

REPORT FROM: ASSISTANT DIRECTOR PLANNING, BUILDING CONTROL
AND REGULATORY SERVICES MANAGER

TO: EXECUTIVE

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PENDLE LOCAL PLAN (PREFERRED OPTIONS REPORT)

PURPOSE OF REPORT

That Members approve the Local Plan 4th Edition (Preferred Options Report) and agree that the Plan and the supporting documents go out for formal public consultation.

RECOMMENDATIONS

- (1) That Committee notes the content of this report, including the timetable for the preparation of the Local Plan.
- (2) That Members agree that the Local Plan [Appendix 1] goes out for public consultation.
- (3) That Members agree that the Pendle Housing and Economic Development Needs Assessment [Appendix 2]; the Pendle Retail and Leisure Capacity Study [Appendix 3]; and the Pendle Local Plan: Sustainability Appraisal Non-Technical Summary [Appendix 4] can be made available for public consultation, alongside any previously prepared evidence base and supporting documents.

REASONS FOR RECOMMENDATIONS

- (1) To progress the Local Plan towards publication of the final draft of the Local Plan 4th Edition (Regulation 19) and its submission to the Secretary of State (Regulation 22) for independent examination (Regulation 24).
- (2) To comply with the requirements of Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended.
- (3) To ensure that Pendle has an up-to-date Local Plan, as required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended).

ISSUE

Background

In England the planning system is plan-led.

Decisions on whether to approve or refuse applications for planning permission are made in accordance with the statutory development plan for the Borough unless other matters (known as “material considerations”) indicate otherwise.

The Council has resolved to prepare a new Local Plan, which will form part of the statutory Development Plan for Pendle. On adoption it will replace planning policies in the following documents:

- Saved policies from the Replacement Pendle Local Plan 2001-2016 (2006)
- The Bradley Area Action Plan (2011)
- The Pendle Core Strategy 2011-2030 (2015)

The Local Plan covers the period 2021-2040. It establishes a positive vision for the future of Pendle. The strategic planning policies provide a framework for addressing the Borough’s development needs and other economic, social and environmental priorities. A suite of development management policies offer detailed guidance for those looking to apply for planning permission.

The Local Plan is underpinned by an evidence base which assesses the development needs of the borough up to 2040, as well as providing other baseline information such as the quality of the Green Belt.

The Local Plan must be in general conformity with the National Planning Policy Framework (NPPF 2021) and this will be tested at an Examination in Public, before it can be adopted.

The NPPF requires Local Plans be kept up to date. The Government has announced a December 2023 deadline for all local authorities in England to have a Local Plan in place, stating in a Written Ministerial Statement issued on 16 December 2020 that.

“The government wants to ensure that work continues to progress Local Plans through to adoption as soon as possible and, at a minimum, by the end of 2023 to help ensure that the economy can rebound from COVID-19.”

Plan-making: Public Consultation

The Council must positively engage with the public and other interested parties during the preparation of the Local Plan, and formally consult them at key stages in the plan-making process.

The “Preferred Options Report” is essentially the first draft of the Council’s Local Plan. It is proposed to make the document available for comment, for a minimum of six weeks starting in June 2023, in accordance with [Regulation 18 of The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#).

The Preferred Options Report sets out the strategic framework for promoting sustainable development in Pendle. It includes:

- A long-term spatial vision for the Borough.

- An indication of the amount of development required for different types of land-use.
- A spatial strategy to guide the geographic distribution of development across the Borough.
- Infrastructure improvements required to support the proposed scale and distribution of growth.
- Strategic planning policies, which establish where new development should take place.
- Development management policies, which indicate what new development should look like and how it should:
 - Promote high quality design.
 - Address the Climate Emergency
 - Enhance our quality of life.
 - Improve health and wellbeing.
 - Provide a net gain for biodiversity.

The spatial vision and strategy confirm that:

- Development and growth up to 2040 should be concentrated in the settlements in the M65 Corridor
- Barnoldswick will be the focus for development in West Craven.
- There is no need to amend the boundary of the Green Belt in Pendle.
- Where feasible to do so development should take place on previously developed land (Brownfield sites).

Plan-making: Evidence Base

The policies and site allocations in the Local Plan are based on an extensive evidence base.

In the last year, two key documents have been commissioned to ensure that the evidence on housing, employment, retail and leisure needs remains both robust and up to date:

1. Housing and Economic Development Needs Assessment (HEDNA) (Appendix 2)

The HEDNA has been prepared by consultants Icen Projects. The document:

- Considers the operation of the local housing market and the need for housing growth.
- Has recommendations on an annual housing requirement figure up to 2040.
- Provides evidence on the mix (tenure, type and size) of market and affordable housing that is needed.
- Examines the requirements for employment floorspace up to 2040.

