF. The list of LGS sites should be reviewed. <p>Local Green Space – Decision Tree</p> <pre> graph TD 1[1. Proposed Local Green Space] --> 2[2. Has planning permission for development already been granted on this site?] 2 -- Yes --> 2a[Is this planning permission likely to be implemented?] 2a -- Yes --> 3[3. Has the site been allocated for development in the Local Plan or a Neighbourhood Plan?] 2a -- No --> 4[4. Is the site local in character and NOT an extensive tract of land?] 2 -- No --> 4 3 -- Yes --> 3a[Can the permission or allocation be implemented and still accommodate the proposed Local Green Space?] 3a -- No --> 4 3a -- Yes --> 5[5. Can the site and its special characteristics be protected in another way?] 4 -- Yes --> 5 4 -- No --> 6[6. Is the site reasonably close to the community it serves?] 5 -- Yes --> 7[7. Is the site of particular value to the local community?] 5 -- No --> 6 6 -- Yes --> 7 6 -- No --> 4 7 -- Yes --> 8[8. Consider designation as Local Green Space] 7 -- No --> 9[The site is unlikely to be suitable for designation as Local Green Space] 9 --> 10[Consider alternatives to Local Green Space] </pre> <p>① = Criterion / Test</p> |
| 51 | - | CNDP7/1 | <p>Alkincoats Woodland</p> <ul style="list-style-type: none"> Disagree with the proposal to designate the site as a LGS. The site represents an extensive tract of land, on the edge of the settlement, which does not have distinct boundaries on all sides. |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|------|------|---------|--|
| | | | <ul style="list-style-type: none"> The site is afforded protection through Policy ENV1 of the Core Strategy, because: <ul style="list-style-type: none"> ➤ It lies wholly within the Green Belt (Parcel P032). ➤ It is identified as natural greenspace (NG087) in the Pendle Open Space Audit ➤ It is designated a Local Nature Reserve. The site is highly valued and demonstrably special to the local community, but the LGS designation is not necessary. |
| 51 | - | CNDP7/2 | <p>Alkincoats Park</p> <ul style="list-style-type: none"> Disagree with the proposal to designate the site as a LGS The site could be regarded as being an extensive tract of land, but has very distinct boundaries. The site is afforded protection through Policy ENV1 of the Core Strategy, because: <ul style="list-style-type: none"> ➤ It is identified under several typologies (PK027, PA044 and OS072) in the Pendle Open Space Audit The site is highly valued and demonstrably special to the local community. But, designating a municipal park as LGS could severely restrict any future development of recreational facilities within the designated area. The existing policy designations offer greater flexibility in this respect and are more appropriate. |
| 51 | - | CNDP7/3 | <p>Upper Foulridge Reservoir Walking Area</p> <ul style="list-style-type: none"> Disagree with the proposal to designate the site as a LGS. The site represents an extensive tract of land, on the edge of the settlement and does not have distinct boundaries on all sides. The site is afforded protection through Policy ENV1 of the Core Strategy, because: <ul style="list-style-type: none"> ➤ It lies wholly within the Green Belt (part of Parcel 036). The site is not demonstrably special to the local community. It is not noticeably different to other areas of open countryside, which are accessible but sit outside the LGS policy designation. |
| 51 | - | CNDP7/4 | <p>Upper Rough</p> <ul style="list-style-type: none"> Disagree with the proposal to designate the site as a LGS. The site represents an extensive tract of land, on the edge of the settlement and does not have distinct boundaries on all sides. The site lies in the open countryside. It is protected by Policy 3A of the Replacement Pendle Local Plan (2006) in case it was needed to provide for future development needs. The site is highly valued by the local community, as evidenced by the activities of the Lidgett & Beyond community group. With the exception of offering panoramic views of Colne and the South Pennine Moors, it is not noticeably different to other areas of open countryside, which are accessible but sit outside the LGS policy designation. |
| 51 | - | CNDP7/5 | <p>Lidgett Triangle</p> <ul style="list-style-type: none"> Agree. The site fulfils the criteria for designation as a LGS. The site could be regarded as being an extensive tract of land, but has very distinct boundaries. |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|------|------|---------|--|
