

**REPORT FROM:** PLANNING ECONOMIC DEVELOPMENT AND REGULATORY SERVICES MANAGER

**TO:** POLICY AND RESOURCES

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## PENDLE LOCAL PLAN UPDATE

### PURPOSE OF REPORT

To update Committee on work being undertaken to prepare a new Local Plan for Pendle.

### RECOMMENDATIONS

That Committee notes the content of this report, including the timetable for the preparation of the Local Plan and Member Workshops planned for late March/early April.

### REASON FOR RECOMMENDATION

To progress the Local Plan towards its submission in accordance with the Regulations of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended and in order to ensure that Pendle has an up to date Local Plan.

### ISSUE

#### Background

- 1.1 The (new) Local Plan will set out the strategic framework for promoting sustainable development and growth in Pendle over the period 2021-2040. It will include:
- The long-term spatial vision for the Borough, and the overall strategy for delivering that vision.
  - The amount of development proposed for particular uses (e.g. housing and employment) and its geographic distribution across the borough.
  - The main infrastructure improvements required to support the projected scale and distribution of growth.
  - Provide a framework for considering conservation issues
  - Provide a framework for considering local green spaces

- The strategic planning policies that will be used to help determine applications for planning permission.
  - Updated development management policies which will be used in decision making.
  - New allocations for housing, employment and retail as necessary.
  - Updates to the policies map and Key Diagram.
- 1.2 At adoption the Local Plan will replace the policies of the Part 1 Core Strategy and saved policies of the Pendle Replacement Local Plan to form part of the statutory development plan for Pendle.
- 1.3 The preparation of the Local Plan follows the resolution made by Full Council in December 2021 to abandon work on the Pendle Local Plan Part 2: Site Allocations and Development Management Policies DPD.
- 1.4 The Local Plan has to conform to the requirements in the National Planning Policy Framework and will be tested for soundness based around that conformity.

### **Timetable and Arising Issues**

- 1.5 The draft Local Plan is at an advanced stage of its preparation. The final pieces of the evidence base have recently been received and these are being incorporated into the draft Plan.
- 1.6 Noteworthy issues addressed by the draft Local Plan include:
- The need to support the objective to reduce carbon emissions towards net zero by the end of the plan period in response to international obligations and the Council's Declaration of a Climate Emergency. Planning to reduce greenhouse gas emissions and to safeguard against the effects of climate change represent a major challenge.
  - A mandatory requirement for 10% biodiversity net gain is required for all qualifying development from November 2023<sup>1</sup>.
  - A conservationist approach is required towards the South Pennines SSSI noting its role for wildlife, climate change, water quality, and flood risk.
  - High quality design is required but the Plan does not include a Design Code. Developing a Design Code for Pendle would result in significant cost, require additional resources and result in an extensive delay to plan preparation. Design Codes are not currently mandatory.
  - There has been limited change to the baseline sustainability of settlements located in Pendle. The M65 Corridor continues to be the most sustainable location within Pendle. Barnoldswick continues to function as the principal town within West Craven.
  - Will provide the policy base for the development of design codes that could become compulsory in forthcoming policy changes.
  - Viability is still a significant issue across much of the plan area. As this is a fast moving issue (house prices are reducing and material prices altering) the final report will not be undertaken until later in 2023. However viability is still challenging in the M65 corridor.
  - There is a range of housing need scenarios identified to be considered depending on priorities for the Borough's future. All scenarios have wider associated adverse effects.
  - Regardless of the scenario selected affordable housing need continues to be acute.
  - Allocations for development will be required under any scenario selected. These are likely required at all main settlements.

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<sup>1</sup> The requirement for mandatory Net Gain at small sites has recently been confirmed to commence in April 2024.

- The evidence suggests that the release of land from the Green Belt is unlikely to be required and major development within the Area of Outstanding Natural Beauty will not be required.
  - Projected employment growth is largely met by committed development. Economic challenges continue underlined by the dominance of the manufacturing sector, low qualification attainment, low wages and higher than average unemployment.
  - Growth in the retail sector is likely to be limited and can be met by use of existing buildings/renewal of land.
  - Careful management of Class E development and non-Class E development in our town centres is required in order to maintain centre vitality and vibrancy.
- 1.7 Member Workshops relating to the Local Plan are scheduled for March and April:
- Member Workshop 1 (March week 3): will consider the overall strategy for the Local Plan reviewing the proposed vision, objectives and spatial strategy.
  - Member Workshop 2 (March week 4): will consider the approach to growth, taking into account updated evidence, including the land requirements for housing, employment and retail.
  - Member Workshop 3 (April week 1): will consider the sites which will be needed to meet the preferred spatial approach to development and development requirements. This will take into account the assessment of officers of available sites through the site assessment and Sustainability Appraisal process.
- 1.8 Following the conclusion of these workshops, the draft Local Plan will be finalised targeting the May Policy and Resources Committee for approval for a six-week public consultation commencing in early June 2023.
- 1.9 A period of around 5-months will be required to consider comments which have been made during the public consultation. This period will also be used to complete the evidence base which underpins the Local Plan including in relation to site specific issues such as viability, flood risk and heritage. A further member workshop will be arranged if significant changes to the draft are deemed necessary.
- 1.10 The Publication version of the Local Plan (the Local Plan which the Council considers 'sound') will be considered at Full Council in December 2023 for approval for its final six-week public consultation and subsequent submission to the Secretary of State for examination. This examination is likely to take place over much of 2024 and will be led by appointed independent Inspectors. It is possible that the Inspectors may conclude the examination by autumn of 2024, enabling its adoption in December 2024. Delays are however possible to this timetable.

## IMPLICATIONS

<b>Policy:</b>	The Local Plan will form part of the statutory development plan at adoption. Planning law requires planning applications to be determined in accordance with policies of the development plan unless material considerations indicate otherwise.
<b>Financial:</b>	Public consultation will be carried out using the allocated budget.
<b>Legal:</b>	The Council is required to prepare a Local Plan to meet Government legislation

<b>Risk Management:</b>	The Government is reforming the planning system. Changes to the NPPF and development management policies are likely to affect the final version of the Local Plan (resulting in a shorter document). Wider reforms are likely over the next few years, meaning the plan's shelf life is likely to be limited. The Local Plan however is required to address the current policy vacuum experienced in Pendle providing up-to-date policies. This is critical in safeguarding local decision making and providing certainty for communities, businesses and the development industry.
<b>Health and Safety:</b>	None identified as a result of this report
<b>Sustainability:</b>	The economic, social and environmental impact of policies of the Local Plan will be addressed in the Sustainability Report and the Habitat Regulations Assessment.
<b>Community Safety:</b>	None identified as a result of this report
<b>Equality and Diversity:</b>	The impact of planning policies on equality and diversity will be addressed through the Sustainability Appraisal.

## **LIST OF BACKGROUND PAPERS**

- (1) National Planning Policy Framework
- (2) Planning Practice Guidance – Plan Making
- (3) Full Council December 2021 Minutes
- (4) Local Development Scheme (Fifth Revision) September 2022.