The HEDNA concludes that the annual housing requirement for the borough should be set at 270 dwellings per annum (dpa). This is derived from an economic-led scenario which marries the identified requirements for employment floorspace with a housing figure.

The HEDNA also concludes that the overall figure for affordable housing need is 288 dpa. It is important to note that those people with an affordable housing need may already be in some form of accommodation, so they do not necessarily generate an additional need for new homes.

In terms of employment, there is a projected requirement of 13,200 m² for office floorspace and 709,100 m² of industrial and warehousing floorspace up to 2040. This need would be largely met by existing commitments, but allocations in West Craven are proposed to provide flexibility within that market.

2. Retail and Leisure Capacity Study (RLCS) (Appendix 3)

The RLCS has been prepared by consultants, Lichfields. It is an assessment of the future needs for retail and commercial leisure facilities. The total floorspace requirements up to 2040 are:

- Convenience goods 200 m²
- Comparison goods 500 m².
- Food / beverage 1,400 m².
- Leisure / cultural 1,500 m².

The total floorspace requirement of 3,600 m² is less than the current amount of vacant floorspace c.12,000 m². Reoccupied space could theoretically accommodate all projected need up to 2040.

Plan-making: The annual housing requirement

The Government's Standard Method (SM) calculation uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply. The calculation continues to use the 2014-based household projections as its baseline, with a percentage uplift to reflect the affordability of housing.

[Planning Practice Guidance on Housing and Economic Needs Assessment](#) makes clear that the SM figure identifies a minimum annual housing need figure and does not produce a final housing requirement figure.

The HEDNA sets out the reasons behind the figure of 270 units and the evidence that underpins that. The Council has sought to have a lower housing figure based on the SM starting point. The Plan has been written based on this minimum figure and the resolution of Council. Should Committee determine that the SM figure is the one that should be pursued, notwithstanding that the evidence in the HEDNA points to the need for a higher figure, Executive needs to instruct officers on what the case for that lower figure should be.

Plan-making: Supporting Documents

In addition to the evidence base, a number of reports are prepared alongside the Local Plan. These are updated as necessary during the plan making process and not finalised until the final draft of the Local Plan has been prepared.

The Sustainability Appraisal Report (SA) (Appendix 4) has been prepared using a toolkit drawn-up for the Council by consultants, Wood plc. The document analyses the economic, social and environmental impacts of the draft policies and site allocations in the Local Plan. A Non-Technical Summary of the SA Report will be made available as part of the Regulation 18 public consultation.

Plan-making: Next steps

The formal representations (comments) received in response to the Regulation 18 public consultation help to highlight where changes may be required to the draft policies and any provisional site allocations.

Once these changes have been made, subject to Council approval, the final draft of the Council's Local Plan will be made available for a further six week public consultation, in accordance with [Regulation 19 of The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#).

The final draft of the Local Plan, any formal representations received in response to the Regulation 19 public consultation, and all supporting documents are then submitted to the Secretary of State, who will appoint a Planning Inspector to conduct an independent Examination in Public.

IMPLICATIONS

Policy:	The Local Plan will form part of the statutory development plan. Planning law requires planning applications to be determined in accordance with policies of the development plan unless material considerations indicate otherwise.
Financial:	Public consultation will be carried out using the allocated budget.
Legal:	The Council is required to prepare a Local Plan to meet Government legislation
Risk Management:	The Government is reforming the planning system, but a new Local Plan is needed to address the current policy vacuum and provide up-to-date policies which are critical to safeguard local decision making and provide certainty for communities, businesses and the development industry.
Health and Safety:	None.
Sustainability:	The economic, social and environmental impact of policies of the Local Plan will be addressed in the Sustainability Report and the Habitat Regulations Assessment.
Community Safety:	None.
Equality and Diversity:	The impact of planning policies on equality and diversity will be addressed through the Sustainability Appraisal.

APPENDICES

- (1) Pendle Local Plan 4th Edition (Preferred Options Report)
- (2) Housing & Economic Development Needs Assessment (HEDNA)
- (3) Retail & Leisure Land Capacity Study (RLCS)
- (4) Sustainability Appraisal – Non-technical Summary

LIST OF BACKGROUND PAPERS

- (1) National Planning Policy Framework
- (2) Planning Practice Guidance – Plan Making

- (3) Planning Practice Guidance – Housing and economic needs assessment
- (4) Other Local Plan [evidence base documents](#)