| | | | <ul style="list-style-type: none"> The site makes a significant contribution to the character of the Lidgett and Bents Conservation Area, and the setting of Higher Standroyd on Skipton Old Road. The site is highly valued by the local community, as evidenced by the activities of the Lidgett & Beyond community group and is demonstrably special to the local community |
| 51 | - | CNDP7/6 | <p>Ball Grove Park and Nature Reserve</p> <ul style="list-style-type: none"> The site represents an extensive tract of land which is not well defined. It includes a mix of uses, including fields adjoining, but not visible from, Keighley Road which are neither well-used nor highly valued. Large parts of the site are afforded protection through Policy ENV1 of the Core Strategy, because: <ul style="list-style-type: none"> It is designated as Green Belt (Parcels P041 and P042) It is identified under several typologies in the Pendle Open Space Audit (PK006/PA030/NG018/WD106) It is designated as a Local Nature Reserve Whilst the land within the Ball Grove Country Park is highly valued and demonstrably special to the local community, its designation as LGS is a cross boundary issue. Trawden Forest Parish Council did not see fit to designate that part of the country park falling within their designated neighbourhood area in the Plan they adopted in 2018. If agreement can be reached, the Ball Grove Country Park could be designated through the next iteration of the Pendle Local Plan. |
| 51 | - | CNDP7/7 | <p>Colne Cemetery</p> <ul style="list-style-type: none"> Agree The site has clearly defined boundaries and does not represent an extensive tract of land. The site is afforded protection through Policy ENV1 of the Core Strategy, because: <ul style="list-style-type: none"> It is identified as a Cemetery (CM003) in the Pendle Open Space Audit. Whilst Policy ENV1 offers sufficient policy protection, the Council does not oppose designation of the site as LGS. |
| 51 | - | CNDP7/8 | <p>Heifer Lane roundabout</p> <ul style="list-style-type: none"> Disagree with the proposal to designate the site as a LGS. The site does not represent an extensive tract of land, but comprises fragmented areas of highway verge. The site is afforded protection through Policy ENV1 of the Core Strategy, because: <ul style="list-style-type: none"> It is identified as amenity greenspace in the Pendle Open Space Audit (AG015, AG016, AG017, AG019 and ,091) The site is not demonstrably special to the local community. Policy ENV1 offers sufficient policy protection. |
| 51 | - | CNDP7/9 | <p>St Stephen's Walking Area</p> <ul style="list-style-type: none"> Disagree with the proposal to designate the site as a LGS. The site has clearly defined boundaries and does not represent an extensive tract of land. |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|------|------|----------|---|
| | | | <ul style="list-style-type: none"> The site is afforded protection through Policy ENV1 of the Core Strategy, because: It is designated as Amenity Greenspace (AG092) in the Pendle Open Space Audit. The site is not demonstrably special to the local community. Policy ENV1 offers sufficient policy protection. |
| 51 | - | CNDP7/10 | <p>Byron Road Community Area</p> <ul style="list-style-type: none"> Disagree with the proposal to designate the site as a LGS. The site has clearly defined boundaries and does not represent an extensive tract of land. The site is not demonstrably special to the local community. The site is afforded protection through Policy ENV1 of the Core Strategy, because it: It is identified as Amenity Greenspace (AG093) in the Pendle Open Space Audit. Although afforded protection through Policy ENV1, it may be worth considering designation of the facility as an Asset of Community Value. |
| 51 | - | CNDP7/11 | <p>Hagg Green Space</p> <ul style="list-style-type: none"> Agree The site has clearly defined boundaries and does not represent an extensive tract of land. The site is afforded protection through Policy ENV1 of the Core Strategy, because: <ul style="list-style-type: none"> It is identified as Amenity Greenspace (AG162) and Woodland (WD472) in the Pendle Open Space Audit. Whilst Policy ENV1 offers sufficient policy protection, the Council does not oppose designation of the site as LGS. |
| 51 | - | CNDP7/12 | <p>Waterside Millennium Green</p> <ul style="list-style-type: none"> Agree. The site has clearly defined boundaries and does not represent an extensive tract of land. The site is afforded protection through Policy ENV1 of the Core Strategy, because: <ul style="list-style-type: none"> It is identified as both a Park (PK029) and a Play Area (PA060) in the Pendle Open Space Audit. Whilst Policy ENV1 offers sufficient policy protection, the Council does not oppose designation of the site as LGS. |
| 51 | - | CNDP7/13 | <p>Whitewalls Green Space</p> <ul style="list-style-type: none"> Disagree with the proposal to designate the site as a LGS: The site is a large area of highway verge. The site is afforded protection through Policy ENV1 of the Core Strategy, because: <ul style="list-style-type: none"> It is identified as Amenity Greenspace (AG168) in the Pendle Open Space Audit. The site is not demonstrably special to the local community. Policy ENV1 offers sufficient policy protection. |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|------|------|----------|--|
| 51 | - | CNDP7/14 | <p>Greenfield Nature Reserve</p> <ul style="list-style-type: none"> Disagree with the proposal to designate the site as a LGS. The site has clearly defined boundaries and does not represent an extensive tract of land. The site is afforded protection through Policy ENV1 of the Core Strategy, because: <ul style="list-style-type: none"> The site is identified as natural greenspace (NG089) in the Pendle Open Space Audit. The site is designated as a Local Nature Reserve. The site should also form part of the Green Belt. However a mapping error on the Proposals Map accompanying the Replacement Pendle Local Plan (2006) excluded this land from the Green Belt. This error will be corrected through the emerging Pendle Local Plan. The site is both valued and demonstrably special to the local community, but Policy ENV1 offers sufficient policy protection. |
| 51 | - | CNDP7/15 | <p>Wood Street Green</p> <ul style="list-style-type: none"> Disagree with the proposal to designate the site as a LGS. The site has clearly defined boundaries and does not represent an extensive tract of land. The site is afforded protection through Policy ENV1 of the Core Strategy, because: <ul style="list-style-type: none"> It is identified as amenity greenspace (AG138) in the Pendle Open Space Audit. The site is valued by, but is not demonstrably special to, the local community. Policy ENV1 offers sufficient policy protection. |
| 51 | - | CNDP7/16 | <p>Casserley Road/Varley Street/Thorn Grove</p> <ul style="list-style-type: none"> Disagree with the proposal to designate the site, as proposed, as a LGS. The site does not represent an extensive tract of land. The site is afforded protection through Policy ENV1 of the Core Strategy, because: <ul style="list-style-type: none"> It is designated as a Park (PK022) in the Pendle Open Space Audit. This site is adjacent to the King George V Playing Fields (OS095) and two Play Areas (PA042a and PA042b) within PK022. It is unclear why the whole of the site has not been identified as a potential Local Green Space considering that it has been deleted from Policy CNDP10 in the Regulation 14 version of the CNDP. Whilst Policy ENV1 offers sufficient policy protection, the Council would not oppose the designation of the larger site as LGS. |
| 51 | - | CNDP7/17 | <p>Snell Grove</p> <ul style="list-style-type: none"> Disagree with the proposal to designate the site as a LGS: The site has clearly defined boundaries and does not represent an extensive tract of land. The site is afforded protection through Policy ENV1 of the Core Strategy, because: <ul style="list-style-type: none"> It is identified as Amenity Greenspace (AG090) in the Pendle Open Space Audit. |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|---|------|-------------|---|
| | | | <ul style="list-style-type: none"> The site is not demonstrably special to, the local community. Policy ENV1 offers sufficient policy protection. |
| 51 | - | CNDP7/18 | <p>Red Lane Green Spaces</p> <ul style="list-style-type: none"> Disagree with the proposal to designate the site as a LGS: The sites have clearly defined boundaries and do not represent an extensive tract of land. The site is afforded protection through Policy ENV1 of the Core Strategy, because: <ul style="list-style-type: none"> ➤ They lie wholly within the green belt Parcel P033). The sites are not demonstrably special to the local community, although it is accepted that they offer panoramic views of Lake Burwain to the north. Policy ENV1 offers sufficient policy protection. |
| 51 | - | CNDP7/19 | <p>Ferndean Way in Waterside</p> <ul style="list-style-type: none"> Disagree with the proposal to designate the site as a LGS. This is a linear route and does not meet the requirement for designation as Local Green Space, as set out in paragraph 108 of the Planning Practice Guidance on “Open space, sports and recreation facilities, public rights of way and local green space”. |
| 51 | - | CNDP7/20 | <p>Land adjacent to Greenfield Mill</p> <ul style="list-style-type: none"> Disagree with the proposal to designate the site as a LGS. The site has clearly defined boundaries and does not represent an extensive tract of land. It is a large area of highway verge. The site is afforded protection through Policy ENV1 of the Core Strategy, because: <ul style="list-style-type: none"> ➤ It is identified as amenity greenspace (AG117) in the Pendle Open Space Audit. The site is not demonstrably special to, the local community. Policy ENV1 offers sufficient policy protection. |
| 51 | - | CNDP7/21 | <p>Land at Essex Street</p> <ul style="list-style-type: none"> Disagree with the proposal to designate the site as a LGS. The site has clearly defined boundaries and does not represent an extensive tract of land. The site is afforded protection through Policy ENV1 of the Core Strategy, because: <ul style="list-style-type: none"> ➤ It is identified as amenity greenspace (AG262) in the Pendle Open Space Audit. The site is not demonstrably special to, the local community. Policy ENV1 offers sufficient policy protection. |
| CNDP8 – Protection and Enhancement of Community Facilities | | | |
| 54 | - | - | <ul style="list-style-type: none"> The policy does not offer additional protection to that afforded by Policy SUP1 in the Pendle Local Plan. For the policy to be worthwhile it needs to be more specific. |
| 54 | - | Policy text | <ul style="list-style-type: none"> “Non-community based uses” need to be defined and justified. |
| 54 | | Policy text | <ul style="list-style-type: none"> Part 2 of the policy should make clear that a facility should be marketed for community use, following its closure, for a period of at least a 12 months. |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|---|------|-------------|--|
| CNDP9 – Protection of Local Shops and Public Houses | | | |
| 55 | - | Policy text | <ul style="list-style-type: none"> There is a 1 kilometre distance requirement for Class F2(a) uses. The policy would be more effective if it made reference to “any units within a designated local shopping frontage in the Pendle Local Plan” as the distance threshold and restriction to F2(a) uses would not apply. |
| 55 | (C) | Policy text | <ul style="list-style-type: none"> Part C introduces the possibility that landowners could allow premises to fall into disrepair in order to secure a different use for a protected facility. Part C is unnecessary and counter-productive and should be removed from the policy. |
| CNDP10 – Protection of Sport and Recreation Facilities | | | |
| 56 | - | - | <ul style="list-style-type: none"> The policy does offers little in the way of additional protection to that afforded by Policy ENV1 in the Pendle Local Plan. |
| 56 | - | Policy text | <ul style="list-style-type: none"> The use of reference numbers, which differ from those in the Council’s Open Space Audit, is unhelpful for those looking to apply planning policy. |
| 56 | - | CNDP10/1 | <p>Holt House including playing fields, Colne FC and Colne and Nelson Rugby Club</p> <ul style="list-style-type: none"> Designated as outdoor sports (OS071) in the Pendle Open Space Audit (2018) the site is afforded protection under Policy ENV1 of the Pendle Local Plan. Multiple policy designations are unnecessary. The proposed boundary of Holt House playing fields as included on the draft Policies Map includes new homes delivered at Campion Green. The emerging local plan will revise the settlement boundary to include these properties. The proposed designation should be altered to omit these dwellings to prevent any future unnecessary policy conflict between the CNDP and the new Local Plan. |
| 56 | - | CNDP10/2 | <p>Colne Cricket Club</p> <ul style="list-style-type: none"> Designated as outdoor sports (OS071) in the Pendle Open Space Audit (2018) the site is afforded protection under Policy ENV1 of the Pendle Local Plan. Multiple policy designations are unnecessary. |
| 56 | - | CNDP10/3 | <p>Colne Golf Club</p> <ul style="list-style-type: none"> Designated as outdoor sports (OS007) in the Pendle Open Space Audit (2018) the site is afforded protection under Policy ENV1 of the Pendle Local Plan. Multiple policy designations are unnecessary. |
| 56 | - | CNDP10/4 | <p>Craven Tennis Club</p> <ul style="list-style-type: none"> Designated as outdoor sports (OS006) in the Pendle Open Space Audit (2018) the site is afforded protection under Policy ENV1 of the Pendle Local Plan. Multiple policy designations are unnecessary. |
| 56 | - | CNDP10/5 | <p>Pendle Leisure Centre</p> <ul style="list-style-type: none"> Has the full extent of the associated car parking been included within the boundary shown on the Policies Map? |
| 56 | - | CNDP10/6 | Bowling Green, Colne Cricket Club |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|--|------|-------------|--|
| | | | <ul style="list-style-type: none"> Designated as outdoor sports (OS097) in the Pendle Open Space Audit (2018) the site is afforded protection under Policy ENV1 of the Pendle Local Plan. Multiple policy designations are unnecessary. |
| 56 | - | CNDP10/7 | Bowling Green, British Legion <ul style="list-style-type: none"> Designated as outdoor sports (OS081) in the Pendle Open Space Audit (2018) the site is afforded protection under Policy ENV1 of the Pendle Local Plan. Multiple policy designations are unnecessary. |
| 56 | - | CNDP10/8 | Sports pitches/playing fields at former Nelson and Colne College <ul style="list-style-type: none"> Designated as outdoor sports (OS081) in the Pendle Open Space Audit (2018) the site is afforded protection under Policy ENV1 of the Pendle Local Plan. Multiple policy designations are unnecessary. The adjacent playing fields (Sites P083 and P011) were promoted as potential housing site allocations in the Pendle Local Plan, but after assessment neither was selected for allocation. |
| CNDP11 – Protection of Allotments | | | |
| 58 | - | - | <ul style="list-style-type: none"> Policy does not offer additional protection to that afforded by Policy ENV1 in the Pendle Local Plan. Is a further allotment designation in the CNDP necessary? |
| 58 | | Policy text | <ul style="list-style-type: none"> The use of reference numbers, which differ from those in the Council's Open Space Audit, is unhelpful, but their inclusion in parentheses is welcomed and will assist in day-to-day use of the CNDP. |
| CNDP12 – Transport | | | |
| - | - | | <ul style="list-style-type: none"> This policy is not considered to meet the Basic Conditions as written, but is capable of doing so with appropriate modifications. |
| 60 | - | Policy text | <ul style="list-style-type: none"> Criterion (b) is contrary to national planning policy both in its wording and approach for proposals affecting the natural and historic environment. The NPPF is clear that the status of the asset affected together with the degree of harm caused is significant in how the decision maker must treat the proposal. Furthermore, it is not necessarily the case that proposals which destroy a natural or historic asset would be refused depending on the extent of the public benefits of approving the development. |
| CNDP13 – Conserving and Enhancing Valued Landscape Features | | | |
| - | - | | <ul style="list-style-type: none"> This policy is not considered to meet the Basic Conditions as written, but is capable of doing so with appropriate modifications. |
| 63 | - | Policy (c) | <ul style="list-style-type: none"> Policy relates to landscape however part (c) is an ecology matter. To cover the habitats as outlined in (c) it is suggested (b) is amended to address 'landscape features, such as woodlands, trees, hedgerows, moorland grasses, wetland features and watercourses' |
| 63 | - | Policy (d) | <ul style="list-style-type: none"> It is unclear what is meant by the phrase 'open landscape areas make in conserving and maintaining the area's distinctive settlements'. Colne is the only settlement within the designated area. |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|--|------|-------------|---|
| | | | <ul style="list-style-type: none"> The reflect this, the Council proposes that part (d) of the policy is altered to read: <i>"The contribution that the open landscape makes to the setting and character of Colne."</i> |
| 63 | - | Policy text | <ul style="list-style-type: none"> Significant views – The policy cannot unilaterally impose policy restrictions on locations that are situated outside the designated neighbourhood area. |
| 63 | - | Policy text | <ul style="list-style-type: none"> The protection sought for 'significant views' through the policy is disproportionate and inconsistent with the NPPF. To address this conflict and provide a policy which will help to safeguard important views from within the designated neighbourhood area, the Council proposes that the following wording is adopted: <i>'The following viewpoints are identified as important in the Colne Significant Views Assessment (2021):</i> <i>[LIST]</i> <i>Proposals which are likely to affect an important view will be required to prepare a Landscape Appraisal.</i> <i>The Landscape Appraisal must be prepared in accordance with the latest guidelines of the Chartered Institute of Landscape Architects.</i> <i>The Landscape Appraisal will identify the important views that are affected, address their significance and assess any impacts that are may be caused by the development proposal, after the consideration of any mitigation measures that have been incorporated into the final design to help avoid, reduce or offset these effects.</i> <i>Proposals found to have an adverse impact on an important view may be refused, taking into account the significance of the view, the level of harm caused and benefits of the proposal'</i> |
| CNDP14 – Rural Identity and Character | | | |
| 68 | - | - | <ul style="list-style-type: none"> This policy is not considered to meet the Basic Conditions as written, but is capable of doing so with appropriate modifications. |
| 68 | (c) | Policy text | <ul style="list-style-type: none"> The wording is not consistent with the NPPF. The use of "traditional" or "local" materials may no longer be appropriate, or possible. To offer greater flexibility in sourcing appropriate materials, it is recommended that the Policy text should be revised to read as follows: <i>'Use high quality materials which are consistent with local vernacular'</i> |
| 7. How to Comment | | | |
| - | - | - | <ul style="list-style-type: none"> This section should be removed from the final version of the CNDP. |
| Maps | | | |
| 72-74 | - | - | <ul style="list-style-type: none"> This section only includes maps for three of the four conservation areas within the designated neighbourhood area. A map of the Greenfield Conservation Area should be included as Map 5 for completeness. This is particularly important for transparency, as |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|----------------------|------|-----------------------|--|
| | | | <p>proposed housing allocation CNDP6/15 Bunkers Hill is partially within this conservation area.</p> <p>https://www.pendle.gov.uk/downloads/file/5313/greenfield_conservation_area_map</p> |
| - | - | Policies Map | <ul style="list-style-type: none"> The Policies Map does not include important policy designations from the Local Plan (e.g. settlement boundary, Green Belt, open space), thereby giving the reader an incomplete picture of the spatial implications of planning policy within the designated neighbourhood area. |
| - | - | Policies Map | <ul style="list-style-type: none"> The contrast between the designations shown in different shades of green is too subtle and difficult to discern. Several policy designations are superimposed over existing Local Plan designations. In view of the above it is recommended that the use of contrasting colours and 'transparent' shading (e.g. lines, dots and hashes) are used to greater effect on the final version, to ensure that the Policies Map is clear and easy to use. |
| Appendices | | | |
| 75 | | Appendix 1 | <ul style="list-style-type: none"> Question the necessity of 27 pages of photomontages, which add little, if anything at all, to the point that is made in the justification for Policy CNDP1 (paragraph 6.1.6). It is recommended that Appendix 1 is deleted and if appropriate incorporated into the Colne Design Code. |
| Miscellaneous | | | |
| - | - | Regulation 14 | <ul style="list-style-type: none"> Pendle Council understands that its comments on earlier drafts of the NDP may not have found favour with the CNDP Working Group. However, we consider that some of those not taken on board would help to improve the presentation and tighten-up the policy wording of the submission draft. As such some of them have been repeated here. |
| 45, 51 & 56 | - | Policy text | <ul style="list-style-type: none"> The renumbering of sites between the different iterations of the plan, although understandable, does not aid transparency in the plan making process. |
| - | - | Policy text | <ul style="list-style-type: none"> The Regulation 16 draft is that intended to go forward for examination and adoption. It should therefore be suitable for use by planning officers who need policies to be clear and unambiguous so that they can make objective decisions. Each policy box needs to state clearly how the policy is to be applied in practice. The terminology used in some policies remains ambiguous and open to interpretation. |
| - | - | Policy text | <ul style="list-style-type: none"> The NPPF requires plans and policies to be positively prepared. The wording of several policies refers to what isn't acceptable (development control), rather than the governments preferred approach which is to say what will be supported (development management). |
| - | - | Monitoring Indicators | <ul style="list-style-type: none"> Some of the monitoring indicators, although well-intentioned, are not capable of being monitored. |

Colne Neighbourhood Development Plan

Pendle Council comments on Regulation 16 Submission Draft

| Page | Para | Element | Comments / Suggested Amendments |
|------|------|------------------|---|
| - | - | Justification | <ul style="list-style-type: none"> The justifications for many of the policies in the CNDP make little or no reference to relevant strategies that will be supported through implementation of the policy, or the evidence base underpinning it. The Justification should help to emphasise how the policy will help to maintain local distinctiveness. |
| - | - | General comments | <ul style="list-style-type: none"> The use of red text is not considered to be accessible. Ideally a colour with better contrast should be selected to help those with a visual impairment. The advice below, taken from Pendle Council's guidelines for tendering, sets out the accessibility requirements for web documents. <p>It is mandatory for all local authority websites to meet accessibility legislation for their design and content. Any new documents to be added to our website must also meet these criteria.</p> <p>In broad terms, all local authorities must, as a minimum, meet Level AA of the Web Content Accessibility Guidelines 2.1:</p> <ul style="list-style-type: none"> https://www.w3.org/TR/WCAG21/ <p>Contractors must provide their final report in a format that meets these requirements. Guidance on how to make documents as accessible as possible is provided below.</p> <p>Microsoft Word</p> <p>If you are creating your original documents in Microsoft Word, the following link provides useful guidance on making your documents accessible:</p> <ul style="list-style-type: none"> https://support.office.com/en-gb/article/make-your-word-documents-accessible-to-people-with-disabilities-d9bf3683-87ac-47ea-b91a-78dcacb3c66d <p>Portable Document Format (PDF)</p> <p>All PDF documents will be run through the Adobe Accessibility Checker. This identifies where a document is likely to fail the accessibility criteria.</p> <p>The link below provides information on how to create and verify accessible PDF documents using Acrobat Pro:</p> <ul style="list-style-type: none"> https://helpx.adobe.com/acrobat/using/create-verify-pdf-accessibility.html <p>Further Guidance</p> <p>Additional information on the Government's accessibility legislation can be found here:</p> <ul style="list-style-type: none"> https://www.gov.uk/guidance/accessibility-requirements-for-public-sector-websites-and-apps |

Revised distribution of new housing in Pendle

Key Inputs

| | |
|---|-------|
| Pendle Local Plan Housing Requirement 2011-2030 | 5,662 |
| Reoccupation of Long term Empty Homes | 1,137 |
| Adjusted Local Plan Requirement | 4,525 |

| Spatial Area | Settlement | Adjusted Housing Requirement | | | Net Housing Completions | | | | | | | | | | | | Existing Housing Commitments | | | | Housing Requirement | | |
|-------------------|--------------------------|------------------------------|-------|-------|-------------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|-------|------------------------------|-----|-----|-----|---------------------|---------------|-------|
| | | A1 | A2 | A3 | 2011/12 | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 | B1 | B2 | C1 | C2 | C3 | C4 | E1 | E2 |
| | | | | | | | | | | | | | | | | Total | | | | | | Trough Laithe | |
| M65 Corridor | Nelson | | 3,168 | 1,109 | 19 | -35 | -5 | 18 | 9 | 48 | 10 | 67 | 30 | 49 | 17 | 1,240 | 227 | 340 | 119 | 521 | 272 | 1,090 | 491 |
| | Brierfield and Reedley | | | 634 | 3 | 26 | 8 | 3 | 7 | 14 | 7 | 45 | 34 | 78 | 52 | | 277 | | 68 | | 77 | | 212 |
| | Colne | | | 1,109 | 13 | 9 | 17 | 24 | 28 | 28 | 68 | 88 | 90 | 138 | 144 | | 647 | | 119 | | 151 | | 192 |
| | Barrowford | | | 317 | 1 | 2 | 6 | 15 | 6 | 2 | 3 | 9 | 10 | 12 | 0 | | 66 | | 34 | | 21 | | 196 |
| | Strategic Housing Site | | | - | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 23 | - | 23 | - | - | - | - | - |
| West Craven Towns | Barnoldswick | | 815 | 489 | 4 | 10 | 3 | 11 | 66 | 20 | 2 | 27 | 24 | 32 | 25 | 279 | 224 | | | 139 | 85 | 397 | 180 |
| | Earby | | | 326 | 0 | 1 | 2 | 2 | 3 | 2 | 2 | 32 | 9 | 2 | 0 | | 55 | | 54 | | 217 | | |
| Rural Pendle | Fence | 4,525 | 543 | 81 | 0 | 0 | 6 | 3 | 0 | 13 | 18 | 3 | 0 | 1 | 2 | 298 | 46 | | | 155 | 12 | 90 | 23 |
| | Foulridge | | | 81 | 4 | 3 | 1 | 2 | 2 | 2 | 0 | 20 | 6 | 5 | 3 | | 48 | | 29 | | 4 | | |
| | Kelbrook | | | 81 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 8 | 0 | | 10 | | 14 | | 57 | | |
| | Trawden | | | 81 | 10 | 7 | 4 | 5 | 2 | 1 | 6 | 9 | 4 | 4 | 2 | | 54 | | 47 | | -20 | | |
| | Barley | | | 16 | 0 | 2 | 3 | 0 | 1 | 7 | 0 | 0 | 0 | 0 | 0 | | 13 | | 10 | | -7 | | |
| | Blacko | | | 33 | 0 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 1 | | 6 | | 10 | | 17 | | |
| | Higham | | | 33 | 7 | 4 | 15 | 0 | 1 | 0 | 2 | 0 | 1 | 2 | 0 | | 32 | | 0 | | 1 | | |
| | Laneshaw Bridge | | | 43 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 3 | 2 | | 7 | | 9 | | 27 | | |
| | Newchurch and Spen Brook | | | 16 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 11 | | 15 | | 18 | | -17 | | |
| | Roughlee and Crow Trees | | | 16 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 1 | 0 | 0 | 2 | | 5 | | 2 | | 9 | | |
| | Salterforth | | | 43 | 0 | 0 | 1 | 0 | 1 | 31 | 17 | 9 | 0 | 1 | 1 | | 61 | | 4 | | -22 | | |
| | Sough | | | 16 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | | 1 | | 0 | | 15 | | |
| Pendle Totals | All | 4,525 | 4,525 | 4,525 | 61 | 30 | 63 | 83 | 128 | 168 | 139 | 310 | 208 | 342 | 285 | 1,817 | 1,817 | 340 | 340 | 815 | 815 | 1,576 | 1,576 |

| | |
|------|--|
| Key: | |
| A1 | Adjusted housing requirement (less reoccupied long-term empty homes 2011-2020) |
| A2 | Housing requirement broken down by spatial area |
| A3 | Housing requirement broken down by settlement [in accordance with Pendle Local Plan Scoping Report & Methodology, 2014] |
| B1 | Total housing completions (net) during plan period by spatial area [2011/12 to date] |
| B2 | Total housing completions (net) during plan period by settlement [2011/12 to date] |
| C1 | Anticipated delivery at Trough Laithe by 31 March 2030 [Five Year Housing Land Supply Position Statement, Pendle Borough Council, 2021] |
| C2 | Anticipated delivery at Trough Laithe broken down between the M65 Corridor settlements [in accordance with Pendle Local Plan Scoping Report & Methodology, 2014] |
| C3 | Existing housing commitments by spatial area [i.e. capacity of sites with a valid planning permission] |
| C4 | Existing housing commitments by settlement [i.e. capacity of sites with a valid planning permission] |
| D1 | Residual housing need by spatial area |
| D2 | Residual housing need by settlement |

| |
|---|
| Notes |
| Policy LIV2 of the Pendle Core Strategy (2015) allocates land at Trough Laithe, close to M65 Junction 13, as a strategic housing site. It's purpose is to help meet housing needs across the M65 Corridor. This existing housing commitment is, therefore, apportioned by settlement. A total of 500 dwellings are expected to be built at Trough Laithe. To refelect prevailing market conditions and delays experienced in bringing the site forward for development, the Pendle Five Year Housing Lans Supply Position Statement (2021) anticipates that only 340 dwellings will be delivered at Trough Laithe by 2030; the end date for the Colne Neighbourhood Development Plan. |